

DELEGATED FILE NOTE

CASE OFFICER: ...William Thompson.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/03184/FP	Conversion and extension of existing barn/outbuilding to create one two- bedroom dwelling. (amended plans received 05.02.2026).	Mill Farm High Street Whitwell Hitchin Hertfordshire SG4 8AG

Submitted Plan Nos

1944 1 020B 1944-1 021A 1944 1 022C 1944-1 023A 1944-1 024B 1944-1 025A

1.0 Policies

1.0 **Relevant Policies**

National Planning Policy Framework 2026

Section 5 – Meeting the challenge of climate change

Section 14 – Achieving well-designed places

Section 18 – Managing flood risk and coastal change

Section 20 – Conserving and enhancing the historic environment

North Hertfordshire Local Plan 2011-2031

Policy SP1 – Sustainable development in North Hertfordshire

Policy SP2 – Settlement hierarchy and Spatial Distribution

Policy SP6 – Sustainable transport

Policy SP8 – Housing

Policy SP9 – Design and Sustainability

Policy T1 - Assessment of transport matters

Policy T2 – Parking

Policy D1 – Sustainable design

Policy D2 – House extensions, replacement dwellings and outbuildings

Policy D3 – Protecting living conditions

Policy HE1 – Designated Heritage Assets

2.0 **Site History**

2.1 04/01193/1 - Change of use of three agricultural barns to B8 (Storage) use and single agricultural barn to A1 (Retail) use (as amended by drawings received 24th September 2004)

Conditional Permission

3.0 **Representations**

3.1 **Neighbour Consultation** – None received

- 3.2 **St Pauls Walden Parish Council** – None received
- 3.3 **Highways** – No objection, informatives provided
- 3.4 **Environmental Health (combined)** – No objection subject to land contamination condition
- 3.5 **HCC Ecology** – No objection subject to mandatory BNG condition and informative
- 3.6 **Environment Agency** – No objection
- 3.7 **Local Lead Flood Authority** – None received
- 3.8 **Rights Of Way (Footpaths Unit)** – No objection, comments addressed per the removal of Highways objection
- 3.9 **Conservation Officer** – No objection
- 3.10 **Waste And Recycling Services Manager** – None received.
- 4.0 **Planning Considerations**
- 4.1 **Site and Surroundings**
 - 4.1.1 The application site comprises of 'Mill Farm Barn' and the surrounding land on a patch just north of High Street, Whitwell. The application site has an established parking area and access to highway B651. The application site resides within the Whitwell Conservation Area and is in proximity to a chalk stream.
- 4.2 **Proposal**
 - 4.2.1 Conversion and extension of existing barn/outbuilding to create one two-bedroom dwelling. (amended plans received 05.02.2026).

4.3 Key Issues

4.3.1 The key issues for consideration are as follows:

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 the Development:

4.3.2 The site is in the settlement boundary of Whitwell, a Category A Village. Policy SP1 of the Local Plan supports the principles of sustainable development in North Hertfordshire within key settlements as the main focus for housing, employment and new development. Policy SP2 of the Local Plan identifies that provision is made in the NHLP for housing development within Whitwell.

Sustainability:

4.3.13 The three pillars of sustainable development are the economic, social and environmental pillars. The proposal would provide economic benefits by the use of local contractors and businesses for construction, maintenance and other servicing when occupied. Social benefits would arise from the provision of 1no. dwelling to contribute to the district housing land supply, which the LPA cannot presently demonstrate a 5-year housing land supply. The site is considered to be in a sufficiently sustainable location given that it is within the settlement boundary of Whitwell. Therefore, the sustainability of the development is acceptable.

Design and Appearance and Heritage Impact:

4.3.14 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. Policy D2 of the Local Plan requires extensions to houses and the erection or replacement of buildings to incorporate design that is sympathetic to the main building in terms of its scale, form and orientation and does not harm the character and appearance of the locality around the site. These policies are broadly consistent with Section 14 of the National Planning Policy Framework.

Appearance and Heritage Impact

4.3.15 The proposed new dwelling would sit within a cluster of residential buildings. The design would consist of the conversion of the barn with altered fenestration and an extension in a similar barn-like style to encompass the new entrance and bedrooms. The extension would maintain a dual pitched roof design with a reduced eaves and ridge height when compared to the existing structure. The proposed external materials are brick plinth with (black) vertical timber cladding to match existing, Catnic Urban Standing Seam Roof as an upgrade to the existing corrugated iron, dark grey aluminium fenestration and boundary treatments to closely resemble existing. Given the location, the materials have been conditioned to match those stated in the application.

4.3.16 The following has been lifted from the Conservation Officer report:

I raise NO OBJECTION on the basis that the proposal will neither harm the setting of any of the listed buildings mentioned below or harm the character or appearance of Whitwell Conservation Area. The proposal satisfies the provisions of Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the aims of para 135(c) and Section 16 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011-2031.

The comments were made prior to the release of the NPPF 2026 and should now refer to Section 20 of the NPPF; however, they remain relevant.

4.3.17 The design of the extension would be that of a modern barn style with contemporary elements. This is considered to compliment the existing structure and to not harm the character and appearance of the immediate locality or Conservation Area.

Layout and Access

4.3.19 The proposed new dwelling seeks to make use of the existing access onto road B651. The driveway would remain largely unaffected bar the additional parking to comply with Policy T2 of the NHLP. Due to the heritage and flooding constraints of this site, I consider it is prudent to withdraw permitted development rights.

Landscaping

4.3.20 Details of the proposed hardstanding are shown forward of the dwelling at an appropriate level to provide parking and a walkway; so, the extent and location of the hardstanding is considered to be acceptable. Soft landscaping measures include the retention of an on-site tree and grass. The applicant owns some of the surrounding land and a planting scheme is already in effect, which has been taken into account in the BNG assessment. Overall, the landscaping details proposed would be acceptable.

4.3.21 The proposed development is therefore considered to be in compliance with Policies D1 D2 and HE1 of the Local Plan and the core principles set out within Section 14 and 20 of the National Planning Policy Framework. The design and appearance are therefore acceptable.

Impact on Neighbouring Properties:

4.3.22 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.

4.3.23 The proposed conversion and extension would be set sufficiently away from neighbouring dwellings and would not be of such a scale as to cause unacceptable harm, as to be objectionable, to neighbour amenity in terms of over-dominance, shading or loss of privacy.

4.3.24 Given the above, it is considered that the proposed development is compliant with Policy D3 of the Local Plan and the aims of the National Planning Policy Framework.

Standard of Amenity for Future Occupiers:

4.3.25 The proposed development would deliver the sufficient internal floorspace to satisfy the nationally described space standards for a dwelling of this size for up to 4 persons. Sufficient built in storage is shown on the floor plans. The dwelling would benefit from amenity space and is not considered to be harmed by the presence of neighbouring dwellings. Therefore, the internal standard of amenity for future occupiers is considered to be acceptable.

Highways and Parking:

4.3.26 The proposed development would be served by a minimum of two parking spaces that are off-street. The Highways Authority have not objected on safety or sustainability grounds. Therefore, impacts to parking provision locally would not be harmful and the proposal complies with Policies T1 and T2 of the NHLP.

Environmental Implications and BNG:

4.3.27 Herts Ecology has made the following comments:

A Biodiversity net gain has been shown as achievable using an off site location. The Habitat creation works (planting of 6 trees within an area of modified grassland in 2024) predates the application. This has been accounted for within the metric temporal risk multiplier. All offsite BNG need to be registered on the Biodiversity Gain Site Register. For this to take place, a Habitat Management and Maintenance Plan (HMMP) and S106 will be needed in line with government guidance. I advise that account is taken in any agreement of the cost to the LPA of reviewing any required monitoring reports, this should reflect the small site size and low difficulty of creating and managing the habitats

Therefore, the standard BNG condition shall be applied.

4.3.28 A Biodiversity Gain plan is conditioned to be submitted but the result is expected to be generally in compliance with Section 19 of the NPPF.

4.3.29 The overall site is located within Flood Zone 2 of the Environment Agency's Flood Maps, with the proposed extension being sited within Flood Zone 1 and the existing structure to be converted sited partly in Flood Zone 2. Section 18 of the NPPF requires new development in flood risk zones to incorporate adequate mitigation measures. The submitted plans demonstrate that flood mitigation measures, such as raising floor levels, will be incorporated where practicable.

4.4 **Conclusion**

4.4.1 The proposed development is considered acceptable and complies with both local and national planning policies.

4.5 **Pre-commencement condition(s)**

4.5.1 Land Contamination:

No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

- o A Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination;
- o A Phase 2 Site Investigation (where shown as necessary the Phase 1 Desk Study);
- o A Phase 3 Remediation Scheme (where shown as necessary by the Phase 2 Site Investigation)

All such work shall be undertaken in accordance with BS:10175:2011+A2:2017 or other appropriate guidance issued by the regulatory authorities. The work shall be sufficient to ensure that measures will be taken to mitigate any risks to human health and the wider environment. Reason: To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the Environment in accordance with the aims of Section 17 of the National Planning Policy Framework (2026).

5.0 **Recommendation**

5.1 That planning permission be **GRANTED** given 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. No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

- o A Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination;
- o A Phase 2 Site Investigation (where shown as necessary the Phase 1 Desk Study);
- o A Phase 3 Remediation Scheme (where shown as necessary by the Phase 2 Site Investigation)

All such work shall be undertaken in accordance with BS:10175:2011+A2:2017 or other appropriate guidance issued by the regulatory authorities. The work shall be sufficient to ensure that measures will be taken to mitigate any risks to human health and the wider environment. Reason: To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the Environment in accordance with the aims of Section 17 of the National Planning Policy Framework (2026).

4. The barn and extension roofs shall be covered using Catnic Urban Standing Seam Roof (colour: Anthracite Matt) as stated in the application form unless otherwise agreed and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to character and appearance of the Whitwell Conservation Area under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan.

5. The extension roof shall have an open eaves (exposed rafter feet), unless otherwise agreed and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to character and appearance of the Whitwell Conservation Area under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan.

6. Prior to occupation, the timber cart doors to the front elevation shall be fixed in place and shall remain in situ thereafter unless otherwise agreed and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to character and appearance of the Whitwell Conservation Area under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan.

7. The windows shall receive aluminium dark grey frames as stated in the application form, and the external doors and glazed screen shall receive the same unless otherwise agreed and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to character and appearance of the Whitwell Conservation Area under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan.

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. 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.

Informative/s:

1. AN) 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.

AN) 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.

AN) 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.

AN) Gravel / shingle driveways: Where loose gravel or shingle is used, a suitable measure to prevent material spilling onto the road/footpath/verge must be installed. It is an offence under section 148 of the Highways Act 1980 to deposit debris onto the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Further information is available by telephoning 0300 1234047.

2. A bat licence from Natural England is required to deliver this development. It will be a criminal offence if works proceed without a bat licence. It will also be a criminal offence if the terms of conditions of the bat licence, including in particular the mitigation and compensation requirements under the licence (which may require certain measures to be delivered before the development works start), are not adhered to.
3. Environmental permit - Flood risk activities

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- o erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- o altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- o building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- o dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- o diverting or impounding the flow of water or changing the level of water in a main river
- o quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- o any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- o any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- o any activity within 16 metres of a sea defence structure
- o activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

For further guidance please visit Flood risk activities: environmental permits - GOV.UK or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environmentagency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Advice to applicant

Water Efficiency Advice

Increased water efficiency for all new developments potentially enables more growth with the same water resources. Developers can highlight positive corporate social responsibility messages and the use of technology to help sell their homes. For the homeowner lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures especially in new developments. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be considered as part of new developments.

All new residential developments are required to achieve a water consumption limit

of a maximum of 125 litres per person per day as set out within the Building Regulations 2010. We recommend that wherever possible and in areas of serious water stress (as identified in our report Water stressed areas - final classification) a higher standard of a maximum of 110 litres per person per day is applied. This standard may already be a requirement of the LPA. A higher standard may be required in future by some LPAs and these should be complied with where applicable.

Signing up for flood warnings

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning or visit Sign up for flood warnings - GOV.UK. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email, or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding - time that allows them to move themselves, their families, and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit Prepare for flooding: Protect yourself from future flooding - GOV.UK

To get help during a flood, visit What to do before or during a flood - GOV.UK

For advice on what to do after a flood, visit What to do after a flood - GOV.UK

Pre-Application Advice

Regarding future applications, if you would like us to review a revised technical report prior to a formal submission, outside of a statutory consultation, and/or meet to discuss our position, this will be chargeable in line with our planning advice service. If you wish to request a document review or meeting, please contact our team email address at HNLsustainableplaces@environment-agency.gov.uk.

Further information on our charged planning advice service is available at: Planning and marine licence advice: standard terms for our charges - GOV.U

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 26 August 2026	

