

DELEGATED FILE NOTE

CASE OFFICER: ...Alex Howard.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/01182/FPH	Erection of shed/summerhouse. (Development already carried out).	1 Kingsoak Hitchin Hertfordshire SG4 7BF

Submitted Plan Nos

Location Plan 01 Existing Floor Plan 02 Existing Section Plan Existing Elevations B and C and D,E,F,G
AND H Exisitng 04 Elevation A

1.0 Policies

D1	Sustainable design
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D2 House exts, replcmnt dwellings outbuild

D3 Protecting living conditions

SECN12 Achieving well-designed places

2.0 **Planning History**

2.1 N/A.

3.0 **Representations**

3.1 **Site Notice and Neighbour Consultation** – Response received from 2 Kingsoak objecting to the application on the following grounds (summary):

- The structure causes unacceptable loss of light to a habitable bedroom, which relies on natural light from the direction of the development.
- This reduces amenity and usability of this room, as well as wellbeing. A photo has been submitted from within this room showing the perceived impact.
- The structure is not in keeping with the existing character and appearance of surrounding properties. The materials and design are incongruent, as the properties tend to be black timber clad barn style.
- The structure creases visual disruption and undermines cohesion, as it does not respect the prevailing character of the surrounding buildings.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site is a semi-detached dwelling located on Kingsoak, Hitchin. The property is on the southwest side of the road and is a long, narrow barn style building, with a private garden to the southwest. The site is attached to No.2 Kingsoak, which has a perpendicular section of the property running parallel to the northern fence line of the host dwelling.

4.1.2 The property and indeed the wider site do not benefit from Permitted Development Rights as set out in the GPDO 2015, including under Class E – outbuildings.

4.2 **Proposal**

- 4.2.1 Planning permission is sought for the erection of a shed/summerhouse. The development has already carried out. The outbuilding is of octagonal footprint, measuring approx. 2.5m wide, with a pyramid roof measuring approx. 2.45m in height. The building is located in the western corner of the site, close to the shared boundary with No.2 Kingsoak. The building is finished in blue painted timber cladding, plain roof tiles and white framed windows/doors.
- 4.2.2 Due to the removal of Class E Permitted Development Rights, the structure requires planning permission for its retention.

4.3 **Key Issues**

- 4.3.1 The key considerations are design and the impact on the amenities of neighbouring properties.

Design

- 4.3.2 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site's local context in addition to other criteria. Policy D2 of the Local Plan states that planning permission for house extensions and outbuildings will be granted if the extension/outbuilding is sympathetic to the existing house in height, form, proportions, roof type, window details, materials; the orientation of the main dwelling and if it does not dominate adjoining properties and does not harm the character and appearance of the area. These considerations are echoed in Section 12 of the NPPF.
- 4.3.3 The outbuilding is a modest structure, given its dimensions and general scale relative to the buildings in the immediate vicinity. The octagonal footprint and associated pyramid roof form are atypical from the shape of most outbuildings in the district, but this does not mean it is unacceptable. The building has been finished in light blue/white timber cladding, which is again atypical of the finish seen for most outbuildings in the district. That said, the use of this colour is personal choice and is considered acceptable.
- 4.3.4 Objections have been received citing several concerns with the design and external finish of the outbuilding on site. Having considered the concerns in full, Officers do not agree that the structure, including the choice of materials/finish and its design, is not in-keeping with the character and appearance of the area, nor that it creates a visual disruption and undermines cohesion. The building is a modest structure, is of high quality finish and would not cause any harm to the character of the area in visual terms.
- 4.3.5 The proposal is therefore deemed acceptable in design terms and in accordance with Policies D1 and D2 of the Local Plan and Section 12 of the NPPF.

Impact on Neighbours

- 4.3.6 Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions.
- 4.3.7 The property benefits from a single neighbour that could be impacted by this outbuilding, which is No.2 Kingsoak. The outbuilding is located in the eastern corner of the host

dwelling's rear garden, approx. 1.2m from the shared boundary with No.2, beyond which there is a small gap on their side before the neighbouring property.

4.3.8 There are no objections in regard to overdominance or overlooking from this proposal given its scale and nature. Objections have been received from this neighbour citing several concerns regarding the impact of this outbuilding on the light levels into a habitable room in their property, which is said to rely on natural light. The concerns go on to state that this loss of light from the development reduces amenity, the usability of the room, and general wellbeing of occupiers. A photo from within this room has been submitted. Having considered these concerns in full and following a site visit, Officers consider that the development does not cause unacceptable levels of light loss into the property in question. Whilst there may well be some impact in terms of light loss, the outbuilding itself is a modest structure at approx. 2.45m in height and has a pyramid roof with a shallow pitch, such that the amount of this building visible over the shared boundary fence which would affect light levels is very limited. Moreover, even if the development was considered to be overly large and harmful in terms of light impacts, the orientation of the building relative to this window is such that it would only be affected in the late afternoon/evening. Lastly, it is very unlikely that the Local Planning Authority could sustain an objection on loss of light for a modest, single storey outbuilding suitably set away from any nearby neighbouring window, as this would not hold up in a subsequent appeal scenario. If this development was not already on site and this application was submitted as a pure proposal, it would be very difficult to object on neighbour amenity grounds.

4.3.10 Therefore, the proposal will not cause unacceptable harm to living conditions, in line with Policy D3 of the Local Plan.

Biodiversity Net Gain

4.3.11 The proposal is exempt from the mandatory 10% BNG.

4.4 Conclusion

4.4.1 The proposal is considered acceptable in planning terms and in accordance with Policies D1, D2 and D3 of the Local Plan, as well as Section 12 of the NPPF.

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**.

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: 26 June 2025	