

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01924/FPH	Single storey rear extension. Alterations to existing detached garage fenestration including insertion of rear juliet balcony's following removal of existing garage doors to facilitate conversion of garage to gym/study. Alterations to existing side garden to provide two parking spaces.	12 Bowlers End Hitchin Hertfordshire SG5 2EA

Submitted Plan Nos

654.001 654.002 654.003 654.004 654.005 654.PL.001 654.PL.002 654.PL.003

1.0 Policies

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land
SECN9	Promoting sustainable transport
SP5	Countryside and Green Belt
SP6	Sustainable transport
T2	Parking
T1	Assessment of transport matters
SP9	Design and Sustainability

2.0 **Site History**

- 2.1 21/02294/FPH - Insertion of rear dormer window to garage roof slope to facilitate office space at first floor level – Approved 30/09/21.
- 2.2 19/02592/FPH - Single storey rear extension, insertion of three front rooflights to existing roofslope, insertion of rear dormer window with Juliet balcony to facilitate conversion of loft into habitable accommodation and change of existing gable end cladding finish to match dormer – Approved 03/02/20.

3.0 **Representations**

- 3.1 **Highways Officer** – Does not wish to restrict the grant of permission.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is a detached two storey dwelling with a pitched roof, with a separate detached double garage. Rear party boundaries are comprised of 1.8m high fences and walls. The site is in a relatively new residential development comprised predominantly of detached and semi-detached dwellings. The site is in the Green Belt.

4.2 **Proposal**

- 4.2.1 The proposal is for a single storey rear extension with a flat roof, the conversion of the ground floor of the detached double garage to a gym with new and altered front and rear openings, and new hardstanding to replace part of the front garden to the side of the dwelling to create two new parking spaces.

4.3 **Key Issues**

- 4.3.1 The key material considerations are whether the principle is acceptable, design, impacts on neighbour amenity, and highways and parking.

Principle of Development

- 4.3.2 The site is in the Green Belt in the adopted Local Plan. Whether developments in the Green Belt are acceptable in principle will depend on whether they comply with the NPPF and Policy SP5 of the Local Plan, and if there are any other material considerations relevant.
- 4.3.3 The NPPF in paragraphs 154 and 155 sets out what development is not inappropriate in the Green Belt, stating:

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 There are three elements of the application – the conversion and alterations to the detached garage, the rear extension to the dwelling, and the new hardstanding.
- 4.3.5 Starting with the proposed garage conversion, this would not enlarge the building, and the proposed gym use would be incidental to the host dwelling, therefore this would fall under 154 c) as being alterations that would not enlarge the building, and would not be inappropriate development.
- 4.3.6 The proposed rear extension would enlarge the main dwelling. The dwelling is not original, having been enlarged by a single storey rear extension and rear dormer by planning permission 19/02592/FPH. These enlargements were small, increasing the floor space of the original building by approx. 18%. The proposed rear extension would increase this to approx. 28%. The overall cumulative increase to the size of the building is not considered significant, and the proposed rear extension is not considered inappropriate development in the Green Belt.
- 4.3.7 The proposed new hardstanding to the side of the dwelling would not be a building, and does not fall within para. 154 of the NPPF. It is also not considered that this part of the proposal falls within any of the categories in para. 155.

- 4.3.8 The proposal is not considered to fall within the definitions of development not inappropriate under paragraphs 154 and 155 of the NPPF, and is therefore inappropriate development in the Green Belt by definition. Substantial weight is given to this harm as required by para. 153 of the NPPF.
- 4.3.9 To further assess the proposed impacts on the Green Belt, the proposed location of the new hardstanding within the site is not considered to contribute to any of the five purposes of Green Belts in para. 143 of the NPPF. This is due to the area for the hardstanding being on the inside of the new Bowlers End development, with other parts of that development on all sides. Consequently, the proposed hardstanding would not result in urban sprawl, merge neighbouring towns, cause loss of countryside, would not affect historic towns, and could be argued as being small-scale urban regeneration.
- 4.3.10 Impacts on openness can be both spatial and visual. It is considered that there would be spatial impacts on openness as the proposal will intensify the use of the site through the addition of a new vehicle movements and parking on a relatively small part of the site, albeit this would be limited.
- 4.3.11 There would also be visual impacts on the openness of the Green Belt as the proposal would develop land that is not developed, it would be visible within and outside the site, and it would increase the amount of hardstanding and development in the locality.
- 4.3.12 The proposed hardstanding is considered to result in loss of openness to the Green Belt, and is also inappropriate by definition. No other harms resulting from the hardstanding are considered to occur. Such development should not be approved except in very special circumstances (VSC's), as stated in para. 153 of the NPPF.
- 4.3.13 The applicant has not put forwards any VSC's for the development. The proposal by reason of the hardstanding is not considered acceptable in principle. The proposal does not comply with Policy SP5 of the Local Plan and Section 13 of the NPPF.

Design

- 4.3.14 The proposed rear extension would be a small addition to the dwelling and would appear as a continuation of the extension built following permission 19/02592/FPH. This extension is considered in keeping with the character and appearance of the dwelling. The extension would have limited and acceptable impacts on the street scene as it will be small with a flat roof, set away from the boundary of the site with the street, and substantially obscured. The rear extension is considered to be of an acceptable design.
- 4.3.15 The proposed new hardstanding will result in the loss of part of the front garden and planting. The majority of the garden would however remain, which would also soften the proposed hardstanding. It is also considered that the hardstanding would appear as part of an area of hardstanding opposite in front of the detached garage and No. 10 Bowlers End. The hardstanding is not considered harmful to the character and appearance of the site and locality.
- 4.3.16 The proposed garage conversion would result in the ground floor becoming a gym, which as it would be incidental to the main dwelling and could be accessed within the site from the rear garden, does not raise concerns. There are no objections to the new

rear openings in association with the conversion as these would result in only limited impacts.

- 4.3.17 The garage conversion also proposes replacing both garage doors with brick walls and small high-level windows. The impacts on the garage building would be to make its front elevation appear more featureless and stark, with its front elevation becoming a large expanse of bricks relative to the size of the building, broken by 4 small high-level windows. This would not appear as a typical garage conversion, which usually retain the garage door(s), or have larger openings at a lower level sited more centrally in the area occupied by the existing garage door.
- 4.3.18 The proposed alterations to the front of the garage building are considered harmful to its character and appearance as it would not appear as a well-designed garage conversion, with the resulting building appearing somewhat 'odd' with its use uncertain due to its siting being set away from No. 12, with the overall visual effects being an incongruous design for what is clearly a purpose-built detached double garage outbuilding.
- 4.3.19 The garage building is also clearly visible in this part of Bowlers End, as it is in an open area of the street, therefore the proposed alterations to its front elevation would be clearly visible to residents and pedestrians.
- 4.3.20 As stated above, the poorly designed front elevation with a large expanse of brickwork and small high windows is not considered in keeping with the character of the garage building, and would appear incongruous and stark in the street scene.
- 4.3.21 The site is part of a relatively new residential development Bowlers End. No. 12 has the only detached garage building. Not all the Bowlers End dwellings have garages, but those that do have garages that are attached to their dwellings. All of the garages are of a similar design which contributes to the planned character and appearance of Bowlers End. The proposed front elevation changes to the garage will conflict with this planned character, which is considered will result in further visual harm.
- 4.3.22 Three dwellings in Bowlers End (Nos. 2, 8 and 11) have had planning permission for garage conversions including changing their garage doors to windows within a new wall, however those conversions and alterations incorporated front elevation windows and an overall design that blended in with those respective dwellings, which is not the case for the proposed front elevation of the garage. The proposed front elevation design for the garage is in addition not in keeping with the front and north side elevations of No. 12, which include larger more visually attractive windows with stone cills, sited more centrally in their respective walls.
- 4.3.23 The design of the proposed garage conversion is not therefore considered acceptable. The proposal does not comply with Policies D1 and D2 of the Local Plan, and Section 12 of the NPPF.

Neighbour amenity

- 4.3.24 The proposed parking area only adjoins the highway Bowlers End outside the site, and due to this siting and the small scale and impacts of this, it will not harm amenity. The proposed rear extension will be located adjacent to part of the side wall of closest

dwelling No. 14 which does not contain any openings, and will be behind its rear elevation, therefore this extension will not harm amenity.

- 4.3.25 The garage to be converted is near only one dwelling, No. 10 to the north. The proposed elevational changes are to the front and rear, which don't face No. 10 and will not affect its amenity. The proposed use is a gym, which as it would be incidental to No. 12 in a building detached from No. 10, is not considered harmful. Impacts on amenity are therefore acceptable. The proposal complies with Policy D3 of the Local Plan.

Highways and parking

- 4.3.26 Bowlers End is a private road, and the highways officer has not objected to the new hardstanding on the basis that it will not affect the operations of the public highway, which is agreed with. It is not considered that the new hardstanding will adversely affect vehicle movements as it will be off a turning head where vehicle movements are slower, and cars would be able to park without causing obstruction.
- 4.3.27 The proposal will result in the loss of a double garage. The site will however have at least two parking spaces in its curtilage following the construction of the hardstanding, which complies with minimum standards. Parking is considered acceptable. The proposal complies with Policies T1 and T2 of the Local Plan, and Section 9 of the NPPF.

4.4 **Conclusion**

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

5.0 **Recommendation**

- 5.1 That planning permission be **REFUSED** for the following reasons:
1. The proposed parking area of the development by reason of its type, size and visual impacts would be inappropriate development in the Green Belt by definition and would cause further harm through loss of openness. The proposal does not comply with Policy SP5 of the Local Plan and Section 13 of the NPPF.
 2. The proposed garage conversion by reason of its design would be detrimental to the character and appearance of the site and locality. The proposal does not comply with Policy D1 of the Local Plan and Section 12 of the NPPF.

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied 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: 14 October 2024	