

DELEGATED FILE NOTE

CASE OFFICER: ...Vicki Wood.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02108/FPH	Front porch infill extension and erection of outbuilding to rear garden following demolition of existing shed.	2A Coombelands Royston Hertfordshire SG8 7DW

Submitted Plan Nos

Location Plan 185148-01-401B 185148-01-402D 85148-01-101B 185148-01-102B 185148-01-103C
85148-01-104C 185148-01-105D 185148-01-201B 185148-01-202B 185148-01-203B 185148-01-
204C 185148-01-206D 185148-01-301B 185148-01-302D

1.0 Policies

1.0 **Local and National Policy**

1.1 **National Planning Policy Framework 2023 (NPPF)**

Section 2 – Achieving sustainable development

Section 12 – Achieving well-designed and beautiful places

Section 14 - Meeting the challenges of climate change, flooding and coastal change

1.2 **North Hertfordshire Local Plan 2011-2031 (NHLP)**

Strategic Policies

Policy SP1 – Sustainable Development in North Hertfordshire

Policy SP9 – Design and Sustainability

Development Management Policies

Policy D1 – Sustainable design

Policy D2 – House extensions, replacement dwellings and outbuildings

Policy D3 – Protecting living conditions

1.4 **Supplementary Planning Document**

North Hertfordshire Design Guide 2011

2.0 **Relevant Site History**

Of relevance is application 16/00292/12EUD which determined that no.2A had been used as a separate dwelling.

21/01176/FPH - Erection of detached workshop (as a variation of planning permission 19/02152/FPH granted on 24.10.2019). Refused. The application was refused for the following reason:

'The proposed development, involving a timber shed construction, together with the extent of the proposed workshop uses represent an industrial / factory use in this rear garden domestic setting. The is not an ancillary domestic use, and the use of machines is likely to give rise to nuisance due to noise to nearby residents. The application is therefore considered to fail to comply with the provisions of emerging Policy D3 of the Submission Plan 2011 - 2031 and in accordance with paragraph 130 of the NPPF permission is being refused for a development of poor design that fails to take the opportunity available for improving the character and quality of an area and the way it functions.'

19/02152/FPH - Erection of outbuilding to rear of garden. Conditional Permission.

08/00481/1HH – Rear conservatory. Conditional Permission.

99/01361/1HH - Single storey side extension. Conditional Permission.

3.0 **Representations**

- 3.1 **Site and Neighbour Consultation** – None received.
- 3.2 **Royston Town Council** – No objection.
- 3.3 **NHC Environmental Health (Noise)** – No objection subject to advice against commercial use.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site comprises of an end of terrace house formed from a previous annexe to no. 2. Numbers 2 and 4 originally were a pair of semi-detached houses. No.2 had an annexe built, which over time, became a separate dwelling. At the front both houses have a separate garden and parking area. At the rear no.2 a very small rear garden which only comes out to the depth of the existing conservatory at no.2A. As a result no.2A has a much larger rear garden which widens at the rear and adjoins the railway along the western boundary. There are new houses to the rear in Browning Close.
- 4.1.2 The application site is within the settlement boundary for Royston where development is generally acceptable subject to policy requirements.

4.2 **Proposal**

- 4.2.1 Front porch infill extension and erection of outbuilding to rear garden following demolition of existing shed.
- 4.2.1 The application is supported by a Planning Statement and a Noise Impact Assessment undertaken by DAA Group (Issue 01) dated 8th July 2024.

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 The objectives of the National Planning Policy Framework (NPPF) include those seeking to secure the creation of high quality, beautiful and sustainable buildings and places (Section 12 – Achieving well-designed and beautiful places). Paragraph 131 of the NPPF states that “*Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable communities*”. In this regard, Policy D1 and D2 of the North Hertfordshire Local Plan are consistent with the objectives set out within the NPPF.
- 4.3.3 The application follows a previous refusal yet also follows the principle of a sunken design which appeared to comprise of shipping containers as approved under

application 19/02152/FPH. The size of the outbuilding proposed under the current application is similar to that previously approved, retaining the sunken form and so limiting any visual impact to neighbouring properties. The proposed siting of the outbuilding would follow the contours of the northern section of the garden having a length of 11.63m, a width of 10.0m and a height of 2.85m, 1.51m which would be below ground level leaving 1.34m above. To the front of the outbuilding a paved patio area is shown providing a depth of 5.0m for the width of the development. A set of steps would lead down to the outbuilding from the existing garden level. The outbuilding would be set off the boundary with the neighbouring property to the east known as no.4 where there will be a pathway alongside the outbuilding, and an ACO drain to take surface water run-off from the patio area. Beyond the ACO drain will be a section of sloping grass to where the party boundary meet with no.4.

- 4.3.4 The Planning Statement confirms that the use of the outbuilding would be for the personal use of the occupants of 2A Coombelands and would comprise of a gym, sauna, bathroom, 4 x rooms associated with moulds and kilns and an open photography studio which will be used for taking photos of the glass wares made in the studio but will otherwise be used as a free flowing area whereas the previous refused permission comprised of 3 x workshops, an office and a glass cutting room. It is accepted that whilst the use of the outbuilding would be for the personal use of the occupants, there is an element of the use that would relate to a commercial nature, albeit limited. The current application looks to address concerns around the proposed materials used in the construction of an outbuilding and how best to mitigate any associated noise for such use. This has resulted in the proposed building being of brick and timber clad construction, with 3 x high level window openings to the east, 2 x full-length window openings to the west which borders the railway line and a range of openings to the south which faces the rear of the dwelling. The roof would be flat with a roof lantern. The Noise Impact Assessment provides an assessment of noise monitoring as a way to assess the level of noise emanating from the proposed use taking into account any background noise levels. The Assessment concludes that the proposed plant would not have an adverse impact on nearest residential properties and the consultation response from NHC Environmental Health concurs with the findings.
- 4.3.5 In addition to the proposed outbuilding, the application seeks to infill a small section to the front of the dwelling in order to provide for a porch. The extension would be flush with the principal elevation of the dwelling and in line with the western elevation of the dwelling which borders the railway line. The extension would have a door to the front elevation and a window to the western elevation with a pitched roof. Materials would match those of the existing dwelling.
- 4.3.6 In design terms, the outbuilding would sit comfortably within the existing garden setting and is acceptable. The infill extension is of a minor scale and given the setback distance from the highway to the frontage of the dwelling would have minimal impact to the streetscene and is acceptable.

Impact on Neighbouring Properties:

- 4.3.7 A core planning principle set out in the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy D3 of the NHLP.
- 4.3.8 I am satisfied that as a result of the below ground level position, construction materials and the presence of existing boundary treatment comprising of timber fencing and mature shrubbery that the proposed outbuilding would not result in any harm to existing residential amenity.

- 4.3.9 In order to protect existing residential amenity, the outbuilding must remain incidental to the use of no.2A Coombelands this is considered necessary in order to further protect existing residential amenity.

Highways and Parking:

- 4.3.10 The proposed development does not include an increase in the number of bedrooms and the outbuilding, providing it remains incidental to the use of no.2A Coombelands, would not introduce any car parking issues.

Biodiversity Net Gain (BNG)

- 4.3.11 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.

Environmental Implications:

- 4.3.12 Section 14 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Section 14 are reflected in Policy D1 of the North Herts Local Plan, which sets out that development proposal should take all reasonable opportunities to reduce energy consumption and waste, retain existing vegetation and propose new appropriate planting, and future proof for changes in technology and lifestyle.
- 4.3.13 The proposed development, 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 and Policy D1.

4.4 **Conclusion**

- 4.4.1 The proposed development is considered acceptable and in accordance with Policies SP1, SP9, D1, D2 and D3 of the NHLP 2011-2031 and Sections 2, 12 and 14 of the NPPF 2023.

4.5 **Alternative Options**

- 4.5.1 N/A

4.6 **Pre-Commencement Conditions**

- 4.6.1 N/A

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 hereby permitted shall be built in external materials to match the existing dwellinghouse unless otherwise agreed in writing by the Local Planning Authority.

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 use of the outbuilding hereby permitted shall remain at all times incidental to the enjoyment of the dwellinghouse to which it relates.

Reason: To safeguard the residential character of the locality and the amenities of nearby residents, both of which would be prejudiced by the activities and visual intrusion likely to be associated with significant commercial activity on the site and to comply with Policy D1 and D3 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  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 26 November 2024	