

DELEGATED FILE NOTE

CASE OFFICER: ...Tabitha Kaye.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00323/FPH	Erection of timber gazebo.	28 Fishponds Road Hitchin Hertfordshire SG5 1NR

Submitted Plan Nos

Location plan E1 E4 D1A D4A

1.0 Policies

SECN12	Achieving well-designed places
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SECN14 Meeting climate change,coastal,flooding

SP9 Design and Sustainability

D1 Sustainable design

D2 House exts, replcmnt dwellings outbuild

D3 Protecting living conditions

T2 Parking

2.0 **Site History**

2.1 25/02725/LDCP: Erection of timber gazebo. Withdrawn (08/01/26).

2.2 21/01408/LDCP: Erection of detached rear timber framed garden room for use as a gym/sitting area. Granted (07/07/21).

2.3 18/02697/NMA: Installation of an additional rooflight window as a Non Material Amendment to Planning application 17/02340/1HH granted on 17.11.2017. Agreed (15/10/18).

- 2.4 17/02340/1HH: Part single storey, part first floor rear extension. Conditional Permission (17/11/17).

3.0 **Representations**

- 3.1 **Neighbour Consultation** – None received at the time of writing report.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site accommodates a two-storey, middle terrace dwelling situated on Fishponds Road, Hitchin. The site benefits from a rear garden.
- 4.1.2 The site is within the Hitchin settlement boundary, where development is supported in principle. The site is outside of the Hitchin Conservation Area.

4.2 **Proposal**

- 4.2.1 Erection of timber gazebo.

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;
 - Highways and parking matters;
 - The impact of the proposed development on the environment.

Design

- 4.3.2 Policies D1 and D2 of the NHLP require that development proposals respond positively to the site's local context. Policy D2 specifies that extensions to houses should be sympathetic to the main dwelling in terms of scale, form and orientation. These policies are broadly consistent with paragraph 135 of the NPPF.
- 4.3.3 The proposed lean-to timber gazebo would be constructed forward of the existing rear extension, measuring 2.9m in depth, 4m in width, and 3.8m to the ridge. The gazebo would be of an open design, with the roof slope being supporting by 3no. timber supports, measuring 3.2m in height (eaves).
- 4.3.4 The scale of the gazebo would respond well to the proportions of the existing rear extension. The open design and use of timber materials means that the gazebo would have a light visual impact. The rear garden cannot be viewed from the street and therefore would not impact the street scene.
- 4.3.5 Therefore, the proposed gazebo is acceptable in design terms and is considered to accord with Policies D1 and D2 of the Local Plan, as well as paragraph 135 of Section 12 of the National Planning Policy Framework.

Impact on Neighbours

- 4.3.6 Policy D3 of the Local Plan permits development that does not result in acceptable harm to the amenity of neighbouring occupiers and encourages the use of mitigation measures where necessary. Policy D3 is generally reflected by the provisions of the NPPF.
- 4.3.7 While the rear garden of the site is narrow, the combination of the light design and acceptable scale of the gazebo means that the proposal would not cause unacceptable overshadowing, overbearing or overlooking impacts to neighbouring dwellings.
- 4.3.8 The proposal therefore accords with Policy D3 of the Local Plan and Section 12 of the NPPF.

Highways and Parking

- 4.3.9 The proposed development would not impact existing parking and access arrangements and therefore is commensurate with Policy T2 of the NHLP.

Environmental Implications

- 4.3.10 Policy D1 of the NHLP outlines the Council's commitment to supporting climate change mitigation through the requirement for schemes to incorporate the principles of 'sustainable design', for which the proposal complies with. Policy D1 is broadly consistent with the aims of Section 14 of the NPPF. There are no other environmental implications as a result of the proposed development.

Biodiversity Net Gain:

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

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 **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  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 1 April 2026	