

DELEGATED FILE NOTE

CASE OFFICER: ...Harriet Sanders.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02938/FPH	Erection of detached single storey 5 bay car port with solar roof panels.	The Cottage Roxley Court Lane Willian Letchworth Garden City Hertfordshire SG6 2AJ

Submitted Plan Nos

BMA360(11)/PL03B BMA360(11)/PL02B BMA360(11)/PL01B

1.0 Policies

SP5 Countryside and Green Belt

- D1 Sustainable design
- D2 House exts, replcmnt dwellings outbuild
- D3 Protecting living conditions
- T2 Parking

2.0 **Site History**

- 2.1 25/00684/S73 - Variation of condition 2 (revised plans) of planning permission 24/02733/FPH granted for single storey rear extension and alterations to existing fenestration following demolition of existing rear extensions. CP 19/05/2025.
- 2.2 24/02733/FPH - Single storey rear extension and alterations to existing fenestration following demolition of existing rear extensions. CP 27/01/2025.
- 2.3 01/01556/1 - Erection of new detached garage and re-arrangement of internal driveway. (As amended by plans received on 28 November 2001). CP 03/12/2001.

3.0 **Representations**

- 3.1 Neighbour consultation sent out and site notice posted. One objection has been received which raises the following concerns:
 - ☐ Loss of daylight/will block sunlight.
 - ☐ Significant height of building and very close to boundary hedge.
 - ☐ Height difference between properties – exaggerates overall height and impact.
 - ☐ Building is overbearing and dominant in size.
 - ☐ Out of keeping with “The Cottage”.
 - ☐ Impact on hedge.

- 3.2 Letchworth Garden City Heritage Foundation – no comment received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site is The Cottage, accessed from Roxley Court Lane, close to the village of Willian. The cottage is sited close to Roxley Manor and the Old Stables. The Cottage sits within

a large plot bounded to the north by the Old Stables, and to the south and east by open farmland. There is a long access drive from a parking area in front of Roxley Manor. The site is within the Green Belt.

4.2 **Proposal**

4.2.1 Consent is sought for:

“Erection of detached single storey 5 bay car port with solar roof panels.”

4.2.2 Proposed materials include tile roof with solar panels and lead flashing, brickwork dwarf wall with timber and weatherboarding walls.

4.2.3 The officer noted during the site visit that the submitted existing plans do not reflect the works being built on site and mostly completed under the recently approved permissions. However, the current submitted application has been assessed in the context of what has been built onsite and the cumulative impact of the proposal.

4.2.4 It is also noted that the garage element of the approved scheme does not appear to be maintained with the approved garage doors now being replaced with doors and windows in the side elevation.

4.3 **Key Issues**

4.3.1 The key issues for consideration are:

- ☐ The principle of development in the Green Belt.
- ☐ The acceptability of the design of the proposed development.
- ☐ The impact of the proposed development on the living conditions of neighbouring properties.
- ☐ Access and parking.
- ☐ Impact on the environment.

Principle of Development in the Green Belt

4.3.2 The site falls within the Green Belt. Paragraph 153 of the NPPF advises that significant weight should be given to any harm to the Green Belt that arises from development, including harm to its openness unless Very Special Circumstances can be demonstrated to outweigh this harm.

4.3.3 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) states:

“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.”

- 4.3.4 A detached garage can be considered an extension to a dwelling and can therefore be considered an exception under point c) of para 154 in principle.
- 4.3.5 In order to be acceptable however, the details of the exception must be met. The details require that the proposal *“does not result in disproportionate additions over and above the size of the original building.”* This requires two elements to be considered- both the size of the original building and the size of the proposed building.
- 4.3.6 The original dwelling was modest sized cottage. This has been substantially extended under recent consents including a detached double garage (2001) and more latterly under consents 24/02733/FPH and 25/00684/S73 for single storey rear extension and alterations. The case officer for the recent consents estimated approximately a 105% enlargement to the original dwelling. However, it was found that due to the single storey nature and the siting of the extensions and dwelling, the extensions were acceptable.
- 4.3.7 The proposed 5 bay garage/car port would measure 6.4m by 15.9m by 4.5m at its highest point. This would result in an additional 100sqm of floorspace and a substantial increase in volume. Whilst there is no definition of what constitutes “disproportionate additions”, the size and volume of the detached garage block would be substantial. When combined with the previous additions at the property, the proposal would result in a disproportionate addition over and above the size of the original building.
- 4.3.8 The proposal does not therefore meet the requirements of sub section c) para 154 of the NPPF and is therefore inappropriate development in the green belt and thus contrary to Section 13 of the NPPF and Policy SP5 of the Local Plan.
- 4.3.9 No Very Special Circumstances have been presented to justify the inappropriate development. The principle of the proposal is therefore unacceptable. The proposed development would therefore fail to comply with Policy SP5 of the North Hertfordshire Local Plan 2011-2031 and Section 13 of the National Planning Policy Framework (2024).

Design and Appearance

- 4.3.10 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.
- 4.3.11 The site is in an isolated location, with limited views being gained from public vantage points.
- 4.3.12 Local Plan policy requires extensions to respond appropriately and positively to the site’s local context and to incorporate design that is sympathetic to the main dwelling in terms of its scale,

form and orientation. The original dwelling on the site was a modest cottage which has been substantially extended, including a large garage. The surrounding area is open and rural in character although the adjacent converted buildings of the Old Stables and the Manor provide some built form and residential character to the immediate locality.

- 4.3.13 The proposed 5 bay garage/car port would be a large and imposing structure. The overall height is substantial for a garage structure and the front roof slope would be occupied by solar panels. Whilst the renewable energy opportunity of the solar panels would be supported, the large expanse on the front elevation would be dominating and unsightly, contributing to the overall poor appearance of proposal. The expanse of timber garage doors on the front elevation would be imposing and unsightly. The overall height, size and bulk of the proposal would not be sympathetic to the host dwelling in design, scale and form. The detached structure would be overly bulky and dominating and would be out of character with the host dwelling and the locality.
- 4.3.14 The proposed works to the driveway would be acceptable in principle. No details of materials or finishing have been provided. However, further details could be controlled via condition if planning permission were to be granted.
- 4.3.15 The proposed development does not meet the requirements of Policies D1 and D2 of the Local Plan and the core principles set out within Section 12 of the National Planning Policy Framework.

Impact on Neighbouring Properties

- 4.3.16 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.
- 4.3.17 The proposed development would be sited close to the boundary with No 1 The Old Stables. There is a height difference between the properties, with the application site sitting at a higher level than the neighbouring property. Given the change in levels, the overall height and size of the proposal and the proximity to the boundary, some degree of harm could arise to the amenity of No 1 through some overshadowing and some perception of overbearing bulk and mass. This harm would be mitigated to some extent by the mature hedge along the boundary although it is recognised that a hedge is not a permanent form of screening.
- 4.3.18 The proposal would therefore fail to comply with Policy D3 of the North Hertfordshire Local Plan 2011-2031 and the aims of section 12 of the National Planning Policy Framework (2024).

Highways and Parking

- 4.3.19 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. See comments above regarding materials and details.

Environmental Implications

- 4.3.20 The proposed development, by virtue of its limited scale in general terms 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. The provision of the solar panels would be supported subject to design comments above.

Biodiversity Net Gain

- 4.3.21 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.

Issues Raised in Neighbour Objection

- 4.3.22 Neighbour concerns:

- ☐ *Loss of daylight/will block sunlight* – addressed in report above.
- ☐ *Significant height of building and very close to boundary hedge* - addressed in report above.
- ☐ *Height difference between properties – exaggerates overall height and impact* - addressed in report above.
- ☐ *Building is overbearing and dominant in size* - addressed in report above.
- ☐ *Out of keeping with “The Cottage”* - addressed in report above.
- ☐ *Impact on hedge* – this is not a planning matter.

4.4 **Conclusion**

- 4.4.1 Refuse.

4.5 **Alternative Options**

- 4.5.1 None applicable

4.6 **Pre-Commencement Conditions**

- 4.6.1 n/a

5.0 **Recommendation**

- 5.1 That planning permission be **REFUSED** for the following reasons:

1. By reason of inappropriateness, the proposed development would result in harm to the Green Belt. No very special circumstances exist that would outweigh the harm identified to the Green Belt. The proposed development would therefore fail to comply with Policy SP5 of the North Hertfordshire Local Plan 2011-2031 and Section 13 of the National Planning Policy Framework (2024).
2. By reason of the overall appearance, size, height and mass of the proposed development, the proposal would result in a disproportionate addition to the host dwelling site and would not be sympathetic to the character and appearance of the host dwelling or the locality. The proposal would therefore fail to comply with Policy D1 and D2 of the North Hertfordshire Local Plan 2011-2031 and the aims of section 12 of the National Planning Policy Framework (2024).
3. By reason of the overall size, height and mass of the proposed development, siting adjacent to the shared boundary and difference in ground levels, unacceptable harm would be caused to the amenity of the occupiers of No 1 The Old Stables as a result of overshadowing and a perception of overbearing mass and dominance. The proposal would therefore fail to comply with Policy D3 of the North Hertfordshire Local Plan 2011-2031 and the aims of section 12 of the National Planning Policy Framework (2024).

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 Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 26 February 2026	