

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02033/FPH	Single storey rear extension; attached front garage and single storey side extension to provide 1-bed ancillary annexe following demolition of existing garage	The Old Vicarage Church Road Kings Walden Hitchin Hertfordshire SG4 8JX

Submitted Plan Nos

Location Plan 2024/CP/001 2024/CP/003 2024/CP/004 2024-CP-005 2024/CP/006 2024/CP/007
2024/CP/008 2024/CP/009 2024/CP/010 2024/CP/011

1.0 Policies

SP5	Countryside and Green Belt
HS6	Relatives and dependents accommodation
D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
T2	Parking
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land
SECN14	Meeting climate change,coastal,flooding

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.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The Old Vicarage comprises a large, detached two storey dwelling off Church Road, Kings Walden. The site is within the Green Belt.

4.2 **Proposal**

4.2.1 Planning Permission is sought for the erection of a single storey rear extension, an attached front garage and a single storey side extension to provide a 1-bed ancillary annexe following the demolition of an existing garage.

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- The principle of the development in the Green Belt and for erecting a residential annex.
- 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.

Principle of Development:

Annex:

4.3.2 Policy HS6 of the Local Plan 2011-2031 is of relevance given that the proposal seeks the erection of single storey side extension to provide a self-contained residential annexe. This policy sets out requirements for these forms of development. The policy describes that residential annexes will be permitted provided that:

- A genuine need for the accommodation is demonstrated;
- The annex is subordinate to the main dwelling and designed in such a way that it can be easily (re-)incorporated into the main house if use as an annex ceases;
- Any development would not exceed the size of extensions that would otherwise normally be acceptable;
- The occupation of the accommodation is restricted by condition.

4.3.3 The annex is required to provide accommodation for an elderly relative, directly related to occupants of the main dwellinghouse. Given that the annexe would be single storey in height, and is visually subservient to the dwelling, I consider that it would be subordinate to the main house in scale terms. There are sufficient facilities for the occupiers to not be

dependent on the main house, however, access would be provided from a rear door and an internal doorway into the dwelling. Due to its attached nature, I consider that the annex could be re-introduced at a later date. The matter of the design will be considered later in this report and should the development be recommended for approval, a condition will be attached to restrict the occupancy of the annexe to fully meet the requirements of Policy HS6. HS6 would be entirely complied with.

Green Belt:

- 4.3.4 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;”*.
- 4.3.5 There is no previous site history, and plans appear to indicate that the dwelling is largely unaltered, including rear store buildings. The proposal would enlarge the floor area of the original dwelling by approximately 48%, or by 36% over the existing dwelling. This is considered to be proportionate and is therefore acceptable in the Green Belt.
- 4.3.6 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:

- 4.3.7 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.
- 4.3.8 The proposed development would not be significantly visible from the street scene. It would feature complimentary built form and materials of construction to the existing dwelling, and I consider that this would result in an in-keeping form of development. The scale is considered to be suitably subservient to the existing dwelling.
- 4.3.9 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:

- 4.3.10 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.
- 4.3.11 The dwelling is isolated from nearby dwellings, with the closest neighbour being opposite, across the road. Vegetation and the separation distance is considered to suitably mitigate any potential harm to the amenities afforded to neighbouring occupiers. Noise generation would not be significant from the annex, and is therefore considered to hold a suitable relationship with nearby properties.
- 4.3.12 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:

- 4.3.13 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.

Environmental Implications:

- 4.3.14 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:

- 4.3.15 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. 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 Vicarage, Church Road, Kings Walden.

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. The Council acted proactively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. 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	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 8 November 2024	