

DELEGATED FILE NOTE

CASE OFFICER: ...Harriet Sanders.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01773/FPH	Erection of detached gazebo to rear garden.	4 Westbury Farm Close Offley Hitchin Hertfordshire SG5 3FL

Submitted Plan Nos

1052 02 1052 - PL02 1052 - PL03 1052 01a

D1	Sustainable design
D3	Protecting living conditions
HE1	Designated heritage assets
T2	Parking

2.0 **Site History**

2.1 23/01796/FPH - Single storey rear extension.

2.2 23/01797/LBC - Single storey rear extension and internal alterations.

3.0 **Representations**

3.1 Neighbour notification carried out. Press notice and site notice posted. One comment in support.

3.2 Offley Parish Council – no comment at the time of writing this report.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application property forms part of the residential conversion of the historic Westbury House complex. The rear garden is enclosed with lawn, planted borders, paving, a timber shed and established boundary treatment.

4.2 **Proposal**

4.2.2 Consent is sought for:

“Erection of detached gazebo to rear garden.”

4.2.3 The gazebo will be formed of two glazed elevations and two elevations in painted cladding with a glazed, louvred flat roof.

4.3 Key Issues

4.3.1 The key material considerations when assessing the planning merits of the proposal are:

- design and appearance and impact on heritage assets.
- potential impact on neighbour amenity.
- Access, highways and parking.

Design and Appearance and Impact on Heritage Assets

4.3.2 No 4 is a grade II listed property and falls within the Conservation Area which are designated heritage assets.

4.3.3 Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development. Local Plan policy HE1 requires a palette of materials that make a positive contribution to local character or distinctiveness and will lead to less than substantial harm to the heritage asset

4.3.4 NPPF policy DP3 requires development proposals to respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings. NPPF policy HE6 refers to proposals affecting heritage assets. Proposals should have a positive effect on a designated heritage asset.

4.3.5 The proposed gazebo will be sited in the north-western corner of the garden, adjacent to existing brick boundary walls. The gazebo is a modest structure and will be sited away from the listed building. No alteration to the listed building is proposed. The structure will have two glazed sides and two constructed of painted cladding. The applicant has confirmed that the cladding will be painted black. Part of the black clad elevations will be visible above the existing garden walls when viewed from the outside of the garden.

4.3.6 The setting of a listed building can contribute to its significance. In this instance, the setting of the original dwelling has been altered though the creation of the private rear gardens. The modest structure is a reversible garden addition and will not cause harm to the setting of the listed building.

4.3.7 The upper part of the structure will be visible from the Conservation Area. The structure is modest and the black painted cladding will relate positively to the neighbouring properties at the rear which are black timber. The proposed materials are acceptable and no unacceptable harm to the character and appearance of the Conservation Area will be caused. It is reasonable and necessary to control the colour of the external painted cladding by condition.

4.3.7 The design and appearance of the proposal is acceptable and no unacceptable harm will be caused to the designated heritage assets of the listed building or Conservation Area.

Impact on Neighbour Amenity

- 4.3.8 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts.
- 4.3.9 NPPF Policy P3 refers to living conditions and pollution and sub section 2 (b) sets out that development proposals should not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site.
- 4.3.10 The gazebo is a modest structure and will project a small distance above the existing garden wall – approximately 0.6m. It will be sited close to the shared boundary with no 5 but will be sited slightly away from the wall by approximately 0.6m at its closest point.
- 4.3.11 The gazebo may result in some degree of perceived bulk and mass from the rear amenity space of no 5 and some small degree of overshadowing at some times of the day. However, this would not be to an unacceptable degree and no unacceptable harm will arise.
- 4.3.12 The gazebo will be located away from no 3 – no harm arising.

Highways, access and parking

- 4.3.13 The gazebo does not generate the need for additional parking. Acceptable.

4.4 **Conclusion**

- 4.4.1 The gazebo is a modest structure. The design is acceptable and no harm will be caused to the designated heritage assets. No unacceptable harm to neighbouring amenity will arise.

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 cladding of the external walls of the gazebo hereby approved shall be painted black and retained as such unless otherwise agreed in the writing by the Local Planning Authority.

Reason: To protect the character and appearance of the Conservation Area in accordance with Local Plan Policy HE1 and D1 and the requirements of the NPPF.

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: 5 October 2026	