

DELEGATED FILE NOTE

CASE OFFICER: ...Henry Thomas.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01692/FPH	Erection of detached outbuilding with external stairs to access first floor office space and incorporating 4no. roof-lights following demolition of existing outbuilding and shed.	Wellside Cottage Smiths End Lane Barley Royston Hertfordshire SG8 8LJ

Submitted Plan Nos

20673-P007 20673-S002

SECN16 Conserve + enhance historic environment

D1 Sustainable design

D2 House exts, replcmnt dwellings outbuild

D3 Protecting living conditions

HE1 Designated heritage assets

T2 Parking

SECN12 Achieving well-designed places

CGB4 Exist buildings in the RA Beyond GB

2.0 **Site History**

2.1 24/00573/FPH - Part two storey, part single storey rear extension following demolition of existing conservatory and outbuildings. Installation of flue following demolition of chimney stack, and alterations to fenestration.

Conditional Permission.

3.0 **Representations**

3.1 **Neighbour Consultation & Site Notice** – None received.

3.2 **Barley Parish Council** –

“Barley Parish Council object to this planning application and ask North Herts Council in arriving at their own decision to take the following comments into account:

We note that the application site is outside the Defined Village Boundary for Barley and lies within the Rural Area beyond the Green Belt of the recently adopted Local Plan. It is also within the Barley Conservation Area.

It is our view that the design, size, scale, and bulk of the proposed development is excessive. Due to the elevation of the site its orientation and position on the bend of Smiths End Lane, the proposal will unacceptably dominate the frontage to the site such that it will have a significant and detrimental impact on the Conservation Area.

The proposal will be almost twice the size in terms of height, depth and floor area of the existing outbuildings that it seeks to replace. It is our view that any proposed replacement for the existing outbuildings should be single storey only and not materially taller or with a ground floor footprint materially larger than the existing structures it seeks to replace.

We also note the indicated use of the proposal is as an office and gym with very limited storage. The lack of external storage or garaging facilities was noted in our response to the applicant’s recent application No 24/00573/FPH which this current application does not really address.

The proposed development would also appear to limit onsite car parking and vehicular turning ability such that vehicles entering the site may have to reverse back onto the road to exit which would be less than satisfactory particularly given the bend in the road.

For all the above reasons we would ask that North Herts Council refuse this application.

However if NHC are nevertheless minded to approve the application we would ask that the use and occupation of the proposed development be restricted to the use and occupation of the main house and for no other purpose and also that all and any Permitted Development Rights be withdrawn.”

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 The site is a detached two-storey dwelling on the north-west side of Smiths End Lane in a rural part of Barley, the site is within the rural area beyond the greenbelt. The dwelling does not have permitted development rights for class E of Part 1. The site is in the Barley Conservation Area.

4.1.2 The dwelling is on a large plot and is set back from the highway by approximately 33m. Due to its orientation and position on the bend, the dwelling side elevation is predominantly seen when driving towards the dwelling from the Barley High Street.

4.2 Proposal

- 4.2.1 Erection of detached outbuilding with external stairs to access first floor office space and incorporating 4no. roof-lights following demolition of existing outbuilding and shed.

4.3 **Key Issues**

- 4.3.1 The key issues in this case are the design of the development relative to the main dwelling and the impact the development has on the reasonable living conditions of the neighbouring properties and the appropriateness of the works within the Conservation Area.

Principle

- 4.3.2 Policy CGB4 of the Local Plan states the following:

“Planning permission for the re-use, replacement or extension of buildings in the Rural Area beyond the Green Belt will be granted provided that:

b) Any existing building to be converted for re-use does not require major extension or reconstruction;

c) The resultant building(s) do not have a materially greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt than the original building(s); and

d) Any outbuilding(s) are sited as close as possible to the main building(s) and visually subordinate to them”.

- 4.3.3 Under the previous application, the applicant applied for a large extension to the dwellings following the demolition of the existing outbuildings on the site. Under that application, it was considered that the removal of the outbuildings would offset the gain to the dwelling and therefore would not result in a materially greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt. However, in the current application, the applicant seeks to trade the same outbuildings for a replacement outbuilding. In my view, the proposed outbuilding could not be built with the extension granted under 24/00573/FPH without conflicting with paragraph C in Policy CGB4 of the Local plan.
- 4.3.4 The proposed outbuilding would be two storeys in height with an external staircase. The building would be approximately 9.3m in depth and 6.61m in width, 5.86m in height with 3m high eaves. It would consist of a gym, storeroom, and bathroom at ground floor level with an office at the first floor. Without even taking the extensions under 24/00573/FPH into account, the total floorspaces of the existing outbuildings would be approximately 43.629 sqm and the proposed outbuildings would be 83.445 sqm which in my view, would be a disproportionate addition. In addition, the outbuilding would be sited further from the dwelling than the existing, as such, it is my view that, the replacement of single storey outbuildings with a two-storey outbuilding of this scale and location would be inappropriate development within the Rural Area Beyond the Green Belt that would result in a materially greater impact on the openness than the existing.
- 4.3.5 The dwelling does not have permitted development rights for Part 1, Class E (Outbuildings) and therefore does not have a fullback position to justify an outbuilding of this scale.

4.3.6 As such, the proposal is not considered compliant with Policy CGB4 of the Local Plan.

Design

4.3.7 Policy D1 of the Local Plan states that planning permission will be granted for development proposals that respond positively to the site's local context and create or enhance the public realm. This is echoed in Section 12 of the NPPF, where paragraph 130 states that developments should function well and add to the overall quality of the area and be sympathetic to local character. Furthermore,

4.3.8 Policy D2 of the Local Plan states that planning permission will be granted for outbuildings where the proposal does not harm the character and appearance of the site and the location of the proposal does not have an adverse impact on the character and appearance of the street scene or area.

4.3.9 Due to the orientation of the dwelling and the road, the side flank of the dwelling facing towards the highway, therefore a side/rear outbuilding would read as a frontal position from the highway. The outbuilding would be sited closer to the road than the existing and would be approximately 9m from the highway. The existing outbuilding is in a highly prominent position with limited screening from the road, the dwelling and outbuilding sit on a slightly higher ground level than the road which exacerbates their contribution to the street scene. As such, it is my view, that a replacement outbuilding of two-storeys and of a location closer to the highway would result in a visually harmful development to the character of the locality. Whilst there are a number of dwellings sited close to the road on this street, there are no other outbuildings setting a precedent. In addition, I find an external staircase facing towards the road to be a harmful addition to the street scene. As such it is my view, that the proposed extension by virtue of its scale and siting would be harmful to the character and appearance of the site and the street scene that would fail to comply with policies D1 and D2 of the Local Plan.

4.3.10 This is not considered in line with Section 12 of the National Planning Policy Framework and Policies D1 and D2.

Conservation Area

4.3.11 The proposed outbuilding would have stained horizontal timber boarding, slate roof tiles, timber external staircase, casement windows, bifolding doors and velux conservation rooflights. Whilst the materials would be sympathetic to the existing outbuilding and other barn dwellings within the wider locality, the external staircase and proposed glazing would be out of context with the locality and harmful to the Conservation Area. It is considered that the scheme would have an adverse impact on the conservation area. This is not in compliance with policy HE1 of the Local Plan and Section 16 of the NPPF.

Impact on Neighbours

4.3.12 The proposed outbuilding would be positioned away from the neighbouring dwellings of Wells Cottage and Smith End Barn. There are no neighbouring dwellings to the North (rear elevation). As a result, it is my view that this development would not result in any harm to neighbouring amenity.

4.3.13 The site features a large garden; the acceptable design and scale is appropriate for the local context and therefore would not cause any harm on the amenity of future occupiers.

4.3.14 This development is therefore considered in accordance with Section 12 of the NPPF.

Environmental Implications

4.3.15 The proposed development would be consistent with the criteria set out in Local Plan Policy D1 '*Sustainable Design*'. There are no other significant environmental implications as a result of the proposed development.

Parking

4.3.16 The dwelling currently benefits from a large driveway to the front of the dwelling, whilst the outbuilding would result in the loss of some of this space, the dwelling would retain space for a minimum of 2 parking spaces. This is compliant with Policy T2 of the Local Plan

4.4 **Conclusion**

4.4.1 In conclusion, it is considered that the proposed outbuilding by virtue of scale would result in harm to the character and openness of the Rural Area Beyond the Green Belt, This is afforded significant weight. Whilst the outbuilding would have some benefit to the dwelling, I consider that these do not outweigh the harm identified to the Rural Area Beyond the Green Belt. This is therefore contrary to Policy CGB4 of the Local Plan 2011-2031.

In addition, the proposed outbuilding by reason of its scale and siting in a prominent position would be out of context with the character and appearance of the area and would be visually harmful to the street scene and Conservation Area. This would run contrary to Policy D1 and D2 of the Local Plan and the general provisions within Section 12 of the NPPF.

Overall, when considering the benefits of the scheme against the harms, it is considered that the scale, siting and the inappropriate nature of the development in the Rural Area Beyond the Green Belt are not outweighed by the modest benefits of the proposal. The development is therefore deemed unacceptable in planning terms.

4.5 **Alternative Options**

4.5.1 None.

4.6 **Pre-Commencement Conditions**

4.6.1 None.

5.0 **Recommendation**

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

1. The proposed development, by reason of its scale and siting would result in the further urbanising of the garden that would harm the character and openness of the Rural Area Beyond the Green Belt beyond the existing outbuildings. Moreover, the proposed siting of the outbuilding closer to the highway than the existing would not respond positively to the site's context and would not be sympathetic to the host dwelling or the character and appearance of the street scene and Conservation Area. The proposal is contrary to Policies D1, D2, HE1 and CGB4 of the Local Plan and Section 12 and 16 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: 25 September 2024	