

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02786/FPH	Erection of outbuilding in rear garden following demolition of existing outbuilding (as amended by plan received 23/01/25)	4 Maydencroft Gardens Gosmore Hitchin Hertfordshire SG4 7EJ

Submitted Plan Nos

Location Plan 2906-GA-001-Rev-A 21.12 - Sheet 01 21.12 - Sheet 02 21.12 - Sheet 03

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
SP5	Countryside and Green Belt
SP9	Design and Sustainability

2.0 **Site History**

- 2.1 22/00616/FPH - Insertion of front ground floor window following removal of garage doors to facilitate garage conversion to lounge – Approved 22/04/22.

3.0 **Representations**

- 3.1 **Neighbours** – The following comments were received:

- ☐ Not aware of being notified by the applicant as stated on the application form.
- ☐ The applicant should confirm that the building would be for a home gym, not a business.
- ☐ Do not see any other issues.
- ☐ No objection.

- 3.2 **Parish Council** – No objection.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is a detached two storey dwelling with a pitched roof. Rear party boundaries are comprised of 1-2m high fences and higher vegetation. The site is in a 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 new outbuilding with a flat roof to be used as a home gym, which would be in the rear garden and replace an existing outbuilding.

4.3 **Key Issues**

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

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, with the relevant parts of those paragraphs stating:

154. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

- 4.3.4 The existing building is an outbuilding used for purposes incidental to the main dwelling No. 4. The proposed outbuilding would be used as a home gym that would also be incidental to the main dwelling, therefore the new building is considered to be in the same use as the building it would replace.

- 4.3.5 In assessing whether the new building would be materially larger than the existing building, the new building would be of a similar siting, floor space and footprint. The new building would be 2.9m high which would be higher than the existing, however the maximum difference of approx. 0.4m is small. The proposed building would be considered to not be materially larger than the existing building.

- 4.3.6 The proposed works are not considered inappropriate in the Green Belt, and are acceptable in principle. The proposal complies with Policy SP5 of the Local Plan and Section 13 of the NPPF.

Design

- 4.3.7 The proposed outbuilding would be of a similar size and siting to the existing, would be an acceptable size, design and siting for a residential outbuilding for the host dwelling, would be of an acceptable incidental use for the dwelling, and will have limited and acceptable impacts on the wider locality as it would be largely obscured by vegetation and buildings. The design is considered acceptable. The proposal complies with Policies D1 and D2 of the Local Plan, and Section 12 of the NPPF.

Neighbour amenity

- 4.3.8 The proposed outbuilding will be sited on a part of the site away from the closest dwellings and their private gardens, and will not appear overbearing or cause loss of light and privacy. The outbuilding will be used as a home gym incidental to the host dwelling No. 4, will not be a business, will be required by condition to remain incidental to No. 4, and is not considered will generate harmful levels of noise or other disturbance.
- 4.3.9 The neighbour comments, as well as relating to the use of the outbuilding, had stated that they were not aware of being notified by the applicant of the application as a requirement of completing Certificate B of the application form due to being owners of the red-edged application site. The applicant had confirmed that these notifications hadn't taken place, however the applicant has now provided an amended red-edged location plan that only extends around No. 4 and a Certificate A. This has resolved that procedural matter, and the applicant is not required to notify any other landowners. Impacts on amenity are therefore acceptable. The proposal complies with Policy D3 of the Local Plan.

4.4 **Conclusion**

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

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.

3. The approved outbuilding shall only be used for purposes incidental to the dwelling known as 4 Maydencroft Gardens, Gosmore.

Reason: In the interests of amenity. To comply with Policies D2 and D3 of the Local Plan.

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  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 4 March 2025	