

DELEGATED FILE NOTE

CASE OFFICER: ...Melissa Tyler.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02635/S73	Variation of condition 2 (revised plans) of planning permission 23/02865/FPH granted 16.02.2024 for Single storey side extension to provide a 1-bed ancillary annexe following demolition of existing detached timber shed (as amended by plans received 16th January 2024).	The Old Bakery Chapel Street Hinxworth Baldock Hertfordshire SG7 5HN

Submitted Plan Nos

PL001A PL113 B PL114 B PL115 B

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
HE1	Designated heritage assets
SECN12	Achieving well-designed places
SECN16	Conserve + enhance historic environment

2.0 **Site History**

- 2.1 Extensive site history relating to a number of single and two-storey extensions and a detached garage, from 2002 to 2021.
- 2.2 23/02865/FPH Single storey side extension to provide a 1-bed ancillary annexe following demolition of existing detached timber shed (as amended by plans received 16th January 2024). **Conditional Permission**
- 2.3 23/02866/LBC Single storey side extension to provide a 1-bed ancillary annexe following demolition of existing detached timber shed (as amended by plans received 16th January 2024). **Conditional Consent**

3.0 **Representations**

- 3.1 **Neighbour Representations and Site Notice** – None received.
- 3.2 **Hinxworth Parish Council** – No objection.
- 3.3 **Conservation Officer** – No objection subject to conditions.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The Old Bakery (previously called 'Fir Trees' and this is how the property is described in the list entry) is grade II listed and is located within the Hinxworth Conservation Area. The list entry is as follows:

House. C16 or earlier gable-ended range with C19 left extension forming L plan. Timber frame on right. Painted brick casing. Later C17 red brick ridge chimney stack with vitrified brick dressings. 2 storeys. The gable end has C19 sash windows to ground and 1st floor and a door on left, all with thin flattened-arch hood moulds. Inside this range is evidence of an extensive scheme of wall paintings in a ground floor room. Probably late C16, only surviving on studs. Floral pattern in black, white and red. (RCHM Typescript).

4.2 **Proposal**

- 4.2.1 This application seeks to vary condition 2 of the previous planning permission 23/02865/FPH granted for the erection of a single-storey side extension to provide a 1-bed ancillary annexe, following demolition of existing detached timber shed.

- 4.2.2 Condition 2 relates to the approved plans of the development. The following amendments are proposed:

- ☐ Change to changes to materials to external elevations and
- ☐ small increase in footprint and roof height of link section

4.3 **Key Issues**

- 4.3.1 The key issues in this case are:

- ☐ Principle of Development,
- ☐ Design
- ☐ Impact on Heritage Assets
- ☐ Impact on Neighbours
- ☐ Parking

Principle of Development

- 4.3.2 The principle of the development has been established given the extant planning permission. Relevant material considerations relating to the current application are design and impact to neighbour amenity and impact on heritage assets.

Design

- 4.3.6 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site's local context in addition to other criteria.

Policy D2 of the Local Plan states that planning permission for house extensions and outbuildings will be granted if the extension is sympathetic to the existing house in height, form, proportions, roof type, window details, materials; the orientation of the main dwelling and if it does not dominate adjoining properties. These considerations are echoed in Section 12 of the NPPF.

- 4.3.7 The proposed changes to the scheme are modest and proportionate to the permitted and consented scheme. In my opinion, the design of the proposed extension is sympathetic to the existing dwelling. The proposed form and materials would be contemporary in appearance, but this would be a positive juxtaposition compared to the host listed building. The Conservation Officer has raised no objection on design grounds, subject to a pre-commencement condition covering materials. Given its location, the extension would not be visible in the street scene. As such, the scheme is considered in accordance with Policy D1 and D2 of the Local Plan, as well as Section 12 of the NPPF.

Impact on Heritage Assets

- 4.3.8 The property is a grade II listed building and is within the Hinxworth Conservation Area. Therefore, consideration is given as to the impact of the proposal upon these heritage assets. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise of planning powers, in conservation areas “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*”. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for development which affects a listed building, or its setting, special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses.
- 4.3.9 As stated above, the Council’s Conservation Officer was consulted on this application, coming to the following view:

*The proposal will not harm the special character of The Old Bakery or harm the character or appearance of the Hinxworth Conservation Area. The proposal therefore satisfies the provisions of Sections 16(2) (LBC only) and 66(1) (FPH only) and 72(1) (both) of the Planning (LB & CA) Act 1990 and will accord with Section 16 of the Framework or Policy HE1 of the North Hertfordshire Local Plan 2011 – 2031. The proposal is **UNOBJECTIONABLE** in heritage terms.*

- 4.3.10 As such, the proposed extension is considered acceptable and will not occasion harm to the special character of setting of the grade II listed building or the Conservation Area, in accordance with Policy HE1 of the Local Plan and Section 16 of the NPPF.

Impact on Neighbours

- 4.3.11 Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions.
- 4.3.12 In my view, the proposed amendments from the previous approved scheme given the modest dimensions, the proposal is unlikely to result in any material harm to the reasonable living conditions and well-being of neighbours, with respect to overdominance, loss of daylight/sunlight, and loss of privacy.

4.3.13 This is in accordance with Policy D3 of the Local Plan.

Parking

4.3.14 The scheme would increase the number of bedrooms in the property from 3 to 4, which requires 2 parking spaces in line with Policy T2 of the Local Plan. This property has a sizable driveway and garage which can more than accommodate this requirement, which is acceptable in my opinion.

Climate Change

4.3.15 The proposed development, by virtue of its limited scale together with the sustainable location would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with the criteria set out in Policy D1 'Sustainable Design' of the North Hertfordshire Local Plan 2011-2031 and Section 14 - 'Meeting the challenge of climate change, flooding and coastal change' of the NPPF 2024.

BNG

4.3.16 Given that this application is for householder development, it is exempt from the 10% requirement to deliver BNG.

4.4 **Conclusion**

4.4.1 The proposed development is considered acceptable in principle, design, heritage. impact upon neighbouring properties, and parking. This is in accordance with Policies HS6, D1, D2, D3, HE1 and T2 of the Local Plan, as well as Section 12 and 16 of the NPPF.

4.5 **Alternative Options**

4.5.1 N/A.

4.6 **Pre-Commencement Conditions**

4.6.1 The agent is in agreement with the proposed pre-commencement condition under the simultaneous LBC application.

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 grant of planning application 23/02865/FPH.

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 The Old Bakery.

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.

Biodiversity Net Gain

This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

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  Anne McDonald Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 24 March 2025	