

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02737/FPH	Part two storey and part first floor front extension and single storey rear extension. Insertion of ground floor front window following removal of existing garage doors to facilitate conversion of garage into living room. Erection of detached double garage and installation of front hardstanding. Installation of replacement front entrance gates and 1.8m high wing walls	Ravensburgh Barton Road Hexton Hitchin Hertfordshire SG5 3JN

Submitted Plan Nos

MML/2024-01/01 MML/2024-01/02 MML/2024-01/03 MML/2024-01/04 MML/2024-01/05
MML/2024-01/06 MML/2024-01/07 MML/2024-01/08 MML/2024-01/09 MML/2024-01/10A
MML/2024-01/11 MML/2024-01/12

1.0 **Policies**

SP5	Countryside and Green Belt
D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land
SECN14	Meeting climate change,coastal,flooding
SECN16	Conserve + enhance historic environment
HE1	Designated heritage assets

2.0 **Site History**

2.1 No previous history.

3.0 **Representations**

- 3.1 **Neighbour Consultation** – None received.
- 3.2 **Parish Council** – No representation received.
- 3.3 **Ecology** – No Objection. Recommends inclusion of informative relating to bats due to impacts of works upon trees.
- 3.4 **Highways** – No Objection. Recommends condition and informative.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 Ravensburgh comprises a large, two storey detached dwelling off Barton Road in Hexton. The site is outside of the Hexton settlement boundary and is within the Conservation Area and the Green Belt. The dwelling is unlisted and benefits from a large driveway area and an existing tree line along Barton Road. A modest gate and some fencing is present to this boundary.

4.2 **Proposal**

- 4.2.1 Planning Permission is sought for the erection of:
- Part two storey and part first floor front extension.
 - Single storey rear extension.
 - Insertion of ground floor window following the removal of existing garage doors to facilitate a garage conversion into habitable accommodation.
 - The erection of a detached double garage and the installation of associated hardstanding.
 - Installation of replacement entrance gates 1.8m high with high wing walls.

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 of the development upon the Conservation 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 and the safe operation of the highway.
 - The impact that the proposed development would have on the environment.

Principle of Development - Green Belt:

- 4.3.2 The site is within the Green Belt as allocated within the Local Plan. Paragraph 153 of the NPPF advises that significant weight should be given to any harm to the Green Belt that arises from development unless Very Special Circumstances can be demonstrated to outweigh this harm. Paragraph 154 of the NPPF advises that the erection of new buildings should be regarded as inappropriate development unless the development

comprises one of the exceptions listed under this section. Exception c) advises *“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;”*.

- 4.3.3 As existing, the dwelling does not appear to have been enlarged or altered. It benefits from an attached garage to the front and a large driveway turning area, sitting within a large plot. Therefore, the existing footprint and floor area is the starting point for calculating the enlargements. Given the proximity and siting of the proposed garage in relation to the existing building, I do not consider that this structure should be considered as a new building within the green belt, and would therefore not be inappropriate, but should instead be viewed as an extension to the main dwelling. Cumulatively, the proposed extensions and garage would comprise approximately a 58% increase over the dwelling. Given the large plot size, the set down nature of the development and the scale of enlargements over existing, I do not consider that these works would be disproportionate and would therefore not constitute inappropriate development in the Green Belt. The proposed gates would provide a urbanising feature along Barton Road. Given their relatively modest height, and due to the existing presence of the gated access, and set-back of the gate piers to the road surface, I do not consider that the openness of the Green Belt would be harmed by their introduction.
- 4.3.4 Paragraph 143 of the NPPF states the five purposes of the Green Belt. In my opinion, the proposed development does not contradict with any of the five purposes. Given the above, the proposal is not inappropriate development in accordance with Section 13 of the NPPF and is therefore compliant with Policy SP5 of the Local Plan.

Design and Appearance:

- 4.3.5 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.
- 4.3.6 The proposed development would seek to enlarge the host dwelling by approximately 58%. The enlargements would be to the principal and rear elevations and would feature the introduction of a detached garage building to the front driveway area. The first-floor front extension would be set at an angle relative to the main dwelling given the angled positioning of the existing front garage. It is considered that this extension would be suitably subservient to the host dwelling and would be sympathetic to the existing layout and built form of the dwelling. Materials would comprise brickwork or stonework to match the materials existing to the main dwelling. Given the substantial bricked elevations, the stonework would break up this elevation and would be welcomed. The proposed rear extension would be obscured from view from the public realm and would feature a flat roof and brickwork to match. Given its set down nature, I do not consider that it would be harmful to the dwelling and would be suitably subservient. Fenestration details would be suitably sympathetic to the existing dwelling. The siting of the garage, to the front of the site would be a departure from the prevailing grain of development within Hexton, and this is acknowledged, however, given the screening to the principal boundary, I do not

consider that this would result in an incongruous form of development or set an unacceptable precedent that would erode the consistent and planned nature of dwellings along Barton Road.

- 4.3.7 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 upon Heritage Assets:

- 4.3.8 The site is set within the Hexton Conservation Area, and sits at the extreme south-western corner of this area. To the north is St Faith's Church, a Listed Structure. The dwelling is set behind an extensive tree line along Barton Road, and is therefore shielded from view from the public realm and these nearby listed buildings. Given the siting of the dwelling within the conservation area, at the western entrance of the conservation area, I consider that it is relatively sensitive. By virtue of the set-back of the dwelling and the extensive screening, I do not consider that the proposed extensions and garage would be out of place or be harmful to the setting or significance of the wider conservation area. It is acknowledged that some tree works are required, however, subject to the appropriate implementation of the methods within the submitted tree report, I consider that harm to these trees and their contributions to the conservation area would therefore not be harmed. The trees proposed to be felled are set back from the road edge, and the wider group would be retained and this felling is not considered to be harmful to visual amenity. The proposed gates would be clearly visible within the public realm. Some dwellings within Hexton benefit from large walled gardens and gated entrances, though they comprised wrought iron gates or post and rail gates. Given that brick piers are proposed, together with timber gates, I consider that the gates are of a suitably traditional appearance and by virtue of their relatively limited height, would not appear as a dominant or incongruous feature. Their modest set back from the road edge would suitably soften their visual appearance and would therefore result in an acceptable relationship with the conservation area. This is consistent with Policy HE1 of the Local Plan 2011-2031 and Section 16 of the NPPF.

Impact on Neighbouring Properties:

- 4.3.8 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.
- 4.3.9 Given the isolated nature of the site, away from the church to the north and to residential dwelling the side, I do not consider that the development would result in unacceptable harm by way of a loss of light, from dominance and by a loss of privacy. The residential use of the site would remain, and therefore, noise generation is not considered to be objectionable. No neighbour objections were received.
- 4.3.10 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.

Highways and Parking:

- 4.3.11 The proposed development would be served by a minimum of two parking spaces that are off-street, therefore impacts to parking provision locally would not be harmful. The proposal seeks to introduce new gates to the front and a garage within the driveway area. Highways have made representation and do not object, advising the gates would provide sufficient visibility and space for vehicles to access the site without obstructing the flow of traffic along Barton Road. Therefore, the development would comply with policies T1 and T2.

Environmental Implications:

- 4.3.12 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.
- 4.3.13 The proposal seeks the removal of trees, and their replacement. Methods are outlined in the submitted tree report to suitably mitigate the potential harm to these trees during the digging-out/construction phase and when constructed. I consider that this is suitable to mitigate potential harms to these trees. The removal of the trees is not considered to be harmful to local amenity given that a majority of trees along the road edge would be retained, and the wider group would not be detracted from.

Biodiversity Net Gain:

- 4.3.13 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 extension(s) hereby permitted shall be built in external materials to match the existing dwellinghouse unless otherwise agreed in writing by the LPA.

Reason: To protect the visual amenities of the locality and to comply with Policies D1 and D2 of the North Hertfordshire Local Plan 2011 to 2031.

4. Prior to the first occupation of the development hereby permitted any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 6.0 metres from the edge of the highway.

Reason: To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened and/or closed in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and P&MPDG Part 4 Chapter 18 (18.1)

5. The methods for mitigating impacts to the retained trees as discussed in the reported prepared by John Cromar's Arboricultural Company Limited and numbered S1489-J1-R2 shall be implemented on site during the construction phase of the development hereby approved.

Reason: In the interest of preserving the visual amenity of trees within the site, to comply with policy D1 and NE4 of the Local Plan 2011-2031.

6. The garage building hereby permitted shall only be finished in brick to match the main dwellinghouse, black timber effect doors and a slate roof as stated by email dated 21 February 2025 and thereafter shall be retained as such, unless otherwise agreed in writing by the LPA. The gates hereby permitted shall only be finished with a black timber effect to the gates, with a brick wall to match the main house and cream colour render, unless otherwise agreed in writing by the LPA.

Reason: To ensure that the development is in-keeping with the host property and to protect the visual amenities of the locality and to comply with Policies D1 and D2 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.

Informative/s:

1. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to: deliberately capture, disturb, injure, or kill bats; damage or destroy a breeding or resting place; obstruct access to their resting or sheltering places; intentionally or recklessly disturb a bat while it's in a structure or place of shelter or protection. Planning consent for a development does not provide a defence against prosecution under these acts. It is the legal responsibility of the contractor to check for bats, should bats be found at any stages of the development or tree works, then all works should cease, and Natural England should be contacted for advice.
2. AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.
Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
AN2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
AN3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made-up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible.

Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN4) Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 25 February 2025	