

DELEGATED FILE NOTE

CASE OFFICER: ...Thomas Howe.....

**APPLICATION
REFERENCE**

**BRIEF DESCRIPTION OF
DEVELOPMENT**

APPLICATION SITE

24/01393/FPH

Erection of detached rear garden room.

93 Heathfield Road

Hitchin

Hertfordshire

SG5 1TD

Submitted Plan Nos

Location Plan Proposed Site Plan 2024-001 v2 2024-002 v2

1.0 Policies

D1 Sustainable design

D2 House exts, replcmnt dwellings outbuild

D3	Protecting living conditions
T2	Parking
SECN12	Achieving well-designed places
SECN14	Meeting climate change,coastal,flooding
HS6	Relatives and dependents accommodation

2.0 **Site History**

2.1 13/01237/1HH - Replacement rear conservatory – Conditional Permission

3.0 **Representations**

3.1 **Neighbour Consultation** – None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 No. 93 comprises a mid-terrace two storey dwelling off Heathfield Road.

4.2 **Proposal**

4.2.1 Planning permission is sought for the erection of a detached rear garden room.

4.2.2 The building is proposed to be used as ancillary accommodation to the main dwellinghouse, with guests staying temporarily that are related to and associated solely with the household of No. 93 Heathfield Road.

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.

- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the proposed development would have on the environment.

Design and Appearance:

- 4.3.2 Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development. Policy D2 of the Local Plan requires extensions to houses and the erection or replacement of buildings to incorporate design that is sympathetic to the main dwelling in terms of its scale, form and orientation and does not harm the character and appearance of the locality around the site. These policies are broadly consistent with Section 12 of the National Planning Policy Framework.
- 4.3.3 The proposed building would be to the rear garden and would therefore be predominantly obscured from view from the street scene. The building, combined with the conservatory would cover a large portion of the rear garden, however, given that a majority of the garden would remain undeveloped, I consider that the scale of development would be acceptable. Furthermore, the height, at 2.5m, is limited and would therefore mitigate visual bulk and built form within the garden. Cedar cladding is proposed, together with a 1 piece rubber roof with grey fascia and guttering and grey fenestration details. I consider that the proposed materials of construction are acceptable and are typical for similar outbuildings within the district.
- 4.3.4 The proposed development is therefore considered to be in compliance with Policies D1 and D2 of the Local Plan and the core principles set out within Section 12 of the National Planning Policy Framework. The design and appearance are therefore acceptable.

Impact on Neighbouring Properties:

- 4.3.5 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the National Planning Policy Framework.
- 4.3.6 The proposed outbuilding would be to the rear boundary of the site, and would therefore be set away from windows serving neighbouring dwellings. Given the modest height of the building, together with the presence of hedging to all boundaries, I do not consider that the outbuilding would be unacceptably overbearing or overshadowing for neighbouring properties. No neighbour objections were received.
- 4.3.7 Given the above, it is considered that the proposed development would result in no unacceptable detrimental impact upon neighbouring occupiers and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

Environmental Implications:

- 4.3.8 The proposed development, by virtue of its limited scale in general terms 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 Section 14 of the NPPF.

Biodiversity Net Gain:

- 4.3.9 This is a householder application which is exempt from BNG Legislation defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

4.4 **Conclusion**

- 4.4.1 The proposed development is considered acceptable and is considered to comply with the necessary provisions of the Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

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 93 Heathfield Road, Hitchin.

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: 27 August 2024	