

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02028/FPH	Insertion of front and rear dormer windows; rear and side rooflights to existing detached double garage to create habitable space at first floor level to provide 1-bed annexe ancillary to main dwelling. Alterations to fenestration	Fairfax Node Park Hitchin Road Codicote Hitchin Hertfordshire SG4 8TH

Submitted Plan Nos

LocationPlan P1 P2 P3-

1.0 **Policies**

2.0 **Relevant site history**

- 2.1 23/00876/FPH - Insertion of rear dormer window and rooflight to side roofslope of existing detached double garage to create habitable space at first floor level to provide 1-bed annexe ancillary to main dwelling. Alterations to fenestration (as amended by plan received 13/06/23) – Refused 08/11/23 for:
1. The proposed dormer, by reason of its size and design, would relate poorly to the host building and would detract from its character and appearance. The proposal would not comply with Policies D1 and D2 of the Local Plan, and Section 12 of the NPPF.
 2. The proposal, by reason of the proposed and required obscure glazing for the Reception/Kitchen windows of the dormer, would result in unsatisfactory outlook and poor living conditions for the occupants of the annexe. The proposal would not comply with Policy D1 of the Local Plan, and Section 12 of the NPPF.
- 2.2 21/01440/FPH - Erection of single storey side elevation orangery following demolition of existing single storey side extension (as amended by plans received 13.05.21) – Approved 09/06/21.

3.0 **Representations**

- 3.1 **Neighbours** – The following objections were received from Randalls, Node Park:
- ☐ Overlooking and loss of privacy.
- 3.2 **Parish Council** - The committee have no objection to the planning application if it is in keeping with the host building but would like to raise their objection if it is not.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is a two storey detached dwelling with a pitched roof. The site is in a small group of dwellings within rural surroundings. The site is in the Green Belt.

4.2 **Proposal**

- 4.2.1 The partial conversion of a detached outbuilding to a one bedroom annexe, including a new front and rear dormer, and new ground and first floor openings.

4.3 **Key Issues**

- 4.3.1 The key material considerations are whether the development is acceptable in principle, design, neighbour amenity and living conditions, and parking.

Principle

- 4.3.2 The site is in the Green Belt, where only certain types of development are acceptable in principle. If development is not acceptable in principle it will be inappropriate, and should not be approved except in very special circumstances.
- 4.3.3 Policy SP5 of the adopted Local Plan states that planning permission will be granted for development that is appropriate in the Green Belt. Development that is not inappropriate is defined in the NPPF paragraphs 154 and 155, which are:

154. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) 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;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
 - not have a greater impact on the openness of the Green Belt than the existing development; or*
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

155. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;*
- b) engineering operations;*
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;*
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.*

- 4.3.4 The proposed development is considered to potentially fall within paragraph 149 c). Regarding c), the proposal is for an extension to a building, which should not result in disproportionate additions over and above the size of the original building. 'Original building' is that which existed in 1948, or its original size if built after that. The new openings and the annexe conversion do not raise any 'in principle' Green Belt issues.
- 4.3.5 The outbuilding is original. The only enlargement would be the dormers, which are considered small compared to the whole building, increasing its volume by approx. 5%, and would not be considered to be a disproportionate addition to that building. The host dwelling has had a small extension that is considered to have increased its floorspace by approx. 5%. I therefore consider the proposed development acceptable in principle. The proposal complies with Policy SP5 of the adopted Local Plan and Section 13 of the NPPF.

Design

- 4.3.6 There are no objections to the new openings as they would be small, sympathetic to the building, and would have limited impacts on the character and appearance of the wider locality. The proposal to convert part of the building to an annexe is considered to comply sufficiently with Policy HS6 of the Local Plan to be acceptable, and would be required by condition to be ancillary to the main dwelling if permission was to be granted.
- 4.3.7 The first reason for refusal of 23/00876/FPH related to the size and design of the rear dormer not being in keeping with the host building. The rear dormer now proposed is much smaller, and is considered to have overcome that reason for refusal.
- 4.3.8 This application now includes a front dormer, which wasn't proposed as part of the 2023 application. The front dormer is however considered to be of a size and design such that it would not visually dominate the front roofslope and the building, and would be in keeping with its character and appearance. The alterations to the building would have limited and acceptable impacts on the wider locality due to their small size as the building is set back from the site boundaries and public highways. The proposal would therefore comply with Policies D1 and D2 of the Local Plan, and Section 12 of the NPPF.

Neighbour amenity and living conditions

- 4.3.9 There is only one dwelling nearby which could be affected, which is Randalls that adjoins the site to the south, who have also objected. The front dormer and front and side openings will not harm the amenity of Randalls as they will be obscured by the host building and will provide views of the site rather than Randalls, therefore not causing loss of privacy and amenity.
- 4.3.10 The application includes a rooflight and rear dormer facing towards Randalls. These would be of a small size, and will not result in overbearing impacts and loss of light. The rooflight would serve a bathroom, and can be required to be obscure glazed by condition to ensure it would not cause harmful loss of privacy to Randalls.
- 4.3.11 The rear dormer would serve a kitchen area, which would be part of a larger Reception room which would also utilise the proposed front dormer and new front and west side

windows. The rear dormer would allow for overlooking of the rear of Randalls and its rear garden, more so due to the higher ground levels of the site relative to Randalls.

- 4.3.12 The rear dormer could however be required to be obscure glazed by condition, which would resolve these privacy concerns, and would also be permitted to be openable only 1.7m above the finished floor level of the room it would serve to allow for ventilation to the kitchen.
- 4.3.13 The second reason for refusal of 23/00876/FPH concerned unsatisfactory living conditions for occupants of that annexe due to most of the windows of the Reception room needing to be obscure glazed to protect the privacy and amenity of Randalls.
- 4.3.14 For this new application, the Reception room will have two front windows and a side window that will be clear glazed, which is considered would provide satisfactory living conditions for occupants of the annexe. It is therefore considered that the proposal has overcome the second reason for refusal of 23/00876/FPH. The proposal complies with Policies HS6, D1 and D2 of the Local Plan, and Section 12 of the NPPF.

Parking

- 4.3.15 The annexe would increase the number of bedrooms on the site by one. The double garage within the building would remain and there would be parking provision for at least three cars in the site, which exceeds minimum parking standards. Parking provision will be acceptable, and complies with Policy T2 of the Local Plan.

4.4 **Conclusion**

- 4.4.1 In the absence of material planning reasons to the contrary it is my view that planning permission is **GRANTED**.

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 extensions hereby permitted shall be built in external materials to match the existing building 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 Fairfax, Node Park, Hitchin Road, Codicote, SG4 8TH.

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.

5. The new first floor south elevation rear rooflight facing towards Randalls shall be obscure glazed.

Reason: In the interests of privacy and amenity. To comply with Policy D3 of the Local Plan.

6. The window of the rear dormer facing towards Randalls shall be obscure glazed, and shall only be openable above a height of 1.7m measured from the internal floor level of the room it would serve.

Reason: In the interests of privacy and amenity. To comply with Policy D3 of the Local Plan.

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: 5 November 2024	