

DELEGATED FILE NOTE

CASE OFFICER: ...William Thompson.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00639/FPH	Erection of detached ancillary garden annex with decking and associated access steps	Chapel Barn Rabley Heath Road Codicote Welwyn Hertfordshire AL6 9UA

Submitted Plan Nos

31032B_01_01 Rev P2 31032B_01_02 Rev P2 31032B_01_03 P1 31032B_02_04 P1

SP5	Countryside and Green Belt
HE1	Designated heritage assets
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land
SECN14	Meeting climate change,coastal,flooding
SECN16	Conserve + enhance historic environment
D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
T2	Parking
HS6	Relatives and dependents accommodation

2.0 **Relevant Site History**

- 2.1 25/01177/LBC - Internal and external refurbishment and adaption of existing listed dwelling including infill extension to create new principal front entrance, staircase to mezzanine levels, installation of conservation roof-lights, and alterations to existing fenestration to include replacing existing front elevation doors with windows. Landscaping to include replacing existing formation of walls, replacing materials and replace existing external timber staircase with a metal staircase. Re-cladding, re-roofing (as amended by plans received on 05/07/25 and 21/07/25)

Conditional Consent

- 2.2 25/01176/FPH - Infill extension to create principal front entrance, insertion of rooflights, alterations to fenestration arrangement and replacement windows and doors throughout. Installation of external metal staircase following removal of existing timber staircase. Re-cladding, re-roofing and internal alterations (as amended by plans received on 05/07/25 and 21/07/25)

Conditional Permission

- 2.3 15/02965/1LB - Retention of two storey side extension and first floor link to original barn, external staircase to the former, and other external alterations including changes to fenestration affecting all elevations.

Consent

- 2.4 15/02898/1EUD - Continued use of premises as a dwellinghouse together with the retention of two storey side extension and first floor link to original barn, external staircase to the former and other external alterations including changes to fenestration affecting all elevations.

Granted

3.0 **Representations**

- 3.1 **Neighbour Consultation:** None received.
- 3.2 **Codicote Parish Council:** None received.
- 3.3 **Conservation Officer:** No objection.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site is located on land north/northeast of Chapel Barn, a Grade II listed building, just off Rabley Heath Road, Codicote. The application site is brushed over by the Green Belt.

4.2 **Proposal**

- 4.2.1 Erection of detached ancillary garden annex with decking and associated access steps.

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

Principle - Green Belt

- 4.3.2 The site is within the Green Belt as allocated within the Local Plan. Paragraph 153 of the NPPF advises that significant weight should be given to any harm to the Green Belt that arises from development unless Very Special Circumstances can be demonstrated to outweigh this harm. 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 g) advises *“limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or*

mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.”

- 4.3.3 The Court of Appeal decision of *Dartford Borough Council v Secretary of State for Communities And Local Government & Anor [2017] EWCA Civ 141* has found that the term ‘previously developed land’ as defined by the NPPF does include private residential gardens in an area that is not built-up. Such definition specifically excludes private residential gardens in a built-up area. Ergo, a private residential garden which is not in a built-up area will constitute previously developed land. The development of an ancillary garden annexe for the purposes of storage or gym use is an expected form of development in a private residential garden. While, by definition, the introduction of a new outbuilding would cause harm to openness, given the siting, screening, scale and design, I do not consider this harm to be substantial.
- 4.3.4 Paragraph 143 of the NPPF states the five purposes of the Green Belt. In my opinion, the development does not contradict with any of the five purposes. Given the above, the proposal is not inappropriate development in accordance with Section 13 of the NPPF and is therefore compliant with Policy SP5 of the Local Plan.

Design and Appearance / Heritage Impact

- 4.3.5 Policy D1 of the Local Plan requires that development proposals respond positively to the site’s local context. Policy D2 of the Local Plan requires extensions to houses 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. Policy HE1 states that proposals affecting heritage assets should preserve the significance of the asset and its setting, as is supported by Policy SP1 of the Local Plan and paragraph 208 of the NPPF. Policy HE1 is commensurate with the LPA’s statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 4.3.6 The proposed outbuilding would have a width of 10.65m, a depth of 4.6m and would have a dual-pitched gable end roof form with an eaves height of 2.9m and a peak height of 5.7m. The associated decking and steps would have a maximum height of 0.5m. The proposed external materials are black weatherboarding for the walls, clay roof tiles, black aluminium framing for fenestration, black aluminium half-round guttering, black timber fascias and brown timber decking. The proposed outbuilding would be set well away from the main building and would be well screened by vegetation from the highway.
- 4.3.7 The following summary is lifted from the Conservation Officer comments: *Given the distance and the proposed materiality and design of the new detached ancillary garden annexe there are no objections;* leading to the following conclusion:

There is NO OBJECTION. The scheme will satisfy the provisions of Sections 16(2) (LBC) and /or 66(1) (FP/FPH) and/or 72(1) (both) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the aims of Section 16 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011-2031.

- 4.3.8 A materials condition was suggested by the conservation officer but, given that the materials have already been presented and assessed, I find this unnecessary to impose.
- 4.3.9 Therefore, the proposed development complies with Policies D1, D2 and HE1 of the NHLP and Sections 12 and 16 of the NPPF.

Impact on Neighbouring Properties:

- 4.3.10 A core planning principle set out in the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy D3 of the NHLP.
- 4.3.11 Regarding neighbour amenity, the proposal is set well away from the host and other dwellings and is well screened by vegetation.
- 4.3.12 Therefore, the proposed development complies with Policy D3 of the NHLP.

Highways and Parking:

- 4.3.13 The development does not include an increase in the number of bedrooms. The site would maintain sufficient space for a minimum of 2no. parking spaces. Therefore, with regard to Policy T2 of the NHLP, there would be no parking concerns arising from this proposal.

Environmental Implications

- 4.3.14 The proposed development is not large enough in scale to cause significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF.

Biodiversity Net Gain:

- 4.3.15 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 N/A

4.6 **Pre-Commencement Conditions**

- 4.6.1 N/A

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 detached garden annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwellinghouse known as 'Chapel Barn' Rabley Heath Road, Codicote.

Reason: To avoid the creation of a new dwelling contrary to the planning policies applicable to the area and to avoid the occupation of two separate dwellings by persons unconnected with each other as this would result in an unsatisfactory relationship and inadequate standard of amenity for both properties and to comply with Policy HS6 of the North Hertfordshire Local Plan 2011 to 2031.

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 July 2026	