

DELEGATED FILE NOTE

CASE OFFICER: ...Vicki Wood.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01340/S73	Variation of Condition 4 (revised visibility to allow retention of existing tree) of Planning Permission 25/01767/FPH granted 01/12/2025 for erection of detached timber garage and workshop outbuilding with storage, following demolition of existing detached outbuilding/ garage.	Windmill House Bennetts Lane Rushden Buntingford Hertfordshire SG9 0SH

Submitted Plan Nos

3019-012C Garage Section 3019 003D Proposed Elevations 3019 001D Proposed Building Front Elevation 3019 002D Proposed Building Rear Elevation 3019 009 Existing Site Plan 3019 004F Proposed Ground Floor Plan 3019 005C Proposed Site Front Elevation 3019 006 Existing Site Front Elevation 3019 007C Proposed Site Ground Floor Plan 3019 008C Proposed Site Plan 3019 013 Proposed Site Entrance 011D Proposed Site Entrance Plan

1.1. **National Planning Policy Framework (2024)**

Section 2 Achieving sustainable development
Section 12 Achieving well-designed places
Section 14 Meeting the challenge of climate change, flooding and coastal change
Section 16 Conserving and enhancing the historic environment

1.2. **North Hertfordshire Local Plan (2011-2031)**

Strategic Policies

Policy SP1 Sustainable development in North Hertfordshire
Policy SP2 Settlement Hierarchy and Spatial Distribution
Policy SP5 Countryside and Green Belt
Policy SP9 Sustainable design
Policy SP13 Historic environment

Development Management Policies

Policy CGB1 Rural Areas beyond the Green Belt
Policy CGB4 Existing buildings in the Rural Area beyond the Green Belt
Policy D1 Sustainable design
Policy D2 House extensions and replacement dwellings
Policy D3 Protecting living conditions
Policy HE1 Designated heritage assets
Policy HE4 Archaeology
Policy T1 Assessment of transport matters
Policy T2 Parking

2.0 **Relevant Site History**

- 2.1 25/01767/FPH - Erection of detached timber garage and workshop outbuilding with storage, following demolition of existing detached outbuilding/ garage (as amended by plans received on 24/10/2025). Conditional Permission.
- 2.2 13/00053/1HH - Erection of detached outbuilding, demolition of existing retaining wall and closure of existing access and removal of two holly trees. Conditional Permission.

3.0 **Representations**

- 3.1 **Press, Site and Neighbour Consultation** – One letter of support has been received from 8 Church End Lane, Rushden on the grounds that the works are significantly better than previous.
- 3.2 **Rushden & Wallington Parish Council** – None received.

3.3 **Conservation Officer** – None received.

3.4 **NHC Ecology Officer**– None received.

3.5 **HCC Highways** – No objection.

3.6 **HCC Archaeology** – No objection.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 Windmill House is a Grade II listed building within the Rushden Conservation Area and is located on the west side of Bennetts Lane. To the east of Windmill House there is an outbuilding (formerly known as Windmill Cottage) serving the main dwelling and it is understood to be used as additional storage/accommodation. The immediate area to the front of the dwelling is relatively compact with vehicle parking being close to the dwelling. The remaining land to the rear of Windmill House is defined as residential curtilage, as per the document submitted under the Town and Country Planning Act, 1932 which provides for the '*erection of a garage and garden outbuildings at Windmill Farm...*' and is located to the southwest of Windmill House.

4.1.2 For planning policy purposes the site lies in the Rural Area Beyond the Green Belt.

4.2 **Proposal**

4.2.1 Variation of Condition 4 (revised visibility to allow retention of existing tree) of Planning Permission 25/01767/FPH granted 01/12/2025 for erection of detached timber garage and workshop outbuilding with storage, following demolition of existing detached outbuilding/ garage.

4.2.2 Condition 4 reads:

"Prior to the first occupation of the development hereby permitted a visibility splay measuring 20 x 20 metres shall be provided to each side of the access where it meets the highway, and such splays shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)."

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 resultant impact on the listed building.
- The impact the proposed development would have on the character and appearance of the property and the surrounding area.
- The impact that the proposed development would have on the living conditions of nearby neighbouring properties.

Principle of Development in the Rural Area beyond the Green Belt

- 4.3.2 The principle of the development has been established given the extant planning permission. Relevant material considerations relating to the current application is the design of the visibility splay and impact on highway safety.

Design

- 4.3.3 The objectives of the National Planning Policy Framework (NPPF) include those seeking to secure the creation of high quality, beautiful and sustainable buildings and places (Section 12 – Achieving well-designed places). Paragraph 131 of the NPPF states that “*Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities*”. In this regard, Policy D1 and D2 of the Local Plan are consistent with the objectives set out within the NPPF.
- 4.3.4 The proposed amendment seeks to revise the design of the access point at the entrance to the site from Bennetts Lane. The revised details would enable the retention of an existing mature tree located to the west of the access. The changes would not materially alter the development, nor would it have a detrimental impact on the character or appearance of the area. As such, I find the revised design acceptable and in accordance with Policies D1 and D2 of the Local Plan and Section 12 of the NPPF.

Impact on Heritage Assets

- 4.3.5 Section 16 of the NPPF sets out guidance relating to sustaining and enhancing heritage assets. In this regard, Policy HE1 of the Local Plan is consistent with the NPPF.
- 4.3.6 When considering the impact of proposed development on the significance of a designated heritage asset (in this case the Listed Building(s)), the NPPF notes that great weight should be given to the asset’s conservation; the more important the asset, the greater the weight should be.
- 4.3.7 The proposed development would have no direct impact upon the significance of the listed building and would not give rise to significant harm the Rushden Conservation Area and is in accordance with Policy HE1 of the Local Plan and Section 16 of the NPPF.

Archaeology

- 4.3.8 When considering the impact of proposed development on the significance of a designated heritage asset (such as archaeology), the NPPF (Section 16 – Conserving and enhancing the historic environment) notes that great weight should be given to the asset’s conservation; the more important the asset, the greater the weight should be. In this regard, Policy HE4 of the Local Plan is consistent with the NPPF.
- 4.3.9 The proposal is on land that has been previously developed and is therefore unlikely to disrupt subterranean heritage.
- 4.3.10 I am satisfied that the development is in accordance with Policy HE4 of the Local Plan and Section 16 of the NPPF.

Impact on Neighbouring Properties:

4.3.11 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 Local Plan.

4.3.12 Given the relatively isolated location and position of the proposed development, I am satisfied that there would be no impact on existing neighbouring residential amenity and is in accordance with Policy D3 of the Local Plan and Section 12 of the NPPF.

Highways and Parking:

4.3.13 The Highway Authority have not raised any objections to the revised design of the visibility splay.

Biodiversity Net Gain (BNG)

4.3.14 This is 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.

Environmental Implications:

4.3.15 Section 14 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Section 14 are reflected in Policy D1 of the Local Plan, which sets out that development proposals should take all reasonable opportunities to reduce energy consumption and waste, retain existing vegetation and propose new appropriate planting, and future proof for changes in technology and lifestyle.

4.3.16 In my view, the proposed development would be unlikely to have any significant implications for the local environment in terms of carbon emissions and therefore would be generally in accordance with Policy D1 of the Local Plan and Section 14 of the NPPF.

4.4 Conclusion

4.4.1 The proposed development is considered acceptable and in accordance with Policies SP1, SP2, SP5, SP9, SP13, CGB1, CGB4, D1, D2, D3, HE, HE4 and T2 of the North Hertfordshire Local Plan 2011-2031 and Sections 2, 12, 14 and 16 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** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the grant of planning permission 25/01767/FPH.

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. Notwithstanding the provisions of Condition 3, and prior to the first use of the development hereby permitted, the visibility splay set out in drawing titled Site Entrance revision shall be implemented and thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

4. The roof shall be covered with 'Lifestyle Restoration Mix' clay tiles as stated on the approved drawings unless otherwise agreed and approved in writing by the Local Planning Authority.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy HE1 of the North Hertfordshire Local Plan 2011 to 2031

5. Section details of the new windows including a 1:1 scale drawing of the glazing bars shall be submitted to and approved in writing by the Local Planning Authority prior to the manufacture of the windows. Thereafter, the windows shall be installed in accordance with the approved details.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy HE1 of the North Hertfordshire Local Plan 2011 to 2031.

6. The residential annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwellinghouse known as Windmill House, Bennetts Lane, Rushden, Buntingford, Hertfordshire SG9 0SH.

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.

7. The use of the outbuilding hereby permitted shall not be used in connection with any form of trade, business or commercial activity.

Reason: To safeguard the residential character of the locality and the amenities of nearby residents, both of which would be prejudiced by the activities and visual intrusion likely to be associated with a commercial activity on the site and to comply with Policy D1 and D3 of the North Hertfordshire Local Plan 2011 to 2031.

Biodiversity Net Gain

1. This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

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  Sam Dicocco Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 9 July 2026	

