DELEGATED FILE NOTE

CASE OFFICER: …Kate Poyser……

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00142/PNQ	Prior Approval Notification - Class Q: Change of use of agricultural barn to 1 x 4 bedroom detached dwelling and external works to provide garden, car parking and turning area	Barn To The West Of Bedford Road Holwell Hertfordshire

Submitted Plan Nos
PL01D; PL02B; PL03B; SU01

1.0 Policies

2.0 **Site History**

2.1 15/03053/1PN Prior approval notification application for change of use of barn to dwelling under Class Q refused for the following reason.

The proposed development, due to the reduction in ground level to provide an increased volume, would not be permitted development under The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 3, Class Q, (g) and (i). Also Conditions (e) and (f) under Paragraph Q.2 would not be met, in the opinion of the Local Planning Authority. This is due to the location and sitting of the building being impractical and undesirable as it is in an isolated location for the provision of domestic services and the need to provide an adequate surface for access by domestic related vehicles. The overly domestic appearance of the building, as proposed, and the size of the domestic curtilage, would be harmful to the character to the surrounding countryside, contrary to paragraph 17. Core planning principle, of the National Planning Policy Framework.

2.2 16/02496/1PN Prior approval notification application for change of use of barn to dwelling under Class Q refused for the following reason.

The proposed development would be impractical due to the lack of an access to the highway suitable for domestic use and the distance of the building to services, such as for electricity, water supply and internet connection. The development would be undesirable due to the close proximity of a dung heap on land not within the applicant's control. The development would, therefore, fail to satisfy Condition (e) of The Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 3, Class Q.

3.0 **Representations**

3.1 Highway Authority – does not wish to restrict the grant of permission.

3.2 Environmental Health – no objections and recommends a condition relating to site contamination.

3.3 Holwell Parish Council – recommend refusal for the following reasons.
"This building IS NOT a barn or a farm building, it is a structure with four metal poles and a metal covering, which means it would be a new build, not a conversion.
The site is around agricultural land and the construction and location of the proposed build would be a hindrance and not in keeping with the position.
The entrance and exit to the site is on a slight incline and bend, making it difficult for visibility and possibly dangerous going onto an already very busy road."

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site lies between Holwell and Stondon. The proposal relates to an open-sided agricultural building located approximately 220 metres to the west of the A600 Bedford Road on agricultural land. There is an unmade access track leading from the road from which agricultural vehicles can gain access to the barn. The building is set in a relatively flat and open agricultural landscape.

4.2 **Proposal**

4.2.1 This is a third attempt to gain prior approval to change the use of the agricultural barn to a dwelling, under Class Q. The applicant has tried to address all reasons for refusal previously made.

1.0 Plans and elevations are identical to ref 16/02496/1PN to which no objections were raised.
2.0 The applicant has contacted service providers for water, electricity and telecommunications to establish showing services could be provided underground and the cost.
3.0 An application for planning permission has been submitted to re-surface the existing farm track to make it suitable for domestic use, see file ref: 18/00127/FP.

4.3 **Key Issues**

4.3.1 The key issue is firstly whether the proposed work is permitted development as defined by The Town and Country Planning (General Development Order) 2015, Schedule 2, Part 3, Class Q. Secondly, whether the prior approval of the LPA is required in relation to the six conditions listed in paragraph Q.2.

I shall consider whether the development is permitted under the criteria of paragraph Q.1. It is noted that the applicant's agent has submitted consideration under the criteria and has formed the view that it would be permitted development.

(a) The applicant confirms that the building has been used for agriculture and complies with this criterion. I see nothing to suggest otherwise.

(b) A floorspace of 450 would not be exceeded on this unit.

(c) The cumulative number of dwellings on this unit would not exceed 3.

(d) There is an agricultural tenancy, the consent of the landlord and tenant has been obtained.

(e) The tendency has not been terminated within a year.

(f) I am aware of no development under Class A or Class B of Part 6 on the agricultural unit.

(g) The external dimensions would not be exceeded.

(h) There would not be a cumulative increase, under Class Q, falling within Use Class C3, greater than 450 square metres.

(i) The development would not exceed the building operations on the list. It is noted that there is an intension to surface the access road, however, this does not form part of the application.

(j) The site is not on Article 2(3) land.

(k) The site does not form part of the listed areas.

(l) The site is not a scheduled monument.

(m) The building is not listed.

The works would, therefore, be permitted development under Class Q.

4.3.

(a) **Transport and highways impacts.**
Although not within the application site boundary, there is an access track with access onto Bedford Road. The highway authority has taken the intention to use this into account and have raised no objections.

(b) **Noise impacts.**
There are no anticipated noise impacts related to this scheme.

(c) **Contamination risks.**
The Council's environmental health services recommends a conditions requiring investigation of the land for contamination and mitigation measures. Conditions can be imposed on a Prior Notification decision, so there is no objection on these grounds, subject to a condition.

(d) **Flooding risks.**
The site lies within Flood Zone 1, where flooding is unlikely.

(e**) Impractical or undesirable location or siting.**
Advice on the meaning of 'impractical' or 'undesirable' is given in paragraph 109 of the national Planning Practice Guidance - When is permission required? An example of 'impractical' is given of a barn on the top of a hill with no road access, power source or other services.

The proposed barn is not on the top of a hill, but is 200 metres away from the nearest road. The access is via a shared, unmade track, which over this distance I

would consider impractical for domestic use. However, the applicant has submitted a concurrent application for planning permission to surface the track with gravel imbedded in an open grade base. See ref: 18/00127/1FP. This shows the gravel to run in two parallel strips for wheels to run on. This would minimise the visual impact of surfacing the track. Amendments have been made to this to satisfy the highway authority. Any prior approval would need to be linked to the access by a Grampian style condition.

An over ground electricity supply runs parallel with Bedford Road and is 185 metres from the barn. The applicant shows that they have investigated the supply of electricity to the barn with the supplier. They have shown that similar investigations have taken place with regard to water supply and telecommunications. It is indicated on a plan that these would run underground just north of the access track. The electricity supply would appear above ground next to the barn. I consider this would result in little impact on the character and openness of the countryside here.

A large dung heap was located on land outside the applicant's control and on land adjacent to the barn. The applicant has advised that the landowner has agreed not to keep the dung heap here and a photograph has been submitted to show it has been removed. Whilst it may be possible that the farmer could reinstate it in the future, it has been demonstrated that it is not necessary to the operation of the adjacent farm to have the heap in this location.

(f) **Design or external appearance.**
The proposal design for the barn conversion is the same as that shown for the 2016 application. It was considered at the time to have overcome previous objections raised to an overly domestic design in the 2015 application. A metal roofing material and timber cladding on a brick plinth is shown for the walls. A minimal number of openings for doors and windows are shown to maintain a barn-like appearance. I can see no objections to this aspect of the proposal.

4.4 **Conclusion**

4.4.1 The proposed work would meet the requirements of permitted development of paragraph Q.1. The conditions of paragraph Q.2 would also be met. I, therefore, consider that subject to linking this scheme with the planned surfacing of the access track, there are now no objections to raise.

5.0 **Recommendation**

5.1 Prior approval is required and should be granted, subject to the following conditions.

1. The development hereby permitted shall be completed by the expiration of 3 years from the date of this permission.

   Reason: To comply with The Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 3, Class O, Condition (2).

2. The work to convert the barn, hereby approved, shall not commence until the access track is resurfaced and amended to specifications approved by the Local Planning Authority.

   Reason: To provide an appropriated means of access for residential use and to satisfy highway safety requirements.

Signed  Richard Tiffin Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 12 March 2018	