

Location: **Land Rear and Adjacent To 60
Ashwell Road
Bygrave
Hertfordshire**

Applicant: **Mr D Maciver**

Proposal: **Conversion of existing detached rear quadruple
garage/storage building to one 3-bed dwelling**

Ref. No: 21/03527/FP

Officer: **Peter Bull**

Date of expiry of statutory period : 09.03.2022

Submitted Plan Nos

Location Plan Block Plan P001 P002

1.0 **Policies**

LP2 Green Belt

LP25 Re-use of Rural Buildings

LP55 Car Parking Standards

LP57 Residential Guidelines and Standards

XD1 Sustainable Design

XD3 Protecting Living Conditions

XSP5 Countryside and Green Belt

XSP1	Sustainable Development in NH
XSP2	Settlement Hierarchy
XSP9	Design and Sustainability
XT2	Parking

Baldock, Bygrave and Clothall Neighbourhood Plan:

Policy V1

2.0 **Site History**

01/02022/1HH – erection of detached quadruple garage - CP

3.0 **Representations**

Bygrave Parish Council: comments and objections - acknowledge that the Planning authorities will be looking into the Green belt policies and village status. Concerns regarding the application relate to the impact on neighbours - overlooking windows, proximity of driveway to the neighbouring property, associated noise from the driveway, no details of noise mitigation measures, backland development out of character with the village. It is noted that Parish Councillor Hill (the occupier of the neighbouring property) took no part in the discussions.

Councillor Tyson: requested the application be considered by Planning Committee on the following grounds - sustainability, development in the Green Belt and negative impact on neighbouring properties.

Site Notice/Neighbours: one letter of objection – lack of local services to support a new dwelling, unsustainable location, excessive vehicular movements compared to existing use of building, inappropriate development in the Green Belt, adverse impact on the immediately adjacent residential property due to proximity of windows to the vehicular access. If minded to approve the application, suggests a Construction Management Plan condition be included.

Hertfordshire Country Council (Highways): does not wish to restrict the grant of permission.

Waste Services: We currently complete kerbside collections from here, therefore approved on this basis. Bins will need to be presented kerbside by 7am on scheduled day of collection.

Environmental Health (Air Quality): no objection subject to an electric vehicle charging point being provided as part of the development.

4.0 **Planning Considerations**

4.1 Site and Surroundings

4.1.1 The application site comprises a four bay detached single storey garage previously associated with the property at 60 Ashwell Road. The application site is located in Upper Bygrave and lies on the eastern side of Ashwell Road. To the front of the site there is a semi-detached bungalow with access alongside that leads to the application site and the existing quadruple garage building that it is proposed to convert. It is understood that the garage was separated from the house circa 2006. The locality is rural in character with agricultural fields immediately adjacent. Bygrave is identified as a Category 'C' settlement in the eLP.

4.2 Proposal

4.2.1 Planning permission is sought for the change of use from domestic garages to a 3 bed dwelling and minor external alterations and associated works. The accommodation includes three bedrooms on the ground floor with a lounge, dining room and kitchen area on the first floor. All internal rooms meet statutory space standards. A garden area is also provided. The property will utilise the existing access and hardstanding which was laid when the garage was constructed circa 2002. The building measures approximately 6.4 metres wide, 14 metres long and 6.3 metres tall (ground to ridge).

The building currently has is enclosed on all sides with the garage doors to the southern elevation. As part of the proposal, windows and doors are to be added to facilitate the residential use of the building. Parking for two cars would be provided on the existing hardstanding area. A garden area measuring approximately 78 square metres in area is proposed. The proposal meets National Space Standards.

4.3 Key Issues

4.3.1 The key issues are Green Belt policy, character and appearance, impact on neighbouring properties, access and parking, sustainability, environmental issues and environmental impact.

4.3.2 Green Belt policy

4.3.3 Paragraph 150 advises that certain forms of development are not inappropriate development in the Green Belt including:

d) the re-use of buildings provided that the buildings are of permanent and substantial construction.

The existing building is a wooden framed construction and roofed and was constructed circa 2009. It is considered that the building is of permanent and substantial construction meeting the requirements of paragraph 146 d) above.

Given the above the proposed alternative re-use of the building as a separate dwelling could be considered appropriate development in the Green Belt. No very special circumstances would need to be demonstrated to justify the proposed development.

4.3.4 When considering any development in the Green Belt a local planning authority needs to examine any other harm. In this case the building is already on site and no other buildings are proposed. The property would be accessed by the existing vehicular

access. The curtilage would be enclosed by a post and rail fence. The proposal would have no material impact on the openness of the area. The development would not conflict with the five purposes of the Green Belt as set out in the NPPF and the development plan.

4.3.5 It is concluded that the proposed development is acceptable in principle.

4.3.6 **Character and Appearance**

4.3.7 The site is in open countryside but within the built area of Bygrave. The scale and appearance of the garage means it reads as an ancillary building associated with domestic/agricultural land use. With the exception of the minor external alterations to the building, there would be little discernible change in the appearance of the site except perhaps with some domestic paraphernalia and additional parked vehicles. Such parking / paraphernalia would be contained within the existing hardstanding area and garden. There are no nearby public footpaths from which the building would be readily experienced.

4.3.8 The building is timber clad and a number of windows, rooflights and an entrance door are proposed to facilitate the residential use. These works are considered to be proportionate and overall would retain the original ancillary and subservient identity of the building. Subject to this, there are not considered to be any adverse impacts on the wider landscape appropriate to this rural setting.

4.3.9 **Impact on neighbouring properties**

4.3.10 The concerns from the immediately adjacent neighbour at 60 Ashwell Road are acknowledged. It should be noted that the access to the property is existing as is the domestic garage use. This means that the building could be used for the access and parking of vehicles and storage lawfully for domestic purposes. Having regard for this, the proposed residential use of the site is unlikely to generate notable different vehicular movements along the access when compared to the lawful use of the building as a domestic garage. Furthermore, the occupier of the aforementioned property was aware of this situation as they purchased the property without the garage building which has remained in the ownership of the original property owner. Having regard for the foregoing, the impact on neighbouring property is considered to be no worse than the existing lawful use of the garage and driveway. Notwithstanding this, the applicant has been asked whether they would be prepared to accept a condition requiring the removal of a section of the existing loose shingle access surfacing closest to the ground floor windows of the neighbouring property and replace it with a non-loose and less noisy material (i.e. black top or pavements). This would go some way to mitigating noise impacts to the immediately adjacent neighbour at 60 Ashwell Road. An update on this point will be given at the meeting.

4.3.11 Permitted development rights controlling works and buildings within the curtilage should be withdrawn by condition to exercise a degree of control over future structures within the curtilage in order to protect the setting of the adjacent property and the openness of the Green Belt.

4.3.12 **Access and parking**

4.3.13 Parking and storage facilities for the property would be provided within the existing hardstanding area. This is considered to be sufficient to accommodate the parking requirements of the occupiers of the dwelling.

4.3.14 The Highway Authority have not raised any objections to the proposed development. No conditions are recommended given the access is existing and is acceptable.

4.3.15 The proposal is acceptable in highway terms.

4.3.16 **Environmental issues**

4.3.17 The site is within Flood Zone 1 therefore there is a low probability of flooding. Given the large area of hardstanding (loose gravel) within the application site and along the access there will be no issues with rainwater run-off. There is opportunity to produce biodiversity enhancement through this development given the site area and new landscaping that could be introduced within the garden of the new property.

4.3.18 **Environmental Implications**

4.3.19 Given the proposal involves the conversion of an existing building, limited potential exists for the inclusion of renewable or low carbon technologies. However, an electric vehicle charging point should be provided prior to occupation of the dwelling to encourage the use of electric and hybrid vehicles.

4.3.20 In general the re-use of the site for an independent residential property is in step with NPPF to make effective use of land without involving additional carbon footprint in constructing a new dwelling.

4.3.21 **Sustainability and climate change**

4.3.22 Paragraph 80 of the NPPF states that planning policies and decisions should avoid isolated homes in the countryside unless several criteria apply. In this case, although Bygrave has no facilities other than the parish Church of St. Margaret of Antioch off Church Lane, the site is less than 3 kilometres (1.8 miles) into the centre of Baldock and will be less than 1.5 kilometres (0.93 miles) to the Strategic site (BA1 'North of Baldock') set out in SP14 of the Emerging Local Plan. BA1 will have a large range of community facilities and services including schools. There is a bus stop immediately outside of the site entrance serving Letchworth from Royston (No. 90 bus) . In this context of the proximity of Baldock and the emerging housing allocation and also because of the available public transport I do not consider that the site can be considered isolated in terms of paragraph 80 of the NPPF.

4.3.23 **Planning Balance**

4.3.24 The Council cannot currently demonstrate a 5 years supply of housing land (at present this figure is 1.47 years as of April 2021). The tilted balance in favour of granting planning permission in accordance with paragraph 11 of the NPPF applies in this case as the development is not inappropriate development in the Green Belt , there are no clear reasons for refusing the development and there are no adverse impacts of the development that would demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole.

4.3.25 Whilst the objector has made comparisons to a nearby development refused by the Council, this was in the mid part of last year. Since then, the housing land supply delivery has become even more acute and this therefore adds even more weight in the planning balance.

4.3.26 In terms of the three strands of sustainability, the development would provide employment and general economic prosperity in the short term through the construction process and ongoing servicing thus fulfilling the economic perspective. In terms of the social perspective the development would boost the supply of housing and help to meet albeit in a small way the Council's housing requirements. Finally there would be environmental benefit in an improvement to the visual and spatial quality of the site and the provision of bio-diversity net gain from additional planting and landscaping. The development is therefore considered to be sustainable having regard to the above and the requirement to achieve sustainable development as set out in Chapter 2 of the NPPF.

4.3.27 **Alternative Options**

None applicable

4.3.28 **Pre-Commencement Conditions**

I can confirm that the applicant is in agreement with the pre-commencement conditions that are proposed.

5.0 **Legal Implications**

5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

6.0 **Recommendation**

6.1 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. Details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, B, C and E of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the Green Belt and the amenity of the adjacent properties.

5. Prior to occupation, each dwelling shall incorporate one Electric Vehicle (EV) ready domestic charging point and it shall thereafter be retained.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.

Proactive Statement

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. 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.

- 7.0 **Appendices**
- 7.1 Site location plan
- 7.2 Proposed site layout plan
- 7.3 Existing elevation drawings
- 7.4 Proposed elevation drawings