

DELEGATED FILE NOTE

CASE OFFICER: ...Alex Howard.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/01694/PNQ	Change of use of agricultural buildings to create 7 dwellinghouses with associated building operations, private gardens and car parking	Radwell Grange Farm Barns Great North Road Radwell Hertfordshire

Submitted Plan Nos

PL01 PL02 PL03 PL04 PL05 PL06 PL07 PL13 PL14 PL15 PL16 PL17

2.0 **Site History**

2.1 **N/A**

3.0 **Representations**

3.1 **Neighbour comments** – Comments received from The Old Dairy:

"My residence borders Barn B (and what will be plots 5,6,7.) My residence is not currently overlooked by any neighbours. The upstairs windows of these plots will all overlook me when built.

I would like to request some formal acknowledgement of a higher fence, wall, or established shrubbery (not shrubbery which will take a while to mature,) for a portion of the boundary, to obscure direct view into The Old Dairy garden, and into the internal living area".

3.2 **Radwell Parish Council** – None received.

3.3 **HCC Highways** – *"The Highway Authority has reviewed the supporting documents and drawings and wishes to raise an objection to the application due to significant highway safety concerns and an almost complete absence of sustainable transport options. Almost all journeys from the site will use the junction with the A507, which poses a risk to road safety. Furthermore, the proposals do not comply with the design standards outlined in HCC's Place & Movement Planning Design Guidance (adopted in March 2024), Manual for Streets, National Planning Policy Framework (December 2024), and Local Transport Plan 4".*

3.4 **Environmental Health** – No objection subject to conditions.

3.5 **Waste and Recycling** – None received.

4.0 **Planning Considerations**

4.1 **Site & Surroundings**

4.1.1 The application site is situated to the east side of the A1 to the north of the Baldock Services. Access comes from an established access point off the A507 onto an unclassified road, which itself connects to a non-maintainable private road which leads to the site of the barns. The site contains several agricultural barns, two of which are the subject of this application. These include a large modern grain store situated at the south-western end of the farmyard, and a Dutch barn which is situated immediately to the north-east.

- 4.1.2 The wider site contains the grade II listed Radwell Grange which is situated to the east of the application buildings, and a grade II listed Barn at Radwell Grange. The listed barn was, together with associated barns, converted to residential following several consents granted in the early 2010's. The application barns are modern (post-1948) and are thus not curtilage listed in association with Radwell Grange. A building to the south-east of the application barns was converted to industrial use in the late 1990's and is currently in use for car repairs. An open-sided agricultural barn is situated to the south of this barn.

4.2 Proposal

- 4.2.1 The Prior Approval of the Local Planning Authority is sought for the change of use of agricultural buildings to create 7 dwellinghouses with associated building operations, private gardens and car parking.
- 4.2.2 The scheme seeks to convert Barn A (Grain Store) into 4 dwellings (2x4bedroom and 2x3bedroom) and Barn B (Dutch Barn) into 3 dwellings (2x4bedroom and 1x3bedroom). The conversion would be facilitated by the replacement of existing roof material with corrugated metal sheeting, new and replacement cladding to walls, the insertion of new windows, doors and rooflights, the insertion of a mezzanine level, the insertion of new internal walls and other non-structural elements, and any part-demolition as necessary to create the units.

4.3 Key Issues

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

4.3.2 Permitted development

Q. Development consisting of—

(a) a change of use of—

(i) a building that is part of an established agricultural unit and any land within that building's curtilage, or

(ii) a former agricultural building that was (but is no longer) part of an established agricultural unit and any land within that building's curtilage, to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order,

(b) development referred to in sub-paragraph (a) together with the extension of the building referred to in sub-paragraph (a), or

(c) development referred to in sub-paragraph (a) together with building operations reasonably necessary to convert the building referred to in sub-paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule or to extend that building.

Q.1 Development is not permitted by Class Q if—

(a) in the case of a site that is part of an established agricultural unit, the site was not part of the established agricultural unit—

(i) on 24th July 2023, or

(ii) where the site became part of the established agricultural unit after 24th July 2023, for a period of at least 10 years before the date development under Class Q begins,

The supporting statement sets out that the two buildings are in use for agricultural purposes, primarily for the storage of machinery and other equipment associated with agriculture. As such, the buildings have been used as part of an agricultural unit and remain so, which complies with this criterion.

(b) in the case of a site that was (but is no longer) part of an established agricultural unit—

(i) the site was part of an established agricultural unit on 24th July 2023,

(ii) where the site ceased to be part of an established agricultural unit after 24th July 2023, the site has not been part of the established agricultural unit for a period of at least 10 years before the date development under Class Q begins, or

(iii) since ceasing to be part of an established agricultural unit, the site has been used for any non-agricultural purpose,

Not applicable.

(c) the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeds 150 square metres,

Neither of the seven proposed dwellings would have a floor area exceeding 150sqm, which complies with this criterion.

(d) the development under Class Q, together with any previous development under Class Q, within the original limits of an established agricultural unit (see paragraph Q.3(2) of this Part) would result in—

(i) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 10, or

(ii) the cumulative floor space of dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 1,000 square metres,

The proposed cumulative number of separate dwellinghouses would be 7 and the floor space would be less than 1000 square metres (998.9sqm), which therefore complies with this criterion.

(e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained,

- (f) less than 1 year before the date development begins—**
- (i) an agricultural tenancy over the site has been terminated, and**
- (ii) the termination was for the purpose of carrying out development under Class Q, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use,**

There is no agricultural tenancy at this site. The proposal therefore complies with this criterion.

- (g) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit during the period which is 10 years before the date development under Class Q begins,**

No development under these classes has been undertaken.

- (h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point, other than—**
- (i) extension of the building allowed by paragraph Q.1(i);**
- (ii) protrusions of up to 0.2 metres to accommodate building operations allowed by paragraph Q.1(j)(i),**

The proposal does not include any external extensions beyond the dimensions of the existing building. The proposal complies with this criterion.

- (i) the development under Class Q(b) would result in an extension that—**
- (i) has more than one storey,**
- (ii) is sited anywhere other than to the rear of the existing building,**
- (iii) extends beyond the rear wall of the existing building by more than 4 metres,**
- (iv) has eaves the height of which exceed the height of the eaves of the existing building,**
- (v) is higher than whichever is the lower of—**
 - (aa) the highest part of the roof of the existing building, or**
 - (bb) a height of 4 metres above the ground,**
- (vi) extends beyond a wall that forms a side or principal elevation of the existing building, or**
- (vii) would be sited on land that, before the development under Class Q(b), is not covered by a hard surface that was provided on the land by virtue of any development, and—**
 - (aa) the hard surface was not provided on the land on or before 24th July 2023, or**
 - (bb) where the hard surface was provided on the land after 24th July 2023, the hard surface has not been situated on the land for a period of at least 10 years before the date development under Class Q(b) begins,**

No extensions are proposed.

- (j) the development under Class Q(c) would consist of building operations other than—**
- (i) the installation or replacement of—**

**(aa) windows, doors, roofs, or exterior walls, or
(bb) water, drainage, electricity, gas or other services,
to the extent reasonably necessary for the building to function as a dwellinghouse, and
(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(j)(i),**

The applicant has set out the extent of works reasonably necessary to convert the buildings into dwellings. The supporting statement also refers to the 'Hibbit' judgement and summarises the proposed operations which would involve the replacement of existing wall and roof coverings with new cladding and roofing material, with other external alterations including the provision of windows, doors, rooflights, services and other related aspects, and some minor demolition works. The proposed conversions involve the installation of a mezzanine level, which as per the PPG along with other internal works, is permitted under a Class Q application. As such, the proposal therefore complies with this criterion.

(k)the site is on article 2(3) land,

N/A.

**(l)the site is, or forms part of—
(i)a site of special scientific interest;
(ii)a safety hazard area;
(iii)a military explosives storage area,**

N/A.

(m)the site is, or contains, a scheduled monument,

N/A.

(n)the building is a listed building,

N/A. As set out above, the barns are not considered curtilage listed either.

(o) the existing building, excluding any proposed extension under Class Q(b) but including any proposed building operations under Class Q(c), would not be capable of complying with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015 as read with the notes dated 19th May 2016 which apply to it, or

The proposed units would comply with the Nationally Described Space Standards and therefore complies with this criterion.

(p) the building does not have suitable existing access to a public highway.

The buildings are served by an existing established access point off the A507 onto an unclassified road, which itself connects to a non-maintainable private road which leads to the site itself. The total distance from the junction with the A507 to the site is approx. 800m.

The Hertfordshire Highway Authority were consulted on this application and provided formal comments, objecting to the proposal on a number of grounds which can be summarised as follows:

Safety Concerns at A507 Junction:

There is a significant safety risk for potential residents accessing the site via the A507 junction. One key concern involves vehicles turning left into the site potentially encountering vehicles simultaneously turning left out of the site. If the incoming vehicle slows down to allow the exiting vehicle to proceed, there is a serious risk that a vehicle approaching from the A1 slip road may not have sufficient time to react or slow down.

Vehicles exiting the A1 via the slip road often travel at high speed and do not anticipate encountering a stationary or slow-moving vehicle in the inside lane. This creates a hazardous situation, particularly during hours of darkness or in adverse weather conditions, when visibility and braking efficiency are reduced. Under such circumstances, the likelihood of a collision increases significantly.

No visibility splays have been provided where the access road meets the Great North Road. The posted speed limit is 60mph which requires a visibility splay of 2.4 x 215 (DMRB)

Condition of Access Road/Accessibility:

The road from the junction with the A507 is known as 'Access Road of Great North Road to Radwell Grange Farm'. This is a highway maintainable road with a 60mph national speed limit. The Highway Officer notes that during a site visit, it was observed that the access road is narrow and does not accommodate two-way traffic, there are no designated passing bays; instead, informal passing areas have formed due to repeated vehicle runovers, which have eroded the verges. This condition presents a particular safety concern during winter months and periods of adverse weather where the runover areas would become excessively muddy and therefore likely unusable.

The absence of street lighting further exacerbates visibility issues, making navigation difficult and increasing the risk of accidents or vehicle damage. The private road extending from Grange Cottages to the site presents similar safety and accessibility concerns as the preceding access route. The road is narrow and does not allow two vehicles to pass comfortably. This was again stated by the Highway Officer to have been experienced at the site visit.

Non-Motorised Access:

No footways exist along the entire length of both access road to the site. The development cannot provide any footways as there is no destination that can be accessed on foot or cycle safely. Navigating to the site on foot or cycling during any time of the year especially evenings, winter months, or adverse weather fronts is unsafe or near impossible. It is in the interests of highway safety to ensure vulnerable users have access to safe facilities that encourage active travel and ensure the site is accessible for all vulnerable users. The proposals fail completely on safe sustainable access for all. This goes totally against all current sustainable and accessibility policies.

Key references include paragraphs 110 - 112 of the NPPF, and our LTP4 policy 1.

Notwithstanding the above, the proposed parking provision is acceptable.

As such, the Highway Authority have cited clear concerns with the utilisation of the existing junction onto the A507 and the existing access road to the site for the dwellings proposed under this application. Whilst it is acknowledged that the Highway Authority do appear to object on the basis of the site being unsustainable, which is not a Class Q consideration as per Q.2 (e) below, the objections insofar as they relate to the safety concerns with the existing A507 junction, the lack of visibility splays onto the A507, and the condition of the access road are justified and material to this application.

It is therefore considered that the buildings do not have a suitable existing access to a public highway, contrary to this criterion.

Q.2—(1) Where the development proposed is development under Class Q(a) together with development under Class Q(c), development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

(a) transport and highways impact of the development,

As expressed earlier on in this report, Hertfordshire Highways have been consulted as part of the application, formally stating that they object to the proposal for several reasons. Without seeking to repeat all of the aforementioned section, it is considered that the objection from the Highway Authority raises material and justifiable concerns in relation to the suitability of the existing A507 junction, the lack of visibility splays onto the A507, and the condition of the access road into the site. Therefore, it is considered that the development would result in an unacceptable transport and highways impact, in accordance with the formal comments of the Highway Authority.

(b) noise impacts of the development,

Environmental Health in relation to Noise/Nuisances have been consulted on this proposal and have no concerns on this basis to the noise impact assessment. Therefore, the scheme is considered acceptable in this regard.

(c) contamination risks on the site,

Environmental Health in relation to Land Contamination have been consulted on this proposal and have recommended the imposition of two conditions, relating to a Phase 2 contaminated land survey prior to commencement and validation reports prior to occupation. Therefore, the scheme is considered acceptable in this regard subject to these conditions.

(d) flooding risks on the site,

The application site is situated within Flood Zone 1, the zone of lowest risk. Overall, it is considered that the proposal would not result in flood risk impacts.

(e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order,

The Planning Practice Guidance on this specific matter in relation to location is stated below:

“The permitted development right does not apply a test in relation to sustainability of location. This is deliberate as the right recognises that many agricultural buildings will not be in village settlements and may not be able to rely on public transport for their daily needs. Instead, the local planning authority can consider whether the location and siting of the building would make it impractical or undesirable to change use to a house.

“Impractical or undesirable are not defined in the regulations, and the local planning authority should apply a reasonable ordinary dictionary meaning in making any judgment. Impractical reflects that the location and siting would “not be sensible or realistic”, and undesirable reflects that it would be “harmful or objectionable.

When considering whether it is appropriate for the change of use to take place in a particular location, a local planning authority should start from the premise that the permitted development right grants planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling is not a sufficient reason for refusing prior approval.

There may, however, be circumstances where the impact cannot be mitigated. Therefore, when looking at location, local planning authorities may, for example, consider that because an agricultural building on the top of a hill with no road access, power source or other services its conversion is impractical. Additionally, the location of the building whose use would change may be undesirable if it is adjacent to other uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals”.

With respect to the formal comment received from the Highway Authority, based on the above guidance set out in the PPG, the LPA cannot consider sustainability and use it as a reason to withhold Prior Approval. The consideration is whether the location or siting of the building would be impractical or undesirable to be used for residential purposes.

Taking the impractical consideration first, the application site is within close proximity to a number of neighbouring properties. These neighbouring properties which will have access to utilities and will likely use private vehicles for most of their journeys. The existence of these neighbouring dwellings and the relatively short distance to Baldock is such that the proposed development would not be impractical for the purposes of Class Q.

Taking the undesirable consideration next, the proposal would be adjacent to other residential properties and a commercial unit opposite, as well open fields and the wider countryside. This is not uncommon for rural parts of the district and considering the PPG guidance, the dwellings would likely not be subject to impacts from *intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals*. Moreover, the scheme has been well-designed to provide a high quality standard of

living and amenity for future occupiers. Therefore, it is considered that the proposed development would not be undesirable for the purposes of Class Q.

Furthermore, the scheme is well designed and would not result in an unacceptable impact upon the natural environment or the character of the area or result in an unacceptable impact upon the amenity of present/future occupiers and neighbouring properties.

(f)the design or external appearance of the building and

It is considered that the proposed design and external appearance of the buildings are acceptable. The external alterations would respect the overall integrity and character of the existing building and its use for agriculture. The proposal has been designed to a high standard, ensuring the form and proportions of the existing building are maintained.

(g)the provision of adequate natural light in all habitable rooms of the dwellinghouses, and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

All habitable rooms would benefit from natural light. The proposal would comply with the above criterion.

Interpretation of Class Q

Q3.—(1) For the purposes of Class Q, “curtilage” means the lesser of—

(a)the piece of land, whether enclosed or unenclosed, immediately beside or around the building on an established agricultural unit or former agricultural building (as the case may be), closely associated with and serving the purposes of that building, and

(b)an area of land immediately beside or around the building on an established agricultural unit or former agricultural building (as the case may be) no larger than the land area occupied by that building.

The development would comply with (b) given that the surrounding land for the gardens/parking area would not exceed the area occupied by the building.

Other Matters

- 4.3.3 The formal comments from The Old Dairy relating to amenity concerns are acknowledged. However, there is no provision for amenity concerns under a Prior Approval Class Q application.

4.4 Conclusion

- 4.4.1 The proposed conversion of the agricultural buildings into 7 dwellinghouses with associated building operations, private gardens and car parking would fail to comply with the criteria Q.1 (p) and Q.2 (a) as set out under Class Q, Part 3, Schedule 2 of the General Permitted Development Order as amended.

5.0 Recommendation

5.1 That prior approval be REFUSED for the following reason:

1. The proposed conversion of the agricultural buildings into 7 dwellinghouses with associated building operations, private gardens and car parking would fail to comply with the criterions Q.1 (p) and Q.2 (a) as set out under Class Q, Part 3, Schedule 2 of the General Permitted Development Order as amended.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 12 August 2025	