

DELEGATED FILE NOTE

CASE OFFICER: ...Thomas Howe.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00240/FP	Installation of replacement roofs and external cladding to existing outbuildings. Creation of vehicular access off Winch Hill Lane. Installation of bike store, landscaping, fencing and hardstanding to provide 8 parking spaces.	Barns At Winch Hill Farm Winch Hill Road Luton Hertfordshire LU2 8PA

Submitted Plan Nos

Location Map WinchHill-FP-2026-01 WinchHill-FP-2026-02 - WinchHill-FP-2026-03 REV D WinchHill-FP-2026-04 WinchHill-FP-2026-05 - WinchHill-FP-2026-06 - WinchHill-FP-2026-07 WinchHill-FP-2026-08 REV C WinchHill-FP-2026-09 - WinchHill-FP-2026-10 REV C Winch Hill ATC Diagram

1.0 Policies

SP2	Settlement Hierarchy and Spatial Distrib
SP5	Countryside and Green Belt
D1	Sustainable design
D3	Protecting living conditions
T1	Assessment of transport matters
T2	Parking
NE4	Biodiversity and geological sites
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land
SECN14	Meeting climate change,coastal,flooding
SECN15	Conserve + enhance natural environment

2.0 **Site History**

- 2.1 25/03052/PNR - Building A is to be used for general industry and Building B for storage and distribution.

3.0 **Representations**

- 3.1 **Neighbour Consultation** – None received.

- 3.2 **Ecology** – No Objection. Seeks inclusion of standard BNG condition. Also seeks a sensitive lighting strategy condition and the standard Ecological Enhancement Plan condition.

3.3 **Highways –**

Objection - 6 March 2026:

- Case to introduce left in left out accesses is not adequately demonstrated.
- Preference for a single access point to minimise conflicts with highway users.
- Preference for predominantly rural routes to and from the site.
- Impossible to legally require a maximum of 30mph speeds and achieve an 85th percentile speed.

Objection – 28 April 2026:

- Notes new drawing and Transport Statement. Unnecessary increase in vehicular conflict points for new access layout.
- Substandard access geometry, leading to highway safety risks.
- Speed survey conclusions are noted but the conflicts noted would still be unacceptable.

Does not wish to restrict grant of permission – 15 May 2026:

- Recommends conditions.

- 3.4 **Parish Council** – None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site comprises a pair of barns at Winch Hill Farm, off Winch Hill Road, Luton. The buildings comprise a floor area of approximately 717 sqm. The wider site measures approximately 0.62Ha and was last used for agricultural purposes in 2015.

4.2 **Proposal**

- 4.2.1 The proposal seeks to undertake operational development in connection with a prior approval application granted for the use of the agricultural buildings are general industry (use class B2) and to storage and distribution (use class B8).

- 4.2.2 The proposed operation development would comprise:

- The formation of a new access and egress.
- New cladding to external elevations and the roofs.
- The introduction of a new parking area adjacent to the buildings.
- A landscaping scheme.
- New fencing.

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- The principle of the development.
- 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 neighbouring properties.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the proposed development would have on the environment.

Principle of Development:

- 4.3.2 The principle of the development has been established by the approval of the prior approval notification application. Nonetheless, it is considered that the proposed development would sit suitably within exception c) within Paragraph 154 of the NPPF. Changes to hardstanding and landscaping are considered to be acceptable in principle subject to exception h) ii. of paragraph 154 of the NPPF given that these elements are considered to enhance the visual amenity of the site, or would be at ground level, mitigating visual or spatial harms to the Green Belt.

Design and Appearance:

- 4.3.3 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. This policy is broadly consistent with Section 12 of the National Planning Policy Framework.
- 4.3.4 At present, the barns are disused and have not been maintained for some time. They are clad with metal panelling, with some elevations featuring a brick plinth. The surrounding site features bunds to obstruct access and is otherwise overgrown.

Appearance:

- 4.3.5 The proposal seeks to introduce a new painted finish in flint grey to the external elevations of the buildings, with a new painted roof in 12-3-45 Tundra, a green colour. The doors would be replaced with a new up and over metal door and open elevations would be filled in with metal cladding to enclose the building. New door openings are also proposed to some elevations, and some existing openings would be reduced in size. The proposed alterations to the appearance of the buildings are considered to be

positive and would retain their agrarian character and built form and would also be sympathetic to their new utilitarian uses.

Layout

- 4.3.6 The proposed development would not alter the layout of the buildings but would alter their appearances and landscaping. A new parking area is proposed within the site to the southern boundary area. This would also incorporate a bicycle store area and a large area of hardstanding for vehicle turning within the site. It is considered that the proposed layout would be acceptable and would remain sympathetic to the proposed use.

Landscaping

- 4.3.7 The proposed landscaping scheme, including new fencing, and the provision of parking and turning areas is considered to be acceptable, and is not considered to result in an unacceptably urbanising effect to this rural area. It would be sympathetic in nature and appearance to the proposed uses within the building and are therefore acceptable.
- 4.3.8 The proposed 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. The design and appearance are therefore acceptable.

Impact on Neighbouring Properties:

- 4.3.9 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.
- 4.3.10 The application buildings are relatively isolated from nearby residential uses. There is a neighbour to the south, approximately 130m from the site, and a neighbour to the north, and approximately 200m to the north-west. The previous use, although redundant for 10 years would have been noise generating and would have required frequent heavy goods vehicles journeys. The proposed uses would likely require vehicle journeys to and from the site. The approval for 25/03052/PNR included conditions requiring the submission of a noise management plan and limiting the hours of operation of the building. I consider that subject to the implementation of these, the development would not result in unacceptable noise generation. The development would not enlarge the built bulk of the buildings and would not result in a landscaping scheme that would alter levels to allow for overlooking or dominance. It is therefore considered to hold an acceptable relationship with neighbouring occupiers. No neighbour objections were received.
- 4.3.11 Given the above, it is considered that the proposed development would result in no unacceptable detrimental impact upon neighbouring occupiers and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

Environmental Implications:

- 4.3.12 The proposed development, by virtue of its limited scale in general terms together with the sustainable location would have no significant implications for the local environment

in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF.

Highways and Parking:

- 4.3.13 The maximum parking requirement for a mixed B2 and B8 use would require a maximum of 18 parking spaces, when considering the proposal against the Parking at New Developments SPD. The development would not exceed these requirements. A minimum of 2 cycle parking spaces would be required, and the development would meet these. This would meet policy T2 of the North Herts Local Plan 2011-2031.
- 4.3.14 Highways initially objected but following their May 2026 representation and the submission of information, alternative plans and a transport statement, they have withdrawn their objections and have recommended conditions. They consider the access arrangements and wider site operation requirements to be acceptable and would not result in unacceptable harm to the safe operation of the highway. This would therefore comply with policy T1 of the Local Plan 2011-2031.

Environmental Implications:

- 4.3.15 Ecology have made representation and do not object. They recommend a Habitat Management and Monitoring Plan condition in addition to an Ecological Enhancement Plan condition and the standard BNG condition. The development would not be harming protected species or unacceptably harming ecological assets. Therefore, the development would be acceptable in this regard.

4.4 **Conclusion**

- 4.4.1 The proposed development is considered acceptable and is considered to comply with the necessary provisions of the Local Plan policies and the National Planning Policy Framework. Grant conditional permission. The applicant has agreed to the recommended pre-commencement conditions.

4.5 **Alternative Options**

- 4.5.1 None applicable.

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 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. The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and approved in writing by, the local planning authority and including;
 - (a) a non-technical summary;
 - (b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];
 - (c) the planned habitat creation and enhancement works in accordance with the approved Biodiversity Gain Plan;
 - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
 - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority. The agreed measures are to be implemented on site prior to the first occupation of the first dwellinghouse hereby approved and shall remain on site thereafter.

Reason: To ensure the BNG is secured on site for 30 years and managed in an appropriate manner to comply with Policy NE4 of the Local Plan 2011-2031.

4. No development shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as the inclusion of bird/bat and bee boxes in buildings/structures has been submitted to and approved in writing by the local planning authority.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the North Herts Local Plan policy NE4.

5. Prior to the commencement of works, a lighting design strategy for biodiversity for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall;
 - a) identify those areas/features on site to which bats and other nocturnal species are particularly sensitive and that are likely to cause disturbance in or around their breeding sites and resting places, or along important routes used to reach key areas of their territory, for example, for foraging,
 - and b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To mitigate impacts to ecological assets within the site to comply with Policy NE4 of the Local Plan 2011-2031.

6. Construction Management Plan (CMP): No development shall commence until a CMP has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Plan would need to include details of:
- a. Construction vehicle numbers, type, routing;
 - b. Access arrangements to the site;
 - c. Traffic management requirements;
 - d. Construction and storage compounds (including areas designated for car parking);
 - e. Siting and details of wheel washing facilities;
 - f. Cleaning of site entrances, site tracks and the adjacent public highway;
 - g. Timing of construction activities, including delivery times and removal of waste, and to avoid school pick up/drop off times.
 - h. Provision of sufficient on-site parking prior to commencement of construction activities;
 - i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
 - k. Phasing Plan.

Reason: in order to protect the safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

7. Prior to the first use of the development hereby permitted, vehicular, pedestrian and cyclist access to and egress from the adjoining highway shall be limited to the access shown on Drawing No. FP/2026/03/C (Proposed Site Plan) only. Any other accesses shall be permanently closed, and the highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, concurrently with the bringing into use of the new access.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policy 5 (Development Management) of Hertfordshire's Local Transport Plan (adopted 2018).

8. Prior to the first use of the development hereby permitted, the pedestrian and vehicular access shall be completed and thereafter retained as indicated on Drawing No. FP/2026/03/C (Proposed Site Plan) in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The work must be undertaken to the Highway Authority's satisfaction and specification under a Section 278 Agreement, and by a contractor who is authorised to work in the public highway. Arrangement shall be made for surface water from the proposed development to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

Reason: to ensure construction of a satisfactory access to the site and in the interests of highway safety and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

9. Before the commencement of any other works on the site, trees to be retained shall be protected by the erection of temporary chestnut paling or chain link fencing of a minimum height of 1.2 metres on a scaffolding framework, located at the appropriate minimum distance from the tree trunk in accordance with Section 4.6 of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations, unless in any particular case the Local Planning Authority agrees to dispense with this requirement. The fencing shall be maintained intact for the duration of all engineering and building works. No building materials shall be stacked or mixed within 10 metres of the tree. No fires shall be lit where flames could extend to within 5 metres of the foliage, and no notices shall be attached to trees.

Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

10. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

11. None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

12. Any tree felled, lopped, topped, uprooted, removed or otherwise destroyed or killed contrary to the provisions of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the Authority agrees in writing to dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

Biodiversity Net Gain

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Hertfordshire District Council.
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>).
Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. 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.

Informative/s:

1. AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.
Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
AN2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
AN3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 4 June 2026	