

DELEGATED FILE NOTE

CASE OFFICER: ...Tom Rea.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/01296/LDCE	Erection of a poly-carbonate poly-tunnel at side of dwelling (development already carried out)	231 Bedford Road Hitchin Hertfordshire SG5 2UQ

Submitted Plan Nos

2025_231BR_21 Rev P1 2025_231BR_22 Rev P1 2025_231BR_23 Rev P1 2025_231BR_055 Rev P1

1.0 Policies

2.0 **Site History**

2.1 None relevant

3.0 **Representations**

3.1 No consultation required.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site is a semi-detached bungalow located on the west side of Bedford Road.

4.2 **Proposal**

4.2.1 A Certificate of Lawfulness (existing) is sought for the retention of a poly-carbonate poly-tunnel at side of the dwelling (development already carried out)

4.3 **Key Issues**

4.3.1 The key issues for consideration are whether the existing development would require a specific planning permission or be considered 'permitted development' in line with the Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 1.

4.3.2 **Class E – buildings etc incidental to the enjoyment of a dwellinghouse**

The use of this detached poly tunnel outbuilding is for domestic horticultural purposes. In my opinion, this use is incidental to the primary residential use of the host dwelling, which is compliant with the principle of Class E of the GPDO 2015.

E.1 Development is not permitted by Class E if—

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

The development is compliant with this criterion.

(b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

The development is compliant with this criterion.

(c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;

The development is compliant with this criterion, due to the location of the structure to the side of the dwelling.

(d) the building would have more than a single storey;

The development is compliant with this criterion.

- (e) the height of the building, enclosure or container would exceed—**
(i) 4 metres in the case of a building with a dual-pitched roof,
(ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or
(iii) 3 metres in any other case;

The building is within 2.0m of a boundary and is therefore below the 2.5m as stated under (ii). The development is compliant with this criterion.

- (f) the height of the eaves of the building would exceed 2.5 metres;**

The eaves would measure 1.8m and therefore, the proposed development is compliant with this criterion.

- (g) the building, enclosure, pool or container would be situated within the curtilage of a listed building;**

The development is compliant with this criterion.

- (h) it would include the construction or provision of a verandah, balcony or raised platform;**

The development is compliant with this criterion.

- (i) it relates to a dwelling or a microwave antenna; or**

The proposed development is compliant with this criterion.

- (j) the capacity of the container would exceed 3,500 litres.**

The development is compliant with this criterion.

E.2 In the case of any land within the curtilage of the dwellinghouse which is within—

- (a) an area of outstanding natural beauty;**
(b) the Broads;
(c) a National Park; or
(d) a World Heritage Site,
development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.

The site is not within any of the above defined areas.

E.3 In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.

The site is not within a Conservation Area (article 2(3) land).

4.4.1 A Certificate of Lawfulness (existing) can be issued on the basis that the detached polytunnel constitutes permitted development by virtue of Classes E, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Signed  Sarah Kasparian	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 18 August 2025	