



www.north-herts.gov.uk

Sam Bampton

Our Ref : 25/01908/PREH

Unit 4/5 Brices Yard
Butts Green
Saffron Walden
CB11 4RT

Contact : William Thompson
Direct Line : 01462474252
Email : william.thompson@north-herts.gov.uk
Date : 14th November 2025

FAO: Pelham Structures

Dear Sir / Madam,

**Pre Application Householder : Use of outbuilding as annexe
Silvermead, Lower Titmore Green, Little Wymondley, Hitchin, Hertfordshire, SG4 7JT**

Thank you for your pre-application submission, named above, which was received on the 31st July 2025 and I write in response following a consideration of the submitted information and a site visit.

Please note that this reply is an officer opinion only and is not a formal determination of the Council and is without prejudice to any subsequent planning application that may be submitted.

The relevant government guidance and policies from the development plan are as follows:

National Planning Policy Framework, 2021

Section 12 – Achieving well-designed places

Section 13 – Protecting Green Belt land

North Hertfordshire Draft Local Plan 2011-2031

Policy SP1 - Sustainable development in North Hertfordshire

Policy SP5 - Countryside and Green Belt

Policy SP9 - Design and sustainability

Policy HS6 – Relatives' and dependants' accommodation

Policy T2 - Parking

Policy D1 - Sustainable design

Policy D2 - House extensions, replacement dwellings and outbuildings

Policy D3 - Protecting living conditions

North Herts Council, PO Box 10613, Nottingham, NG6 6DW

Planning Considerations

Site and Surroundings

The application site accommodates a detached, two-storey dwelling situated on Lower Titmore Green, Little Wymondley. The application site benefits from a generous plot with a driveway and multiple outbuildings, including the proposed outbuilding for change of use to an annexe.

Proposal

Use of outbuilding as annexe.

Key Issues

The key issues for consideration are as follows:

- The principle of the development in the Green Belt and to erect a residential annexe.
- The acceptability of the design of the development and its resultant impact on the character and appearance of the area.
- The impact that the development has on the living conditions of neighbouring properties.
- The impact that the development has on car parking provision in the area.
- The impact that the development has on the environment.

Principle of Development:

Annexe:

Policy HS6 of the Local Plan 2011-2031 sets out the requirements for introducing residential annexes.

These criteria advise that permission will be granted provided:

“a) a genuine need for the accommodation is demonstrated;

b) the annex is subordinate to the main dwelling and designed in such a way that it can be easily (re-)incorporated into the main house if use as an annex ceases;

c) any development would not exceed the size of extensions that would otherwise normally be acceptable; and

d) the occupation of the accommodation is restricted by condition.

Free standing annexes will be allowed where the above criteria are met and it can be demonstrated that adaptation or extension of the main house is not possible.”

The applicant has advised that the annexe is needed and has been used for the accommodation of elderly family members associated with the main household. I consider that this is suitable to meet a). The scale of the outbuilding is considered to be subordinate to the main dwelling by virtue of its size and position within the site. However, while the surrounding fence remains in place, the development cannot be considered subordinate as it gives the appearance of a separate curtilage. Matters of the acceptability of the scale of the building will be considered in the design section of this report. b) is not considered to be complied with due to the surrounding fence. c) is considered to be complied with, subject to its design being acceptable. Should permission be granted, d) would be complied with.

Given the layout of the dwelling, it does not appear as though the main dwelling is suitable for conversion or for partition to create an annexe.

Given that the building is freestanding, and due to the second matter regarding the suitability for conversion of the main dwelling, I consider that there is suitable justification for the siting of the annexe. However, to comply with Policy HS6, the surrounding fence would need to be removed.

Green Belt:

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 c) advises “*the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*”.

It is considered that the building conversion falls within the scope of exception c). The development does not result in the enlargement of the built form of the building and dwelling, and therefore does not result in disproportionate additions over the original building. The development would not constitute inappropriate development in the Green Belt.

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.

Unlawful development:

The development was carried out after a Lawful Development Certificate was sought for the erection of an incidental gym/office; however, the outbuilding is currently being used as an ancillary annexe with a surrounding fence, giving the appearance of a separate curtilage. Therefore, the current development is unlawful and requires planning permission to be regularised.

Design and Appearance:

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. Policy D2 of the Local Plan requires extensions to houses and the erection or replacement of buildings 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.

The outbuilding was initially built to dimensions acceptable under permitted development rights, uses timber cladding and is clearly subservient to the main dwelling. No external changes have occurred to enable the conversion of the building. Its use would be consistent with the residential use of the main dwelling.

Regarding the fence surrounding the outbuilding, this gives the appearance of a separate curtilage for the annexe and, therefore, should be removed.

The development is therefore considered to be in compliance with Policies D1 and D2 of the Local Plan and the core principles set out within Section 12 of the National Planning Policy Framework. However, the surrounding fence would need to be removed to comply with Policy HS6 of the Local Plan.

Impact on Neighbouring Properties:

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. This is generally reflected by the provisions within the National Planning Policy Framework.

The use of the building as an annexe is not considered to amount to an increase in noise generation when compared to the prior use, for an office/gym to serve the needs of the occupants of the dwelling. The lack of enlargement of the building is not considered to harm the amenities of neighbouring occupants. Given the appropriate siting and scale of the outbuilding, it is not considered that the existing development causes such harm to neighbour amenity as to be objectionable in terms of over-dominance, shading or loss of privacy.

Given the above, it is considered that the development would not result in unacceptable harm upon neighbouring occupiers and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

Highways and Parking:

The application site benefits from a large driveway which can accommodate well above the minimum requirement of 2no. parking spaces. Therefore, with regard to Policy T2 of the NHLP, no parking issues should arise from the proposal.

Environmental Implications:

The development, by virtue of its limited scale in general terms together with the sustainable location has no significant implications for the local environment in terms of carbon emissions and therefore is generally in compliance with Section 14 of the NPPF.

Biodiversity Net Gain:

This proposal would be dealt with under a householder application which is exempt from BNG Legislation defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Other Matters:

Regarding the case law quoted in the cover letter, I do not believe it is relevant in this case as it relates to the conversion of an incidental use to a separate planning unit. I consider that this proposal relates to the conversion of an incidental use to that of an ancillary annexe. Given the amenities present within the outbuilding including separate living quarters for elderly family, I would not agree that the use constitutes a minor additional activity conducive to incidental use. However, given the reliance on the main dwelling, I would not class the outbuilding as a separate planning unit. Therefore, I have concluded that the outbuilding's use, as it stands, is ancillary to the use of the main dwelling.

Conclusion

In conclusion, in my view, the outbuilding's current use as a granny annexe is not lawful by virtue of Class E, Part 1 of the GPDO by which it was constructed as the current use would not be classed as incidental but rather ancillary. However, an application to change the use of said outbuilding to an ancillary annexe, provided the surrounding fence was removed, would be considered acceptable in terms of design, neighbour amenity and parking provision and Policy HS6 of the NHLP and would not be considered to be inappropriate development in the Green Belt. Therefore, it is my opinion that if an application was submitted with the above advice implemented, it would likely be looked upon favourably.

Any advice given by Council Officers for pre-application enquiries does not constitute a formal response or decision by the council with regards to future planning permission or other consents. You should also be aware that the information provided within this document gives no guarantees about the final formal decision made on a planning application.

Yours faithfully,

William Thompson

Graduate Planning Officer

The Council's Privacy Notice is available on our website: <https://www.north-herts.gov.uk/home/council-data-and-performance/data-protection/information-management-gdpr>

