

DELEGATED FILE NOTE

CASE OFFICER: ...William Thompson.....

APPLICATION

REFERENCE

BRIEF DESCRIPTION OF DEVELOPMENT

APPLICATION SITE

25/00941/FPH

Erection of detached rear garden room with solar roof panels

15 Grays Lane

Hitchin

Hertfordshire

SG5 2HG

Submitted Plan Nos

Location Plan HM-24652-02

1.0 Policies

D1

Sustainable design

D2

House exts, replcmnt dwellings outbuild

D3	Protecting living conditions
T2	Parking
SECN12	Achieving well-designed places
SECN14	Meeting climate change,coastal,flooding

2.0 **Relevant Site History**

- 2.1 24/01684/FPH - Erection of detached rear garden room and store with log burner/flue and solar roof panels.

Refused

13/01995/1HH - Front entrance porch.

Conditional Permission

11/02726/1HH - Two storey side extension. Insertion of two dormer windows and windows to front and rear gables to create additional accommodation to second floor. Removal of chimney to rear. Insertion of 2 windows to side elevation. Pitched roof front porch extension.

Conditional Permission

01/00545/1HH - Erection of single storey rear extension (as amended by plan 113/005 Rev B received 5.7.01 and plan 113/008A received 8.10.01)

Conditional Permission

3.0 **Representations**

- 3.1 **Site and Neighbour Consultation** – None received

- 3.2 **Env Health (Air Quality)** – No objection

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The property is a detached, two-storey dwelling located on the south side of Grays Lane, Hitchin. The garden is generous in size. The site is bounded to the east by no.13, the west by no.17 and the rear by the garden of no.9. The property and garden sit at a higher level than the adjacent property at no.13.

- 4.1.2 There are a number of outbuilding/shed structures in the locality including a reasonably substantial structure at the neighbouring property of no.17 with solar panels on the roof.

4.1.3 The surrounding area is mainly residential in character with generous gardens.

4.2 **Proposal**

4.2.1 Erection of detached rear garden room with solar roof panels

4.2.2 This application follows the refusal of 24/01684/FPH for the erection of a detached rear garden room. This application shows a reduction in footprint and bulk as well as the removal of the log burner/flue.

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 impact on the character and appearance of the area.
- The impact of the proposed development on the living conditions of neighbouring properties.
- Access and parking matters.
- The impact of the proposed development on the environment.

Design and Appearance:

4.3.2 Policy D1 of the Local Plan requires that development proposals respond positively to the site's local context. Policy D2 of the Local Plan requires extensions to houses and outbuildings to incorporate a 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.

4.3.3 The proposed outbuilding would be rectangular in shape and measure 7.3m in width, 4.3m in depth and have a dual pitched roof with hipped ends with an eave's height of 2.3m and a peak of 3.5m. The proposed outbuilding would be offset from the southern boundary by 1.0m, from the eastern boundary by a minimum of 1.0m and from the western boundary by 0.6m. The includes a row of solar panels on the south facing roofslope.

4.3.4 The external materials used would be: Cedral fibre cement cladding in 'Metal Green' for the walls, grey slate composite roof tiles and uPVC framed double glazed units in 'Chartwell Green' for the windows and door.

4.3.5 In my view, the proposed materials palette and solar panels are acceptable. The proposal is considered to be acceptable in terms of the massing, built form and roof design. As such, the proposed development complies with Policy D1 and D2 of the NHLP and Section 12 of the NPPF.

Impact on Neighbouring Properties:

4.3.6 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.

- 4.3.7 Regarding no.9 and no.13 Grays Lane, the proposed outbuilding would be offset from the respective shared boundary lines by a minimum of 1.0m and, given the height and roof form, it is not considered that the proposal would result in unacceptable harm upon no.9's or no.13's living conditions in terms of over dominance, shading or overlooking.
- 4.3.8 Regarding no.17 Grays Lane, the proposed outbuilding would be offset from the shared boundary line by 0.6m and, given the screening provided by the size and positioning of the existing outbuilding at no.17, it is not considered that the proposal would result in unacceptable harm upon no.17's living conditions in terms of over dominance, shading or overlooking.
- 4.3.9 This development is therefore considered to be in accordance with Policy D3 of the NHLP and Section 12 of the NPPF.

Highways and Parking:

- 4.3.10 The development does not include an increase in the number of bedrooms; therefore, regarding policy T2 of the NHLP, there would be no car parking issues arising from the development.

Environmental Implications

- 4.3.11 The proposed development is not large enough in scale to cause 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:

- 4.3.12 This is a form of development which is exempt from BNG Legislation, defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 due it falling under the scope of the 'de minimis' exemption.

4.4 Conclusion

- 4.4.1 The proposed development is considered unacceptable by virtue of Policies D1, D2 and D3 of the NHLP 2011-2031 and Section 12 of the NPPF.

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.

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  Sam Dicocco Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 30 May 2025	