

DELEGATED FILE NOTE

CASE OFFICER: ...Melissa Tyler.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/03110/FP	Erection of one 4-bed dwelling following demolition of existing barn (renewal of previously approved planning permission 20/01742/FP granted 16.10.2020)	Barn To The West Of Bedford Road Holwell Hertfordshire

Submitted Plan Nos

PL-01F PL-04 SU-01A PL-02F PL-03E

1.0 Policies

1.1 National Planning Policy Framework

Chapter 5 – Delivering a sufficient supply of homes
Chapter 12 – Achieving well-designed places
Chapter 15 – Conserving and enhancing the natural environment

1.2 North Hertfordshire Local Plan 2011-2031

SP1 – Sustainable Development in North Herts
SP5 – Countryside and Green Belt
SP8 – Housing
SP9 – Sustainable Design
CGB1 – Rural Areas Beyond the Green Belt
CGB4 – Existing buildings in the Rural Area Beyond the Green Belt
D1 – Sustainable Design
D2 – House Extensions and Replacement Dwellings
D3 – Protecting Living Conditions
T2 – Parking

1.3 Supplementary Planning Document

Vehicle Parking at New Developments SPD - November 2011
Design SPD - July 2011
Sustainability SPD 2024

2.0 Site History

- 2.1 **25/01592/LDCE** Confirmation of material start on site of planning permission 20/01742/FP granted 16.10.2020 for erection of one 4-bed dwelling following demolition of existing barn (revision of previously approved planning permission 19/01135/FP granted 04.09.2019). **REFUSED 25/07/2025**

The Council is not satisfied that, on the balance of probabilities, that sufficient evidence has been provided to establish that works had commenced within the three year time limit implemented by Condition 1 of approved LPA reference 20/01742/FP granted 16.10.2020. Any works have been made were commenced prior to the determination of the approved LPA reference 20/01742/FP granted 16.10.2020.

- 2.2 **23/02074/DOC** Details reserved by condition 4(a) 20/01742/FP (Phase I Desk study) of planning permission reference no. 20/01742/FP granted 19.10.2020 **APPROVED 17.10.2023**

- 2.3 **22/02395/FP** Erection of two 4-bed dwellings following demolition of existing barn. Erection of two double carports (revision of previously approved planning permission 20/01742/FP granted 19.10.2020) **Withdrawn 30/01/2023**
- Withdrawn following advice from officer after recommending refusal
- 2.3 **20/01742/FP** Erection of one 4-bed dwelling following demolition of existing barn (revision of previously approved planning permission 19/01135/FP granted 04.09.2019) **Granted 19/10/2020**
- 2.4 **20/00341/FP**- Erection of agricultural barn and associated hard standing – **Granted Conditional permission on 06/04/2020**
- 2.5 **19/01135/FP** - Conversion of existing barn to one 4-bed dwelling (as amended by plans received 23/07/2019) – **Granted Conditional Permission on 04/09/2019.**
- 2.6 **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 – **Prior Approval given on 12/03/2018.**
- 2.7 **15/03053/1PN** - Prior Approval Notification - Class Q: Change of use of agricultural building to one 4 bedroom dwelling and external alterations involving the installation/replacement of windows, doors, roofs and exterior walls – Prior Approval Refused on 04/03/2016 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. “

- 2.8 **16/02496/1PN** - Prior Approval Notification - Class Q: Change of use of agricultural building to one 4 bedroom dwelling and external alterations involving the installation/replacement of windows, doors, roofs and exterior walls – Prior Approval Refused on 28/11/2016 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 **Neighbouring Notifications:**

N/A

3.2 **Statutory Consultees:**

Holwell Parish Council – No response

HCC Highways – Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following condition.

Environmental Health

Contamination – No objection subject to conditions.

For the previous permission (20/01742/FP) conditions were placed on the decision notice requiring land contamination reports to be submitted where necessary. A subsequent discharge of condition application (23/02074/DOC) was supported by a phase 1 land contamination report. This report concluded that some potential sources of contaminants were present on the site which needed further investigation. I, therefore, conclude that a phase 2 site investigation is required and recommend the following conditions.

Noise and Local Air Quality:: The Environmental Protection and Housing Team have no objections to the proposals in relation to noise and other nuisances.

Other Consultees:

North Herts Ecology – The Small Sites Metric submitted in February 2026 demonstrates that the proposal can meet the statutory requirement for 10% BNG. The North Herts Local Plan advises development should consider the inclusion of integrated features in the built fabric of dwellings such as bat, bird and bee bricks. Taking this into account the following condition is advised;

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 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 Planning permission is sought for the replacement of the existing barn in to one 4-bed dwelling with associated works including creation of parking, sunken garden and bin store.

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are as follows:

- ☐ Previous history
- ☐ Five year land supply
- ☐ The acceptability of the proposal within the Rural Area Beyond the Green Belt.
- ☐ The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- ☐ The impact that the proposed development would have on the living conditions of both future occupiers and neighbouring properties.
- ☐ The impact that the proposed development would have on highway safety and car parking provision in the area.

Previous history

- 4.3.2 While the planning history, including a prior approval and earlier permissions , is acknowledged, these do not outweigh the significant conflict with the provisions of the development plan in its current form. The planning merits of the application must be assessed against up-to-date policies, and the proposal remains unacceptable in the context of those policies as discussed in the following sections.
- 4.3.3 In my view the PNQ and previous permissions were poor decisions given the remote nature of the barn and given that under Part Q the building must be capable of functioning as a building, if you have to build walls to create a building, that is classed as a new build and not conversion. Class Q states that a structure must already have - a permanent roof, a defined envelope (ie walls or at least substantial enclosing elements and be structural integrity capable of conversion without rebuild). An open sided barn like the existing barn to be demolished usually fails because it does not enclose space, adding walls creates the building rather than convert it and therefore the works go beyond “reasonably necessary”.
- 4.3.4 Prior approvals / fallback rights do not automatically justify full planning permission. A prior approval under Part Q is a permitted development rights process, not a planning permission that sets a precedent. One must consider the current proposal on its own planning merits. Likewise, the previous planning permission under a different planning policy regime (as in this case the 1996 Local Plan with Alterations) does not lock in acceptance if current policies have changed or the harm remains. The decisions of the previous schemes for the replacement of the barn for a new dwelling heavily relied on the PNQ approval for which as stated above I believe was a poor decision.

Five-year land supply

- 4.3.5 Though the Local Plan is still within its date range of 2011 – 2031, the Council does not have a 5-year supply of deliverable housing land (5YHL). In The Five-Year Housing Land Supply Update dated November 2025 shows that we can demonstrate a five-year

land position of 2.6 years against our adopted housing requirement. This figure falls below the five-year requirement. The tilted balance set out at paragraph 11 (d) of the NPPF would be engaged. Therefore, a there is a presumption in favour in terms of harm and benefits should be applied, whereby planning permission should be granted unless the application of policies in the NPPF that protect areas of assets of particular importance provides a strong reason for refusing the proposal; or the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

Rural Area Beyond the Green Belt

- 4.3.6 The Local Plan Policy SP2 sets out the hierarchy for new residential development within the District, with the main housing being to allocated sites and then with general development allowed within the category A villages, in-filling within category B villages and development for limited affordable housing and facilities for local community needs meeting the requirements of policy CGB2 in category C settlements. This site is located within a rural context which falls outside of the category A, B and C settlements and is an area protected by the designation of Policy CBG1.
- 4.3.7 Under the National Planning Policy Framework (NPPF) and the Planning Acts, decisions must be made in accordance with the development plan unless material considerations indicate otherwise. The location in the Rural Area beyond the Green Belt brings a strong presumption against new dwellings unless a strict policy exception is met (Policy CGB1).
- 4.3.8 Policy CGB1 – Rural Areas beyond the Green Belt states that in the Rural Areas beyond the Green Belt, there is a “presumption against new development” unless it meets specific exceptions. Planning permission will “only be granted” where the proposal:
- a) is infill within a built core;
 - b) meets proven local need for community facilities or rural housing;
 - c) is strictly necessary for agricultural/forestry needs;
 - d) relates to an existing rural building;
 - e) is modest rural economic development; or
 - f) provides outdoor sport/recreation/cemeteries that respect the open nature of the rural area
- 4.3.9 The proposed new dwelling is located in an open rural location which generally does not comply with these criteria unless it falls clearly within (a)–(f). Here, the replacement of an agricultural barn with a new dwelling “does not clearly meet any exception”: it’s not infill, not proven rural need housing or agricultural/forestry-essential, and it goes beyond merely relating to an existing rural building.
- 4.3.10 Policy CGB4 – Existing Rural Buildings, states that even where a building exists, re-use and replacement is tightly controlled to ensure that changes “do not harm the character and openness” of the countryside.
- 4.3.11 Given that the proposal is for a new dwelling, it would not fit any of the paragraphs above and is therefore considered inappropriate development in principle, which is contrary to the provisions of policies SP2, CGB1 and CGB4 of the Local Plan. I would

find a dwelling in this location to be materially harmful to the character of the area and the Rural Area Beyond the Green Belt. I attribute significant weight to this harm.

Sustainability

- 4.3.12 The overarching purpose of the planning system is to contribute to achieving sustainable development, as stated in Section 2 of the NPPF. This is considered against the three objectives of sustainable development, the economic, social, and environmental objectives.
- 4.3.13 In regards to a sustainable location the NPPF states that a sustainable location is one where new development can reduce travel demand, maximise access to local services and transport choices, and integrate environmentally and socially with existing communities. Policies encourage active travel, which is about 'living locally' and giving people the ability to access most of their needs within an easy walk or cycle from their home, with safe access to cycling and local public transport options. The proposed house would be approximately 2 km from Lower Stondon's shops, and 1 km to Holwell Farm shop. Although there is a footpath that runs along the length of the Bedford Road from Stondon to Ickleford the distances of local facilities will be heavily reliant on the use of private car travel. There are buses that run along this stretch with the nearest bus stop approximately 1 km each way. The limited alternative transport options available mean that occupiers of the proposed development would be likely to be highly reliant on one mode of transport, the private car, for a significant majority of their journeys and to serve their daily needs. Consequently, although vehicle movements would only be associated with 1 dwelling in this instance and may therefore not be particularly significant, the site and appeal of the proposal cannot reasonably be described as sustainable in relation to accessibility considerations.
- 4.3.14 Residential developments should be delivered in the most sustainable locations, connectivity is maximised, the need to travel is minimised, and safe and direct walking and cycling routes are provided.

Character and Appearance

- 4.3.15 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site's local context in addition to other criteria. Policy SP9 of the Local Plan further considers that new development will be supported where it is well designed and located and responds positively to its local context. These considerations are echoed in Section 12 of the NPPF.
- 4.3.16 The proposed development would be the same in appearance to the scheme approved under application number 19/01135/FP. The building would be sunken into the ground to allow for a greater amount of headroom at first floor level. This would result in the creation of a sunken garden. However, when viewing the site and proposed property from within public viewpoints, the dwelling would appear similar to the scheme approved under 18/00142/PNQ and 19/01135/FP. Within applications 18/00142/PNQ and 19/01135/FP, the design of the proposed barn conversion was considered acceptable.

Impact on Neighbouring Properties

- 4.3.17 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 28 of the Local Plan and D3 of the Emerging Local Plan.
- 4.3.18 The application site is isolated and set well away from nearby neighbouring properties. Given the location of the application site, it is considered that the proposal would not result in any detrimental impact to nearby residential occupiers. The proposed development would therefore be in compliance with both local and national planning policies.

Future Occupiers

- 4.3.19 Policy D1 of the Local Plan states that, amongst other things, development proposals should meet or exceed the nationally described space standards. Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions. These considerations are echoed within Section 12 of the NPPF.
- 4.3.20 The layout of the development does not raise any concerns from a residential amenity perspective. There is adequate separation space provided between existing and proposed dwellings to avoid unneighbourly impacts and first floor windows are positioned so as to avoid overlooking to neighbouring garden areas.
- 4.3.21 The proposed dwelling would provide sufficient amenity space for any potential future occupiers of the site. The dwelling would provide each of the bedrooms with sufficient natural light and outlook. The proposal is considered to be in compliance with both local and national planning policies.

Highways and Parking

- 4.3.22 The application site would provide two car parking spaces adjacent to the proposed dwelling. The number of spaces would be sufficient to serve the proposed 4-bed property in line with the provisions set out within local policy.
- 4.3.23 HCC Highways has considered the proposal and concludes that it would not give rise to an unacceptable impact on the safety or operation of the surrounding highway. It raises no objections but recommends the inclusion of the conditions and highway informatives and advisory notes.

4.4 Conclusion

- 4.4.1 The District does not have a 5 year supply of housing land, therefore in accordance with the NPPF paragraph 11 d) i., the application should be approved unless any adverse impacts of doing so would significantly and adversely outweigh the benefits.
- 4.4.2 The adverse impacts are considered to be harm to the character of the countryside, new development in an unsustainable location. These harms are considered moderate to substantial individually and cumulatively. The benefits are considered to be the addition of one new dwelling, which are considered limited.

- 4.4.3 The site is not within any defined settlement boundary and as a result, is designated as within the Rural Area beyond the Green Belt. The proposed layout, form and appearance would be incongruous within the rural setting and would result in a materially greater impact on openness, contrary to the aims of part c) of Policy CGB4 of the Local Plan.
- 4.4.4 On balance, it is considered that the proposed development is unacceptable in principle. The adverse impacts are considered to significantly and adversely outweigh the benefits, which would be limited. The proposed planning in principle should thereby be **REFUSED** as it would be contrary to applicable policies in the development framework, and no other material considerations would indicate that a decision should be made to the contrary.

5.0 **Recommendation**

5.1 That planning permission be **REFUSED** for the following reasons:

1. The proposal for a new dwelling outside a settlement boundary in the Rural Area beyond the Green Belt is contrary to Policy CGB1 of the North Hertfordshire Local Plan 2011-2031. The development does not constitute infill within a defined built core, does not meet a proven local rural housing need, is not strictly necessary for agricultural or forestry purposes, nor does it otherwise satisfy the limited exceptions in Policy CGB1. The scheme therefore constitutes unsustainable development in the open countryside.
2. The replacement of an agricultural building with a new dwelling would result in an unacceptable change in the character and appearance of the rural landscape, contrary to Policies CGB1 and CGB4 of the North Herts Local Plan 2011 - 2031 which seek to protect and conserve the rural area and ensure that re-use/replacement of existing rural buildings is appropriate in scale and impact
3. The application proposal would be located in an area remote from services and facilities such that the occupiers would be almost exclusively reliant on private transport for their everyday needs. This would amount to unsustainable development at odds with the National Planning Policy Framework in its aim to promote sustainable patterns of growth and development and policies in the Council's local plan relating to the same. Accordingly, the scheme is contrary to the core policy, advice and aims set out in the National Planning Policy Framework (NPPF) in seeking sustainable form of development and is contrary to Policies SP1, SP6 and T1 Local Plan, as well as Policy 5 of Hertfordshire's Local Transport Plan-4.

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied 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: 4 June 2026	