

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01820/FP	Change of use of existing barn for live music for charity events for a maximum of 15 evenings in any calendar year (development already carried out).	Poplars Farm Roe Green Sandon Buntingford Hertfordshire SG9 0QG

Submitted Plan Nos

PF01 PF02 BR-049-01 T3469-003

1.0 Policies

1.0 **Local and National Policy**

1.1 **National Planning Policy Framework (NPPF) (2026)**

Chapter 4 Achieving sustainable development

Policy S3: Presumption in favour of sustainable development

Policy S5: Principle of development outside settlements

Chapter 3 Decision making policies

Policy DM8: Unauthorised development and enforcement

Chapter 5 Meeting the need of climate change

Chapter 7 Building a strong, effective economy

Policy E4: Rural business development

Chapter 14 Achieving well-designed places

Policy DP3: Key principles for well-designed places

Chapter 15 Promoting sustainable transport

Policy TR3: Locating development in sustainable locations

Chapter 17: Pollution, public protection and security

Policy P3: Living conditions and pollution

Chapter 19 Conserving and enhancing the natural environment

Policy N2: Improving the natural environment

Chapter 20 Conserving and enhancing the historic environment

Policy HE4: Securing the conservation of heritage assets

Policy HE5: Assessing effects of heritage assets

Policy HE6: Proposals affecting designated heritage assets

Policy HE9: Conservation Areas

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 SP3 Employment

Policy SP5 Countryside and Green Belt

Policy SP6 Sustainable transport

Policy SP9 Design and Sustainability

Policy SP10 Healthy Communities

Policy SP12 Green infrastructure, landscape and biodiversity

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 D3 Protecting living conditions

Policy HE1 Designated heritage assets

Policy NE2 Landscape

Policy T2 Parking

1.3 **Supplementary Planning Design (SPD)**

NHC Sustainability (2024)

2.0 **Relevant Site History**

- 2.1 Planning permission was granted for extensions to the barn under 09/02225/1HH. As set out in the submitted DAS, the DAS under 09/02225/1HH outlined that the barn had been used for *'private parties and occasional fund raising events for local charities'*. The extensions are understood to improve the existing facilities of the barn. A condition attached to this permission states: *'The building subject of the extensions hereby permitted shall not be occupied or used at any time other than for purposes ancillary to the residential use of the dwellinghouse Poplars Farm Barn, Sandon, SG9 0QG 4 known as Poplars Farm. For the avoidance of doubt the building, as extended, shall not be hired out or otherwise let for private parties or functions and shall only be used for purposes where it can be shown that the use or activity is incidental to the enjoyment of persons residing permanently in the main dwelling known as Poplars Farm. Reason: To avoid the creation of a new dwelling or unrelated and non-ancillary uses such that would be contrary to the planning policies applicable to the area.'*
- 2.2 A later submission was made under 13/00416/1HH to renew that granted under 09/02225/1HH. It is noted at para 4.3.3 of the Planning Officer's report *'this building is already used for private parties and charity events, activities which, I would suggest, could reasonably be described as incidental to the enjoyment of the resident family.'* The same report goes on at para 4.3.4 to state *'As I suggest above, it is not unusual for larger country residences to have extensive accommodation available for entertaining and for this to be perfectly proportionate to the occupation of a property as a private family residence. In this case the physical changes could, in my view, be largely carried out without planning permission. However, the smaller addition over 5m does trigger the need for an application and therefore allows consideration of the overall use based on the floor plans declared by the applicant. The alterations would add a significant amount of additional floorspace which, if used intensively and frequently, could be problematic in terms of the amount of traffic which could potentially attend the property and the consequences this may have for the amenity, safety and convenience of local residents. If this level of use were frequent, I would suggest that the venue could no longer be described as serving an incidental or ancillary function in relation to Poplars Farm. Accordingly, because of my conclusion that it is the level or intensity of the proposed use which is critical rather than the physical changes to the building, I would recommend that the application be supported subject to the imposition of a condition which limits the use of the building to activities which are incidental to the main property Poplars Farm.'*

3.0 **Representations**

- 3.1 **Press, Site and Neighbour Consultation** – Five comments have been received (2 objections, 2 support and 1 representation): Two objections from The Thatched Cottage and Sandon Matters raise the following concerns (summarised below) and one comment suggesting conditions should be included to limit the number of attendees and restrict operating hours, together with concern regarding opening of windows and doors in summer months thereby resulting in a degree of noise nuisance, and on occasion outdoor seating is provided. This comment has been received from Clare Cottage, Roe Green, Sandon.

- 3.2 Summary of concerns raised: intensity of use, compliance with existing planning conditions, traffic and access issues, residential amenity impacts, environmental harm, questions over the charitable justification, and concerns regarding precedent, monitoring, and enforcement.
- 3.3 Support letters confirming no noise disturbance and no traffic or parking issues as a result of the operation of The Cowshed as a music venue have been received from The Cuckoo Cottage, Roe Green, Sandon and Longhope, Roe Green, Sandon where that latter provides support for the events.
- 3.4 **Sandon Parish Council** – No objection subject to conditions.
- 3.5 **NHC Environmental Health Officer** – No objection subject to submission of a Noise Management Plan.
- 3.6 **Highway Authority** – No objection.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 Poplars Farm lies on the northern side of Rushden Road and is accessed via a long driveway that crosses an area of common land. in the small hamlet of Roe Green and comprises of a detached Grade II listed building and several barns associated with its former agricultural use. The barn the subject of this application is positioned to the northwest of the dwelling and alongside the western boundary of the site.
- 4.1.2 The site lies within the Rural Area beyond the Green Belt part of which is within the Roe Green Conservation Area.

4.2 **Proposal**

- 4.2.1 Planning permission is sought for development already carried out which relates to the change of use of existing barn for live music for charity events for a maximum of 15 evenings in any calendar year.
- 4.2.2 The application is accompanied by a Planning Design and Heritage Statement by Alison Young dated July 2026 and a Biodiversity Gain Requirements Exemption Statement again by Alison Young dated 20th July 2026.

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are as follows:
- Whether the proposed development would be inappropriate development in the Rural Area beyond the Green Belt for the purposes of the National Planning Policy and Local Development Plan.
 - The impact of the development upon the designated heritage assets: Listed Building and Conservation Area.
 - The impact of the proposed development on the environment.
 - The impact that the proposed development would have on the living conditions of nearby neighbouring properties.
 - The impact that the proposed development would have on car parking provision in the area.

Principle of Development in the Rural Area beyond the Green Belt

- 4.3.2 The property lies within the Rural Area beyond the Green Belt, this is an area of countryside which lies outside of the Green Belt though considered important and valuable land where it is still necessary to impose restraints on development to prevent inappropriate schemes. Policy CBG1 of the Local Plan sets out six broad typologies (a-d incl.) of development considered acceptable in Rural Areas beyond the Green Belt which in this case the relevant typology is:

d) Relates to an existing rural building.

- 4.3.3 Policy CBG4 of the Local Plan sets out three broad typologies (b-d incl.) of development considered acceptable in Rural Areas beyond the Green Belt which in this case the relevant typology is:

c) The resultant building(s) do not have a materially greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt than the original building(s).

- 4.3.4 Whilst there is an inconsistency with Policies SP2 and CGB1 of the Local Plan, Chapter 4 Policy S5(c) of the NPPF supports the principle of development outside settlements where the proposal is for *'the re-use, extension, alteration or replacement of an existing building, providing that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the existing building.'* Notwithstanding that officers consider that a material change of use occurred and therefore the application seeks retrospective planning permission for this, in this instance the building is lawful and permanent, and a material change of use of this building, complies with this policy.

- 4.3.5 In this regard, I find the principle of the development acceptable and in accordance with Policies CGB1 and CGB4 of the Local Plan and Chapter 4 Policy S5(c) of the NPPF.

Impact on Heritage Assets

- 4.3.6 Where development proposals affect a listed building or its setting, and are located within a Conservation Area, the Council is required to have special regard to the desirability of preserving the building, its setting and any features of special architectural or historic interest that it possesses, as well as preserving or enhancing the character or appearance of the Conservation Area, in accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Chapter 20 of the NPPF relates to the conservation and enhancement of heritage assets which is reflected in Policy HE1 of the Local Plan.
- 4.3.7 Chapter 20 of the NPPF seeks to conserve and enhance the historic environment by protecting heritage assets in accordance with their significance and ensuring that any harm is fully justified and weighed against the public benefits of development.
- 4.3.8 The application relates to the use of an existing previously extended barn, no further extensions or alterations to the barn are proposed. Policy HE5(2)(b) allows proposals where there is no effect on the significance of a heritage asset, and I am satisfied that there is no effect in this case.

Unauthorised Development

- 4.3.9 Policy DM8 (1) of Chapter 3 of the NPPF considers the impact of the breach of planning control, and the extent to which the breach would otherwise be acceptable.
- 4.3.10 Policy DM8(2) requires decision-makers to consider whether unauthorised development has been carried out intentionally when determining retrospective planning applications. Having regard to the planning history of the site and the evidence available, I am satisfied that there is no evidence to suggest that the use of the barn, the subject of this application, was implemented intentionally. The applicants considered that they were using the building in accordance with the planning permission, although following further clarification and investigation officers came to a different view and that based upon fact and degree a material change of use had occurred. Accordingly, this matter attracts little weight in the planning balance and does not weigh against the grant of planning permission.

Design & Appearance

- 4.3.11 Chapter 4 of the NPPF sets out the Government's approach to achieving sustainable development through the planning system. It establishes the economic, social and environmental objectives of sustainable development and confirms that these objectives should be pursued in a mutually supportive way. This chapter also reinforces the presumption in favour of sustainable development, requiring planning decisions to support development proposals that accord with an up-to-date development plan and contribute positively to sustainable development.
- 4.3.12 Chapter 7 of the NPPF seeks to enable businesses to invest, expand and adapt in a way that reflects the opportunities, challenges and characteristics of different areas, and supports long-term economic growth both locally and nationally.
- 4.3.13 Chapter 14 of the NPPF promotes high-quality, sustainable and attractive development, recognising that good design is a fundamental aspect of sustainable development. Planning decisions should ensure development is visually attractive, responds positively to local character and creates places that function well for existing and future users.
- 4.3.14 Policies D1 and of the Local Plan is consistent with the objectives set out in the NPPF Chapter 4 Policies S3 and S5 and Chapter 14 Policy DP3.
- 4.3.15 Whilst it is accepted that the initial use of the barn was for ancillary purposes, the intensification of the use in providing regular jazz concert evenings (licensed under the Temporary Events Notice TEN system which limits single premises to no more than 15 events per calendar year) can no longer be seen as an ancillary use.
- 4.3.16 The barn can accommodate a maximum of 130 people and is operated by the owner of the site. The events are stated to be for fundraising purposes and is largely a non-profit enterprise. That aside, the events are generally held once a month and although put on by the owner, they attract people with an interest in jazz, this is not limited to family and friends but is open to members of the public as regulated entertainment with the sale of food and drinks. The Planning, Design & Access and Heritage Statement sets out how the evenings operate at para 4.3, for ease of reference this is detailed below:

‘ The events are only available by pre-booking on the cowshed website. There is no public access to the events on the day

▪ Attendance is strictly limited to a maximum of 145 people including staff/volunteers, but typically 130 tickets are sold plus 10 staff/volunteers

▪ Events are seated, social and not nightclub style.

- *Arrival times are from 18:30 with music starting at 20:00 and generally finishing by 22:30. All attendees cars have typically left the site by 23:30.*
- *Parking is provided on the grass to the rear of the barn as shown on drawing PF/02*
- *The performance take place entirely within the building. No amplified music, loudspeakers or microphones are used outside the barn, and windows, and external doors remain closed throughout each event. Furthermore, the main area of the barn is accessed through an internal lobby with double doors that are also closed during each performance*
- *The evenings are well managed to avoid any harmful impacts on the surrounding area and windows and doors of the barn are closed during performance such that the music cannot be heard from outside the barn.*
- *Sound levels are monitored by the event organizer during the evening*
- *Parking is also managed by the applicant*
- *A single mobile lighting column is provided for approximately 30 minutes after the event finishes to allow safe exit. In the winter it is also lit from 18:30.*
- *There is no signage outside the site (apart form a small poster on the gate to the site) and attendees are given detailed directions by email before each event.*
- *The lighting column, poster and any cones are all removed by 10am on the Saturday after each event.'*

4.3.17 It has previously been demonstrated that adequate sound insulation exists to the barn, however Environmental Health have advised that a Noise Management Plan is required which would set out how noise associated with the use will be managed to minimise disturbance to nearby dwellings.

4.3.18 Policy E4 of the NPPF supports the growth of businesses in rural areas. Policy E4(2) accepts that development proposals to meet business needs in rural areas may need to be located outside of settlements and in location that are not well served by public transport. Policy E4(2)(a) permits development proposals to use previously developed land and sites that are physically well-related to existing development and where the siting and design of development should have regard to the character of its surroundings. The proposal involves an existing barn having been previously extended. The siting of the barn means that its position, site to the rear of existing buildings would not have a detrimental impact on the character of its surroundings to any significant degree. This view is consistent with Local Plan Policies SP3 and SP10.

4.3.19 I am therefore satisfied that the proposed development by virtue of its scale and limited use is considered acceptable, controlled in part by recommended conditions, and in accordance with Policies D1 of the Local Plan and Chapter 4 Policy S3 and S5 and Chapter 14 Policy DP3 of the NPPF.

Impact on Neighbouring Properties:

4.3.20 A core planning principle set out in Chapter 17 of 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.

4.3.21 I am satisfied that the use of the barn, together with the existing soundproofing measures and a condition requiring the submission and implementation of a Noise Management Plan, will ensure that the amenities of neighbouring occupiers are

adequately safeguarded. The proposal therefore accords with Policy D3 of the Local Plan and Chapter 17, Policy P3 of the NPPF.

Highways and Parking:

- 4.3.22 The use of the barn results in a significant number of vehicle movements associated with scheduled events, with adequate parking provision available within the site. The Highway Authority acknowledges that the use has been operating for a considerable period and notes that no evidence has been submitted to demonstrate any material harm to highway safety or to the operation of the local highway network arising from vehicles attending events at the site. Consequently, the Highway Authority raises no objection to the proposal.

Biodiversity Net Gain (BNG)

- 4.3.23 The development is not subject to the statutory biodiversity gain condition because it falls within an exemption provided by Schedule 7A to the Town and Country Planning Act 1990 and/or the Biodiversity Gain Requirements (Exemptions) Regulations 2024 (as amended).

Environmental Implications:

- 4.3.24 The Council's Sustainability Supplementary Planning Document (2024) seeks to ensure that new developments are future proofed against the challenge of climate change.
- 4.3.25 Chapter 5 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Chapter 5 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.
- 4.3.26 Based on the details submitted, the proposed development, is 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 Chapter 5 of the NPPF.

4.4 Conclusion

- 4.4.1 The proposed development is considered acceptable and in accordance with Policies SP1, SP2, SP3, SP5, SP6 SP9, SP10, SP12, SP13, CGB1, CGB4, D1, D3, HE1, NE2 and T2 of the Local Plan 2011-2031 and Chapters 4, 3, 5, 7, 14, 15, 17, 19 and 20 of the NPPF 2026.

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 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 barn shall host no more than 15 live music events in any calendar year and shall not otherwise be used for concerts, festivals or other organised entertainment events without the prior grant of planning permission.

Reason: To safeguard the living conditions of nearby occupiers from noise and disturbance in accordance with Policy D3 of the North Hertfordshire Local Plan 2011-2031 and Chapter 17 of the NPPF 2026.

3. The use hereby permitted for live music events shall only take place between the hours of 18:00 and 23:00 hours on Fridays and Saturdays with no use on Sundays and Bank Holidays.

Reason: To safeguard the living conditions of nearby occupiers from noise and disturbance in accordance with Policy D3 of the North Hertfordshire Local Plan 2011-2013 and Chapter 17 of the NPPF 2026.

4. Within three months of the date of this permission, a Noise Management Plan shall be submitted to the Local Planning Authority for written approval. The Plan shall include details of measures to minimise noise arising from the use hereby approved, details of a complaints procedure, and arrangements for monitoring compliance. The use hereby permitted shall cease within three months of the date of the Local Planning Authority's written approval if the measures detailed within the approved Noise Management Plan have not been fully implemented and shall be maintained as such thereafter.

Reason: To safeguard the amenities of neighbouring occupiers in accordance with Policy D3 of the Local Plan 2011-2031 and Chapter 17 of the NPPF 2026.

5. During any live music event all external doors and windows to the barn shall remain closed except for access and egress.

Reason: To safeguard the living conditions of nearby occupiers from noise and disturbance in accordance with Policy D3 of the North Hertfordshire Local Plan 2011-2031 and Chapter 17 of the NPPF 2026.

6. External lighting associated with the operation of the events shall only be illuminated during the period commencing one hour before the start of an event and ending no later than one hour after the event has concluded. At all other times, no external lighting is permitted.

Reason: To safeguard the amenities of nearby occupiers and the rural character of the area in accordance with Policy D3 of the North Hertfordshire Local Plan 2011-2031 and Chapter 17 of the NPPF 2026.

7. A register of all live music events shall be maintained and shall include the date of the event, start and finish times and attendance numbers. The register shall be made available to the Local Planning Authority upon request.

Reason: To safeguard the living conditions of nearby occupiers from noise and disturbance in accordance with Policy D3 of the North Hertfordshire Local Plan 2011-2031 and Chapter 17 of the NPPF 2026.

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  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 28 September 2026	

