

Planning, Design & Access and Heritage Statement

Use of existing barn for live music charity events for a maximum of 15 evenings in any calendar year (retrospective)

July 2026



Poplars Farm Barn, Roe Green, Sandon, SG9 0QG



Prepared by: Alison Young Planning Associates Ltd
Email: alison@ayplanning.co.uk | Tel: 01920 449015

1.0 Introduction

1.1 This Planning, Design and Access and Heritage Statement has been prepared in support of an application for retrospective planning permission for the use of an existing barn on the site for live music (jazz) charity evenings on a monthly basis, and including up to three other special events (generally at Christmas, Easter and New Year) with an absolute maximum of 15 days per calendar year to accord with the temporary events notice licensing regime.

1.2 The submission has been prepared to meet both national and local validation requirements and is supported by the following plans & documents: -

Location Plan - PF/01 @ 1:1250

Existing & Proposed Block Plan – PF/02 @1:500

Existing Floor Plan & elevations - BR/049/01 and T3469-003

Planning, Design & Access and Heritage Statement

BNG exemption certificate

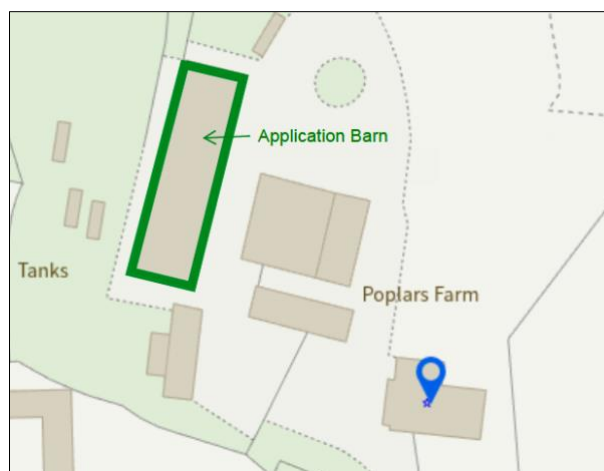
2.0 Site context

2.1 The application site lies on the northern side of Rushden Road in Roe Green which lies to the south west of the village of Sandon.

2.2 It comprises a detached, grade II listed, farmhouse and several barns and associated former agricultural buildings. The site is accessed from Rushden Road via a long driveway that crosses an expansive area of common land. The agricultural use of the farm ceased in the early 1990's and since then, the land has been used as a private residence and for small scale agricultural/forestry purposes – including hay production and growing Christmas trees.

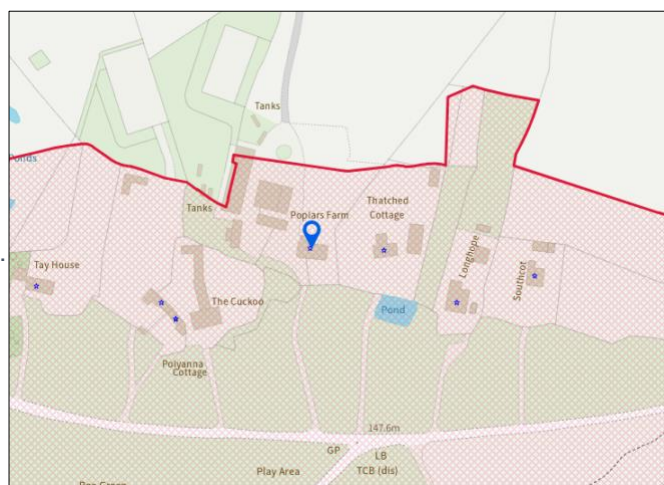
2.3 The barn, the subject of this application, is sited along the western boundary of the site as shown edged green on the extract of the OS map below:

Fig. 1 Location of application barn



2.4 The site lies within the Rural Area beyond the Green Belt, an Area of Archaeological Significance, an Area of Special Control, and it is partially within the Roe Green (Sandon) Conservation Area, as shown in Fig. 2 overleaf.

Fig. 2 Conservation Area Boundary



2.5 The Roe Green (Sandon) Conservation Area is described in the North Herts Conservation Area Character Statement dated November 2019. It derives its heritage significance from its well-preserved rural character, historic settlement pattern and strong relationship with the surrounding agricultural landscape. The Conservation Area is centered on the village green, which remains the focal point of the settlement and reflects its historic origins as a traditional Hertfordshire hamlet. Its significance is enhanced by the collection of historic cottages, farmhouses and agricultural buildings, many of which are listed, together with the mature trees, hedgerows, open grassed spaces and winding rural lanes that contribute to its distinctive sense of place. The predominance of traditional building materials, including timber framing, red brick, weatherboarding, clay tile and thatch, reinforces the area's architectural cohesion and historic interest. Equally important are the open views into and out of the Conservation Area across the surrounding countryside, which preserve its agricultural setting and reinforce its historic character.

2.6 Poplars farmhouse itself is listed grade II, as is Thatched Cottage to the east of the site.

3.0 Planning History

3.1 The planning history of the site is summarised in the table below:-

Application ref	Proposal	Decision
09/02225/1HH	Single storey extension to south elevation. Single storey rear and side elevation to north and west elevation	G - April 2010
13/00416/HH	Single storey extension to south elevation. Single storey rear and side elevation to north and west elevation. (renewal of permission granted under ref 09/02225/1HH)	G - April 2013
13/01305/1	C of U of outbuilding to 3-bed dwelling	R & appeal dismissed
13/01529/1CAC	Demolition of barn outbuilding	CA consent granted

19/00660/FP	8 Camping pods	w/d
21/03321/FPH & 21/03322/LBC	Erection of an oak framed garden room replacing existing garden room	Granted
22/00159/FPH & 22/00160/LBC	Oak framed front porch	LBC Granted 1 Aug 2022 FP Granted 2 Aug 2022

- 3.2 Of relevance to the current application are applications 09/02225/1HH and 13/00416/HH which are discussed below.
- 3.3 Application 09/02225/HH was submitted on 25th November 2009 and validated on 18th January 2010. It sought planning permission to extend the existing barn, the subject of this application.
- 3.4 The Design and Access Statement (DAS) submitted with the application explained that the barn had been used for “*private parties and occasional fund raising events for local charities*”. Its former agricultural layout had been changed for this use, but with no additional floorspace created. The DAS further explained that the existing facilities were rudimentary, and the applicant wished to enhance these by providing an enhanced entrance/lobby/reception area, a cloakroom, separate male and female w.c’s, and an enlarged kitchen.
- 3.5 The DAS stated that “*The use will enhance the enjoyment of those living locally who are likely to be the predominant users of this barn. May people will be able to walk to and from the premises and there will be little significant traffic generation or increased noise levels.*”
- 3.6 The application was reported to the Council’s Planning Committee on 15th April 2010 and the minutes of that meeting state that:-
- “Mr. Alderman, the Applicant, thanked the Chairman for the opportunity to address the Committee. He informed Members that he had owned the property for 20 years and had previously converted the Barn into an amenity room, which had no toilet facilities. He stated that he used the room to hold fundraising events for Sandon School and wished to support other organisations to hold fundraising events such as wine tasting, holding approximately 8-10 events per year. He advised that the extension would provide toilet facilities, including disabled facilities. He stated that he did not intend to use the barn on a commercial basis, but purely to hold fund raising and music events for the local community.*
- The Chairman thanked Mr Alderman for his presentation.*
- Members debated the application and expressed concern that condition 3 of the recommendation may prevent fundraising activities.*
- The Area Planning Officer advised that Condition 3 would not prevent fundraising activities, only hire for profit, and that this condition provided clarity.”*
- 3.7 The committee then resolved to grant permission subject to the condition suggested by Officers which read:-
- “The building subject of the extensions hereby permitted shall not be occupied or used at any time other than for purposes ancillary to the residential use of the dwellinghouse*

known as Poplars Farm. For the avoidance of doubt the building, as extended, shall not be hired out or otherwise let for private parties or functions and shall only be used for purposes where it can be shown that the use or activity is incidental to the enjoyment of persons residing permanently in the main dwelling known as Poplars Farm.

Reason: To avoid the creation of a new dwelling or unrelated and non-ancillary uses such that would be contrary to the planning policies applicable to the area."

3.8 Copies of the existing and proposed plans, the DAS, the Committee report, minutes and decision notice for that application are attached as Appendix I to this statement.

3.9 On 5th March 2013 an application for permission to renew application 09/02225/HH was submitted to the local planning authority (ref: 13/000416/HH).

3.10 That application included the same drawings and DAS as in 2009, but the application was determined under delegated powers on this occasion. The delegated report acknowledged that the existing barn was used for private parties and for fund raising activities.

3.11 In respect of the floorspace and layout proposed for the barn, the Council considered whether *"the changes be likely to give rise to an intensification of activities such that could be said to be incompatible with a single residence of this kind?"*. It concluded as follows:-

"this building is already used for private parties and charity events, activities which, I would suggest, could reasonably be described as incidental to the enjoyment of the resident family. Accordingly, I would contend that it is the potential for the disproportionate intensification of these activities arising from extension which must be the focus of the Planning Authority in determining this application.

As I suggest above, it is not unusual for larger country residences to have extensive accommodation available for entertaining and for this to be perfectly proportionate to the occupation of a property as a private family residence. In this case the physical changes could, in my view, be largely carried out without planning permission. However, the smaller addition over 5m does trigger the need for an application and therefore allows consideration of the overall use based on the floor plans declared by the applicant. The alterations would add a significant amount of additional floorspace which, if used intensively and frequently, could be problematic in terms of the amount of traffic which could potentially attend the property and the consequences this may have for the amenity, safety and convenience of local residents. If this level of use were frequent, I would suggest that the venue could no longer be described as serving an incidental or ancillary function in relation to Poplars Farm. Accordingly, because of my conclusion that it is the level or intensity of the proposed use which is critical rather than the physical changes to the building, I would recommend that the application be supported subject to the imposition of a condition which limits the use of the building to activities which are incidental to the main property Poplars Farm."

3.12 The permission was granted on 16th April 2013 and was again subject to the following condition:-

"The building subject of the extensions hereby permitted shall not be occupied or used at any time other than for purposes ancillary to the residential use of the dwellinghouse known as Poplars Farm. For the avoidance of doubt the building, as extended, shall not be hired out or otherwise let for private parties or functions and shall only be used for purposes where it can be shown that the use or activity is incidental to the enjoyment of persons residing permanently in the main dwelling known as Poplars Farm."

3.13 A copy of the delegated report and decision notice for application 13/000416/HH are attached to this statement as Appendix II.

- 3.14 The barn was subsequently extended in the summer of 2014 and has since been used for private parties, dances and for friends and family and as a venue for charity fundraising events.
- 3.15 In May 2025 the applicant began holding jazz evenings at the barn on a monthly basis (last Friday of each month) to raise money for various local charities. These events are licensed with the Council under the Temporary Event Notice (TEN) system, which limits events in a single premises to no more than 15 per calendar year.
- 3.16 In the first year, the jazz evenings raised over £12,000 for charity. The evenings have become popular, and the barn is generally at its maximum capacity on each of the monthly events (130 people).
- 3.17 In May 2026 the site owner was contacted by the local planning authority's enforcement officer who was of the view that the events were outside what was permitted under the planning permission granted on 16th April 2013. The site owner responded to explain that the permission allowed for fundraising events and that the barn had always been used for such events (before and after its extension in 2014). It is a largely non-profit enterprise, and the barn is not 'hired out or otherwise let' for events. The jazz evenings are purely run by the owner and some friends for charity fundraising, once a month.
- 3.18 On 16th April 2026, the Council wrote to the site owner setting out the Council's position on the jazz evenings, and stated as follows:-
- "Having reviewed the planning history again in detail and the planning permission granted, this letter is to confirm my conclusion that the use is taking place without the required planning permission.*
- Please note that, whilst licensing matters are dealt with separately under licensing legislation, planning permission is required where the use of a dwelling materially changes from its lawful use as a single private residence.*
- I have reviewed the information you previously provided, together with information from The Cowshed website, and I conclude that the use of your residential property for an events venue - involving members of the public, regulated entertainment, sales of food and alcohol - constitute a material change of use under planning legislation. As such, I consider that the current use is beyond the scope of uses incidental to the enjoyment of the dwellinghouse.*
- I note your information that the current events occur monthly and raises money for charity, however by operating without the appropriate planning consent results in a breach of planning control.*
- In order to resolve this matter, you are advised to:*
- *Cease any unauthorised licensable or commercial activities at the property unless and until the necessary planning permission has been obtained; and/or*
 - *Submit an appropriate planning application to the Council to regularise the use, should you wish to continue operating in this manner."*
- 3.19 The site owner sought planning advice on the contents of the letter, and his agent spoke with the enforcement officer on 20th May 2026. The Officer advised that the Council had received some complaints about the use around Christmas time 2025. However, the Council's Environmental Health team had monitored noise during one of the jazz evenings, and it was not at a level that would constitute a statutory nuisance. The Officer also stated that she didn't believe there had been any complaints regarding parking and/or traffic at the site.

- 3.20 Nevertheless, the Officer's view was that the monthly jazz events were outside the scope of the planning permission because they were a regular event that the Council felt was not ancillary to the residential use of the site.
- 3.21 Given that the Council were clearly informed that the barn would be used for fund raising events in both 2009 and 2013, and that the committee were assured by Officers at the Planning Control meeting on 15th April 2010 that condition 3 did not preclude charity fund raising, the applicant's view remains that there has been no material change the use of the site. He reserves the right, therefore, to seek a formal clarification of that via the submission of a lawful development certificate.
- 3.22 However, the applicant would prefer to work with the Council on establishing a formal footing for the fundraising events and the current application is submitted on those grounds.

4.0 Proposal

- 4.1 The current application is retrospective in nature. As set out above, the use of the barn for fundraising events is already taking place and has done for many years. The monthly jazz evenings that the Council has queried have been taking place for over 12 months and they are licensed under the TENS system (which permits a maximum of 15 events in the barn per year).
- 4.2 The jazz evenings are run by the applicant and a friend who is an exceptional classical and jazz pianist, as well as a teacher in two Hertfordshire schools. They book all the visiting artists themselves and manage the evening events together with a small number of staff in the kitchen and bar areas.
- 4.3 The fundraising events are held on the last Friday of each month (with the potential for additional special events at Christmas, easter and new year, but up to an absolute maximum of 15 per calendar year, in line with the Temporary Event Notice licensing system. The evenings comprise live jazz music within the barn, where drinks and food are also available for purchase. The evenings operate on the following basis:-
- The events are only available by pre-booking on the cowshed website. There is no public access to the events on the day
 - Attendance is strictly limited to a maximum of 145 people including staff/volunteers, but typically 130 tickets are sold plus 10 staff/volunteers
 - Events are seated, social and not nightclub style.
 - Arrival times are from 18:30 with music starting at 20:00 and generally finishing by 22:30. All attendees cars have typically left the site by 23:30.
 - Parking is provided on the grass to the rear of the barn as shown on drawing PF/02
 - The performance take place entirely within the building. No amplified music, loudspeakers or microphones are used outside the barn, and windows, and external doors remain closed throughout each event. Furthermore, the main area of the barn is accessed through an internal lobby with double doors that are also closed during each performance
 - The evenings are well managed to avoid any harmful impacts on the surrounding area and windows and doors of the barn are closed during performance such that the music cannot be heard from outside the barn.
 - Sound levels are monitored by the event organizer during the evening
 - Parking is also managed by the applicant
 - A single mobile lighting column is provided for approximately 30 minutes after the event finishes to allow safe exit. In the winter it is also lit from 18:30.
 - There is no signage outside the site (apart form a small poster on the gate to the site) and attendees are given detailed directions by email before each event.
 - The lighting column, poster and any cones are all removed by 10am on the Saturday after each event.

- 4.4 The external walls and roof of the building are extensively sound proofed, and this has been checked by the Council's Environmental Health Officers who took sound reading and confirmed that sound readings outside the barn were so low that the use would not cause harm to any neighbouring properties.
- 4.5 The application seeks planning permission to continue these low-key jazz evenings on a monthly basis, and in accordance with licensing requirements covered by the TEN system.
- 4.6 The applicant is happy to accept conditions limiting the number of days per calendar year that the events can be held (15 to align with the licensing system); the hours of use (18:30 to 23:30), and the maximum number of attendees (130 plus 10 staff/volunteers).
- 4.7 It is not considered necessary to apply for a temporary permission to act as a 'trial run' given that the use has already operated for over 12 months and has not caused a statutory nuisance nor resulted in any highway safety or amenity issues. However, the Council can, of course, impose a limited period for the use if it considers that to be necessary, reasonable, and in accordance with the CIL tests.

5.0 Planning Policy Context

- 5.1 The Development Plan for the District of North Hertfordshire comprises the Hertfordshire County Council's Minerals Local Plan 2007, Waste Core Strategy and Development Management Policies DPD 2012; Waste Site Allocations Document 2014; the adopted North Herts District Plan November 2022 (which covers the plan period 2011-2031) and various adopted Neighbourhood Plans. The application site is not, however, within any designated Neighbourhood Plan area.
- 5.2 National Planning Policy is set out in the National Planning Policy Framework (NPPF) 2024 and the National Planning Practice Guidance (PPG).
- Local Plan 2011-2031
- 5.3 The application site lies within the Rural Area Beyond the Green Belt as defined in the adopted Local Plan.
- 5.4 Policy CGB1 of the Plan states that development will be permitted in the Rural Area where, *inter alia*, it relates to an existing rural building and is a modest proposal for rural economic development or diversification.
- 5.5 Policy CGB4 also states that planning permission for the re-use of building in the Rural Area will be granted provided that the building does not require major extension or reconstruction.
- 5.6 Policy HE1 states that proposals in designated heritage assets (including Conservation Areas) will be granted where they will not lead to harm to the significance of the Conservation Area or will cause 'less than substantial harm' which is outweighed by the public benefits associated with the development.
- 5.7 Policy SP10 states that the Council will support existing cultural, leisure or recreation facilities in the district
- 5.8 Other relevant policies in this case include: -
- ETC2: Employment outside Employment reas
 - T1 Transport
 - T2 Parking

D3 Protecting Living Conditions HE4 Archaeology

National Planning Policy (NPPF)

- 5.9 Paragraph 88 of the Framework states that planning decisions should enable the diversification of agricultural businesses, rural tourism and leisure developments which respect the character of the countryside.
- 5.10 It also supports the retention and development of accessible local services and community spaces such as meeting places and cultural buildings.
- 5.11 Paragraph 89 acknowledges that providing these forms of development in rural areas will mean that they may be in areas outside of existing settlements and in locations that are not well served by public transport. In these circumstances it is important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.
- 5.12 Paragraphs 212 to 214 of the Framework set out how any impact from a proposal on a designated conservation area should be considered. It states that 'great weight' should be given to the conservation (preservation) of the heritage asset, and any harm identified to the significance of the conservation area will require clear and convincing justification. This follows the requirement in the Planning (Listed Buildings and Conservation Areas) Act 1990 for proposals to preserve or enhance the character or appearance of the area.
- 5.13 Paragraph 219 of the Framework goes on to say that local planning authorities should look for opportunities for new development within Conservation Areas, and that proposals that preserve the setting of the conservation area '*should be treated favourably*'.
- 5.14 The current proposal is assessed against the policies of the development plan and the NPPF in section 6.0 below.

6.0 Planning Assessment

Principle of development

- 6.1 The application relates to the re-use of a redundant former agricultural building. As such, it accords in principle with the policies of the NPPF and the adopted Local Plan which support the sustainable re-use of existing rural buildings where this can be achieved without unacceptable impacts on character and appearance of the countryside or the amenities of neighbouring occupiers.
- 6.2 It is important to emphasize that this is not a commercial entertainment venue. It is an existing private barn that is used once a month for a carefully managed charity event that is largely non-profit generating.
- 6.3 The use of the barn for monthly jazz evenings is a low-key leisure use that is entirely compatible with its rural setting and respects the character of the surrounding countryside. The evenings are very carefully controlled and do not result in any material harm to adjacent residential properties.
- 6.4 The re-use of this former agricultural barn is, therefore, fully in accordance with national planning policy set out in paragraph 88 of the NPPF 2024.
- 6.5 It also accords with policies CGB1 and CGB4 of the adopted Local Plan – it relates to an existing rural building [CGB1d]); the building does not require major extension or

reconstruction, and there are no physical alterations proposed that would mean that the 'resultant building' would harm the openness, purposes or general policy aims of the Rural Area [CGB4a), b) and c)].

- 6.6 In addition, it is a use which delivers significant community benefits. The jazz evenings raise funds for local charities and contribute towards the retention, renovation and ongoing maintenance of the Moon & Stars PH in Rushden - an important community asset and valued social meeting place in the village which is also owned and operated by the applicant. By providing a local cultural event, and helping to sustain the nearby PH, the use supports the vitality of the rural community and contributes to its long-term social well-being. The events themselves also provide an opportunity for residents and visitors to enjoy live music in a rural setting, strengthening community interaction and health and well-being. The use is, therefore, supported by policy SP10 of the adopted Local Plan.
- 6.7 The use also accords with policy ETC2 by generating some small scale local employment associated with the organisation and operation of the monthly events. In addition, the events provide indirect economic benefits through expenditure at local businesses, including the Moon & Stars public house and other nearby services.
- 6.8 Overall, the proposal represents an appropriate, proportionate and sustainable re-use of an existing rural building. It delivers clear social, cultural and economic benefits while remaining low-key in nature and causing no material harm to the character of the countryside or the amenities of neighbouring residents. It therefore complies in principle with the policies of the adopted Development Plan and with national planning policy.

Impact on character of the area and neighbour amenity

- 6.9 The barn is of sound construction, and no alterations are needed to it to facilitate the use proposed. The application is solely for its occasional use for charity jazz evenings.
- 6.10 The proposal does not, therefore, result in any physical alterations to the application site that would have any adverse impact on the openness, character or appearance of the area.
- 6.11 Furthermore, the evenings themselves are very carefully managed to ensure that the use does not result in any harm to the character of the area or the amenities of nearby residents.
- 6.12 Prior to each monthly event, detailed directions to the barn are sent out to supporters who have purchased a ticket. These include the postcode and *What 3 Words* coordinates and visitors are advised that the driveway is located opposite the phone box. These measures reduce the chance of any supporters driving around the village looking for the barn.
- 6.13 No signage is erected for the event, apart from one poster that is placed on the front gate immediately prior to the start of the events and which is taken down by 10am the morning after the event. Supporters are advised on their directions that "*We deliberately operate as low a profile as possible so that we don't disturb the neighbours in our very rural setting.*"
- 6.14 Arrival times for supporters are staggered, with some arriving at 6:30pm if they would like food or drinks before the performance and others arriving just prior to the start of the performance at 8.00pm. Those arriving by car are encouraged to car share, but there is ample parking to the rear of the barn, on grass either side of a track that leads to the remainder of the farmland. On average, approximately 40 cars are parked at the site at each event. This area is well away from any nearby residential properties and well set out such that there is no need for turning/manoeuvring within the site.
- 6.15 If the weather is fine, in summer months, a few tables and chairs are put out in front of the barn entrance so that supporters can sit with a drink or food in the open air. Again, this is well away from any neighbours to avoid any noise or disturbance from chatting, and this

is only available from 6:30pm to 8:00pm. Most visitors, however, choose to eat during the performance at tables inside the barn. In the colder months or during inclement weather, then no outdoor seating is provided.

- 6.16 Once the performance starts, any outdoor seating is removed.
- 6.17 As mentioned previously, the performance take place entirely within the building. No amplified music, loudspeakers or microphones are used outside the barn, and windows, and external doors remain closed throughout each event. Furthermore, the main area of the barn is accessed through an internal lobby with double doors that are also closed during each performance. An organiser is always present in the lobby area to ensure that the external doors remain closed, and w.c facilities are inside the lobby so that there is no need for visitors to leave the building during a performance. This all significantly reduces the potential for noise to be heard outside the building, and sound levels are regularly checked at each event.
- 6.18 Sound equipment is professionally installed and operated, and the barn also incorporates sound-insulated walls and roof, designed to contain amplified music and speech within the building and ensure that noise emissions at neighbouring residential properties remain at a level that would not give rise to material disturbance or adversely affect residential amenity. This has been confirmed as acceptable by the Council's Environmental Health Officers.
- 6.19 At the end of each evening, supporters are encouraged to leave promptly and quietly to avoid any disturbance to neighbours. A single mobile lighting unit is switched on to ensure safe exit for pedestrians and cars, but this is switched off as soon as the last car leaves. This is generally by 23:00, but no later than 23:30. There are never any late-night events at the site.
- 6.20 The applicant ensures that access, parking, noise and lighting are all carefully managed during the evening.
- 6.21 Overall, the jazz evenings operate very smoothly and quietly. The Council's Environmental Health Officers have visited the site and confirmed that the use does not result in any statutory noise nuisance to neighbours. There are, of course, powers available to the Council to deal with any noise complaints and it is the applicant's view that the imposition of noise conditions through the planning process is not necessary because it would duplicate that control. However, if the local planning authority considers it necessary and reasonable to include a noise condition, then the following wording is commonly used in such situations:-
- "Noise from amplified music shall not exceed the existing background noise level (LA90) by more than 15 dB(A) when measured at the façade of the nearest noise-sensitive property."*
- 6.22 In summary, it is the applicants case that the use of the barn for these charity events, once a month, successfully operates without any adverse impact on the rural character or appearance of the area, nor on the amenities of nearby residents.
- 6.23 The use therefore complies with policies CGB1 and D3 of the adopted Local Plan.
- Highway safety and parking
- 6.24 The applicant has never had any complaints from the Council or the Highway Authority regarding traffic generation, access or car parking for the jazz evenings. As mentioned above, entrance to the site is restricted to those with tickets and is well managed through staggered arrival times, restricted numbers of visitors, clear and concise directions, and the provision of ample off-street parking.

6.25 The jazz evenings do not, therefore, result in pressure on the local highway network, nor does it cause any off-site parking congestion or noise and disturbance to other properties nearby. Visitor numbers are controlled through the Temporary Event Notice (TEN) licensing system and those cannot be exceeded. There is, therefore, sufficient control to ensure that this traffic generation is maintained in the future.

6.26 The proposal thereby complies with policies T1 and T2 of the adopted Local Plan.

Heritage Impact

6.27 The proposal does not result in any change to the character or appearance of the Conservation Area, nor the setting of the listed farmhouse or Thatched Cottage which lies to the east of the site, beyond the farmhouse. There are no physical alterations proposed to either the building or the land used for access and parking. The monthly jazz events are low-key and use only temporary equipment that is removed by 10am the following morning – such as the poster on the gate, and the mobile lighting unit. Parking is provided on the grass to the north of the barn and well away from any neighbouring properties. This area is delineated only by traffic cones and rope which are also removed the morning after each event.

6.28 Consequently, the proposal would not affect those elements that contribute to the significance of the Conservation Area or the setting of nearby listed buildings. The relationship between the barn and surrounding heritage assets would remain unchanged, as would key views, spatial character and the appreciation of their historic significance. The proposal would therefore preserve the character and appearance of the Conservation Area and preserve the setting and significance of nearby listed buildings.

6.29 As such, the proposal falls outside the remit of paragraphs 213 to 215 of the NPPF 2024 and is also fully in accordance with policy HE1 of the adopted Local Plan.

Public benefits

6.30 As referred to elsewhere in this statement, the charity jazz evenings provide a number of public benefits in terms of providing an occasional, low-key, cultural use for the building, and one which raises funds for both local charities and to support the ongoing restoration and maintenance of the Moon & Stars PH at Rushden (which is also within the applicant's ownership).

6.31 In addition to this direct support for local charities and a local community asset, the use also supports occasional local employment (10 staff typically each jazz evening) and supports local suppliers and businesses through event spending and brings people together socially in this rural setting.

6.32 This is all supported by policies SP10 and ETC2 of the adopted Local Plan.

7.0 Summary and Planning Balance

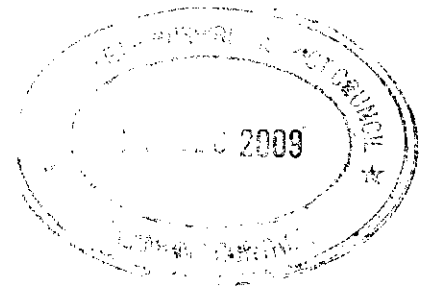
7.1 The proposed use of this former agricultural barn for monthly charity events is appropriate in principle in the countryside, in accordance with both national and local planning policies on the re-use of redundant farm buildings.

7.2 The barn has always been used for local fundraising events, even before it was extended, and the applicant made the Council fully aware in the 2009 planning application that the extended barn would be used for fundraising and music events. That is clear from the committee report at the at time (attached at Appendix I). The applicant remains of the view, therefore, that the use is compatible with the permission granted in 2010 and 2013.

Nevertheless, for the avoidance of any doubt this planning application has been submitted as requested.

- 7.3 The jazz evenings are run in a professional manner, but the barn is not used as a commercial event space. It remains a private barn, within the grounds of the applicants own house, that is used on an occasional, once per month, basis for live jazz music performances. This provides a cultural local event that supports various local charities and provides an additional funding source for the public house at Rushden which is also within the applicant's ownership.
- 7.4 The events are licensed through the Council and have a positive track record with regard to any local impacts. They are carefully managed to avoid any harmful impacts from noise, disturbance and traffic. The Council has, in fact, acknowledged that the use does not result in a statutory noise nuisance and that it has not received complaints regarding parking, traffic management or highway safety.
- 7.5 It is appreciated that the Council will want to ensure that its use remains appropriate in the future and, if considered necessary, conditions can be imposed to mirror the licensing arrangements for the events such as restricting number of events, max. number of supporters, and hours of use.
- 7.6 Given the infrequent and low key nature of the use, together with the controls available to the Council through licensing and planning conditions, the use is, and can continue to be, carried out without harm being caused to the amenities of nearby residents, or to the character or appearance of the surrounding conservation area.
- 7.7 The application should, therefore, be supported in accordance with section 70(2) of the Town and Country Planning Act 1990 and the Council is respectfully asked to support this sustainable form of development and to approve the application without delay as encouraged by paragraph 11 of the NPPF 2024.

Appendix I



T/3514/DAS

DESIGN AND STATEMENT

FOR

PROPOSED EXTENSION AND ASSOCIATED INTERNAL ALTERATIONS

TO

DETACHED BARN

POPLARS FARM, ROE GREEN

SANDON, HERTS

FOR

MR LAWRIE ALDERMAN

1.0 PROPOSALS

The proposal which is the subject of this Planning Application is for extensions to provide enlarged floor space, a vestibule, cloakrooms, shower room and enlarged kitchen to the detached barn within the Poplars farm group of buildings.

2.0 ASSESSMENT

2.1 Physical context

Poplars Farm is an older, probable 17th detached farmhouse with a number of barns and associated agricultural buildings within a plot of approximately four acres.

The Farm was an HCC tenanted farm, which ceased to be a farm in the early 1990's and was auctioned off by HCC. The applicant is the second owner since that auction, and uses the farm and retained outbuildings as a private residence. The agricultural land does not form part of this application.

3.0 JUSTIFICATION

The barn which is the subject of this application has been used for private parties and occasional fund raising events for local charities etc. The former agricultural layout was changed for this private use, but with no additional floor space created.

However the facilities provided were rudimentary and the applicant wishes to enhance these. In addition he wishes to enlarge the floor space to the southern end by providing an additional bay.

4.0 PLANNING POLICY

The applicant considers these proposals are in accordance the NHDC

Adopted Plan No 2.Policies:

Policy 7 (Selected Villages Beyond the Green Belt);

Policy 20 (Conservation Areas)

Policy 25 (Re-Use of Rural Buildings)

The proposed alteration is not considered to be at the expense of the buildings intrinsic value.

Policy 39 (Leisure Uses)

The proposal is for private rather than commercial use. The application is considered to be a class (iii) low intensity use.

Policy 55 (Car Parking)

For this occasional private use and low intensity activity, there exists an appropriate level of car parking provision within the site.

4.1 Community Involvement

The applicant's agent has had prior discussions with the Planning Department. These proposals have not been formally discussed with the Local Parish Council. No formal consultation exercise with neighbours has been carried out. I

5.0 EVALUATION AND DESIGN

The subject works are to improve the entrance and reception areas of the barn and to provide better cloakroom and wc facilities. In addition an improved kitchen area is proposed. There are no significant structural alterations to the existing premises.

The south extension will increase the floor area by 25%.

The design and materials of the existing barn are of a standard agricultural nature. The proposed extensions will match this with design and materials to match - i.e. with profiled metal sheet roof sheeting, timber cladding to structural timber frame walling and softwood windows and doors -

7.0 ACCESS

Vehicular access to the site is unaffected by these proposals.

The new entrance and vestibule will be designed for disabled persons. There will be provision for a disabled wc. Door widths and lighting levels will be in accordance with the requirements of Part M of the Building Regulations

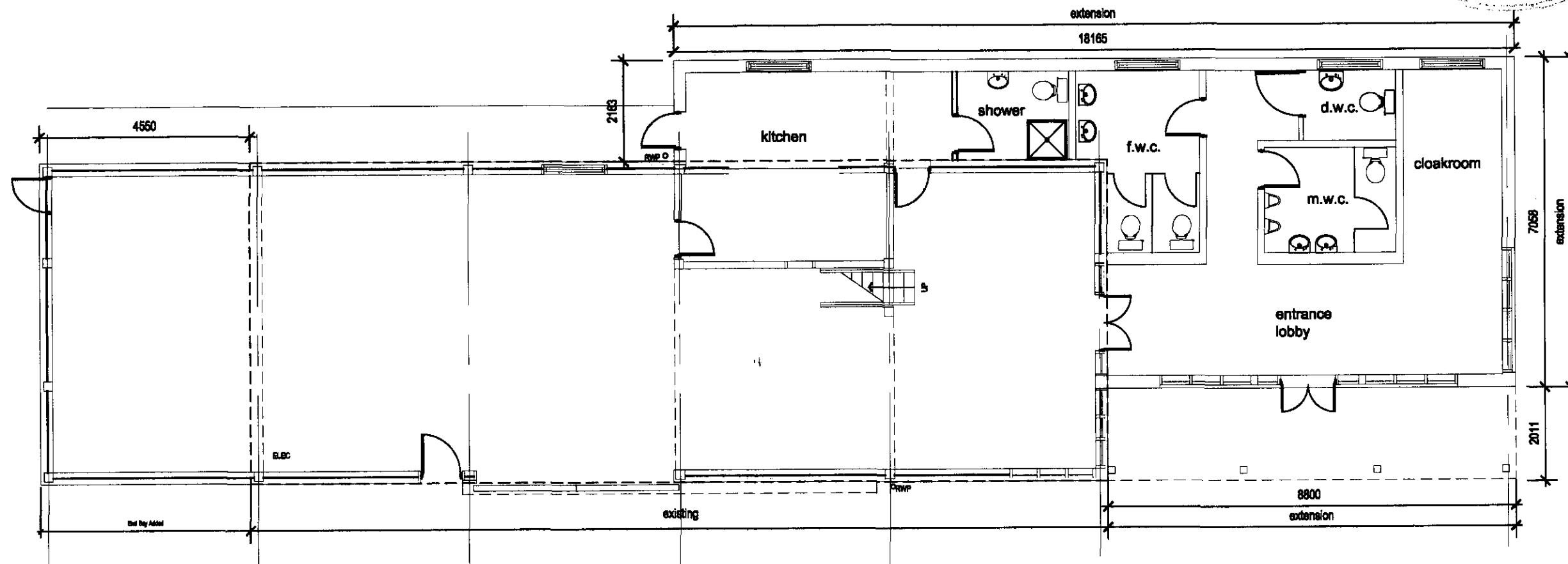
8.0 SUMMARY

The applicant submits these proposals on the basis that they are an appropriate form of development in this locality and have been designed and arranged in manner to be appropriate in scale and character to the area.

The use will enhance the enjoyment of those living locally who are likely to be the predominant users of this barn. Many people will be able to walk to and from the premises and there will be little significant traffic generation or increased noise levels.

P W Morris MRICS

25.11.09



Ground Floor Plan

TEMPLARS

CHARTERED BUILDING SURVEYORS

Baranite House,
13 Whitehorse Street,
Baldock,
Herts. SG7 6QB

Tel & Fax: (01462)
enquiries@templars-

Building
Sur

Client Mr L. Alderman

Title Proposed Floor Plan

scale 1:100 @ A3 drawn DMcA date July 09

Drg. No. T 3469 - 002

rev. .

DATE: 21/11/10

HH/13/SS/01/00

REF:

PERMISSION

TO IN

PLAN REFERRED

STAGNANT

CONTRIBUT

TO AND

COUNCIL

HERTFORDSHIRE

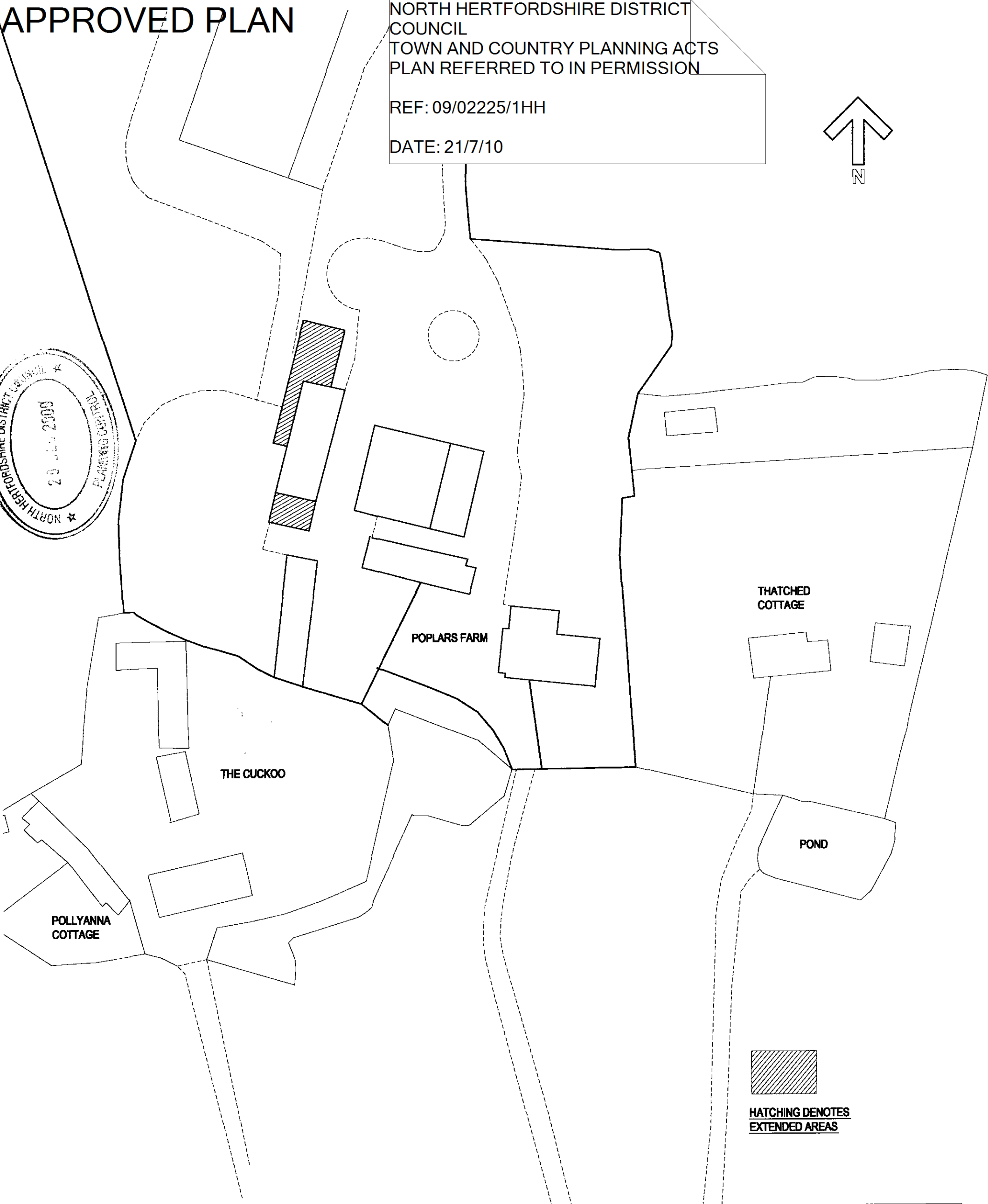
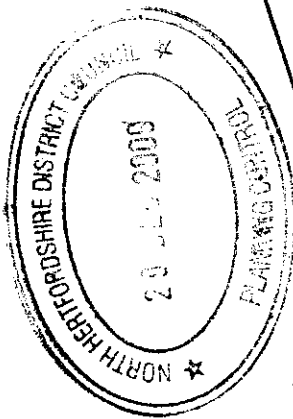
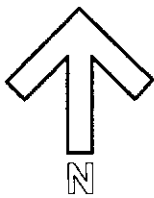
NORTH

APPROVED PLAN

NORTH HERTFORDSHIRE DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACTS
PLAN REFERRED TO IN PERMISSION

REF: 09/02225/1HH

DATE: 21/7/10



TEMPLARS

CHARTERED BUILDING SURVEYORS

Baranite House,
13 Whitehorse Street,
Baldock,
Herts. SG7 6QB

Building
Surveyors Ltd



Tel & Fax: (01462) 490350
enquiries@templars-baldock.co.uk

Client **Mr L. Alderman**

Project **Poplars Farm
Roe Green
Sandon
Herts SG9 0QG**

Title **Block Plan**

scale 1:500 @ A3 drawn DMcA date Oct 09

Drg. No. **T 3469 - 004** rev. .

ITEM NO: 8	<u>Location:</u>	Barn at Poplars Farm, Roe Green, Sandon, Buntingford, SG9 0QG
	<u>Applicant:</u>	Mr L Alderman
	<u>Proposal:</u>	Single storey extension to south elevation. Single storey rear and side elevation to north and west elevation.
	<u>Ref.No:</u>	09/02225/ 1HH
	<u>Officer:</u>	Richard Tiffin

Date of expiry of statutory period : 19 April 2010

Reason for Referral to Committee

Objection from Sandon Parish Council

1.0 Relevant History

None

2.0 Policies

2.1 North Hertfordshire District Local Plan No.2 with Alterations

Policy 16 - Areas of Archaeological Significance and other Archaeological Areas

Policy 6 - Rural Areas beyond the Green Belt

3.0 Representations

3.1 Sandon Parish Council has objected on the grounds that it does not understand the justification for the proposal and that there is already provision in the village, including the village hall.

3.2 County Archaeologist - No objection subject to archaeological investigation condition.

4.0 Planning Considerations

4.1 Site & Surroundings

4.1.1 The application site comprises the large curtilage of Poplars Farm, a listed building and range of buildings on the north side of Roe Green. The application building occupies a position along the western boundary of the site. The entire demise of the property and its buildings (once a former tenanted farm) is used as a private residence. the barn subject of the application is large and measures 18 m by 7m by 5m to ridge.

4.2 Proposal

- 4.2.1 The proposal seeks permission to extend an existing barn, which is currently used for private parties and fund raising activities. The proposed works include the addition of a single storey extension to either end of the existing barn. One comprises a lower toilet, cloak and entrance feature which wraps around the north west corner of the building. This measures 17m by 9m and is 4m in height. It would effectively add 9m to the length of the building. Owing to dimensions of this element of the scheme I would suggest that it benefits from permitted development and **does not require planning permission**.
- 4.2.2 The second element of the scheme involves elongating the main barn by 4.5m to the south. As the main barn attains a height of 5m it is this section of the building which requires planning permission as, exceeding 4m, it is not permitted by the General Development Order.
- 4.2.3 As for the use of the barn, the applicant states that these alterations amount to an enhancement of the current use, namely that the building be used for private parties and fund raising activities.

4.3 Key Issues

- 4.3.1 The key issues in this case centre on the consideration of two matters in my view. Firstly, are the extensions to the building acceptable in their own right in terms of their impact on the locality and the scale of development elsewhere on the plot?. Secondly, and most critically in my view, would the changes be likely to give rise to an intensification of activities such that could be said to be incompatible with a single residence of this kind?
- 4.3.2 Taking the issue of the physical changes first, I am of the view that the larger extension containing the toilets and shower facilities would not require planning permission as it is, arguably, now within the domestic curtilage of Poplars Farm and benefits from Class E development rights. The elongation of the main barn, although over 5m, is, in the context of the spacious surroundings at Poplars Farm, not significant. Moreover, I do not consider that these physical changes would have any impact on the character of the countryside or the amenity of neighbouring properties, none of whom has objected.
- 4.3.3 Of more significance perhaps is the issue of the existing and proposed use and to this end I can understand the concerns of the Parish Council. However, this building is already used for private parties and charity events, activities which, I would suggest, could reasonably be described as incidental to the enjoyment of the resident family. Accordingly, I would contend that it is the potential for the disproportionate intensification of these activities arising from extension which must be the focus of the Planning Authority in determining this application.
- 4.3.4 As I suggest above, it is not unusual for larger country residences to have extensive accommodation available for entertaining and for this to be perfectly proportionate to the occupation of a property as a private family residence. In this case the physical changes could, in my view, be largely carried out without planning permission. However, the smaller addition over 5m does trigger the need for an application and therefore allows consideration of the overall use based on the floor plans declared by the applicant. The alterations would add a significant amount of additional floorspace which, if used intensively and frequently, could be problematic in terms of the amount of traffic which could potentially attend the property and the consequences this may have for the amenity, safety and convenience of local residents. If this level of use were frequent, I would suggest that the venue could no longer be described as serving an incidental or ancillary function in relation to Poplars Farm. Accordingly, because of my conclusion that it is the level or intensity of the proposed use which is critical rather than the physical changes to the building, I would recommend that the application be supported subject to the imposition of a

condition which limits the use of the building to activities which are incidental to the main property Poplars Farm. This condition is based on the standard condition set out in Circular advice (circ 11/95).

4.4 **Conclusion**

- 4.4.1 That permission be granted subject to condition limiting the use of the building to events which are incidental to the enjoyment of the occupiers of Poplars Farm. The condition should preclude use by parties not resident at Poplars Farm or the hiring out for functions not related to that dwelling. The imposition of such a condition would have the advantage that it would give the Planning Authority a control currently not available in respect of the existing activities in the building

5.0 Legal Implications

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

6.0 Recommendation

- 6.1 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, or with minor modifications of those details which have previously been agreed in writing by the Local Planning Authority as being not materially different from those thereby permitted.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The building subject of the extensions hereby permitted shall not be occupied or used at any time other than for purposes ancillary to the residential use of the dwellinghouse known as Poplars Farm. For the avoidance of doubt the building, as extended, shall not be hired out or otherwise let for private parties or functions and shall only be used for purposes where it can be shown that the use or activity is incidental to the enjoyment of persons residing permanently in the main dwelling known as Poplars Farm.

Reason: To avoid the creation of a new dwelling or unrelated and non-ancillary uses such that would be contrary to the planning policies applicable to the area.

4. **No demolition or development shall take place within the proposed development site until the applicant or their agents, or their successors in title, has secured the implementation of a programme of archaeological work in accordance with a scheme of investigation which has been submitted to the planning authority and approved in writing. No use or occupation shall take place until the approved written scheme of investigation has been implemented in full.**

Reason: To safeguard the archaeological record.

Reason for Decision

Subject to appropriate conditions it is not considered that the proposal would have a materially detrimental impact upon the character or amenity of the rural area and would therefore not conflict with the provisions of the development plan as summarised below:

North Hertfordshire District Local Plan No. 2- with Alterations:

Policy 16 - Areas of Archaeological Significance and other Archaeological Areas

Policy 6 - Rural Areas beyond the Green Belt

202	09/02225/1HH - BARN AT POPLARS FARM, ROE GREEN, SANDON, BUNTINGFORD, SG9 0QG Report Location Plan Mr Alderman, the Applicant, thanked the Chairman for the opportunity to address the Committee. He informed Members that he had owned the property for 20 years and had previously converted the Barn into an amenity room, which had no toilet facilities. He stated that he used the room to hold fundraising events for Sandon School and wished to support other organisations to hold fundraising events such as wine tasting, holding approximately 8-10 events per year. He advised that the extension would provide toilet facilities, including disabled facilities. He stated that he did not intend to use the barn on a commercial basis, but purely to hold fund raising and music events for the local community. The Chairman thanked Mr Alderman for his presentation. Members debated the application and expressed concern that condition 3 of the recommendation may prevent fundraising activities. The Area Planning Officer advised that Condition 3 would not prevent fundraising activities, only hire for profit, and that this condition provided clarity. RESOLVED: That application 09/02225/1HH be GRANTED planning permission, as per the conditions and reasons set out in the report of the Planning Control and Conservation Manager.	Agreed	
-----	--	--------	--

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Acts

DECISION NOTICE

Correspondence Address:

Mr P Morris
Templars Building Surveyors Ltd
Baranite House
13 Whitehorse Street
Baldock
Herts
SG7 6QB

Applicant:

Mr L Alderman

PARTICULARS OF DEVELOPMENT

Application: 09/02225/1HH

Proposal: Single storey extension to south elevation. Single storey rear and side elevation to north and west elevation.

Location: **Barn at Poplars Farm, Roe Green, Sandon, Buntingford, SG9 0QG**

Approved Plan Nos: Location plan; Drg T 3469-001; -002; -003; -004

PARTICULARS OF DECISION

In pursuance of its powers under the above Act and the associated Orders and Regulations, the Council hereby **GRANT PERMISSION** for the development proposed by you in your application received with sufficient particulars on 18/01/2010 subject to the following condition(s):

- 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, or with minor modifications of those details which have previously been agreed in writing by the Local Planning Authority as being not materially different from those thereby permitted.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

- 3 The building subject of the extensions hereby permitted shall not be occupied or

used at any time other than for purposes ancillary to the residential use of the dwellinghouse known as Poplars Farm. For the avoidance of doubt the building, as extended, shall not be hired out or otherwise let for private parties or functions and shall only be used for purposes where it can be shown that the use or activity is incidental to the enjoyment of persons residing permanently in the main dwelling known as Poplars Farm.

Reason: To avoid the creation of a new dwelling or unrelated and non-ancillary uses such that would be contrary to the planning policies applicable to the area.

4

No demolition or development shall take place within the proposed development site until the applicant or their agents, or their successors in title, has secured the implementation of a programme of archaeological work in accordance with a scheme of investigation which has been submitted to the planning authority and approved in writing. No use or occupation shall take place until the approved written scheme of investigation has been implemented in full.

Reason: To safeguard the archaeological record.

Reason for Decision

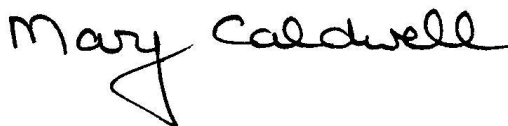
Subject to appropriate conditions it is not considered that the proposal would have a materially detrimental impact upon the character or amenity of the rural area and would therefore not conflict with the provisions of the development plan as summarised below:

North Hertfordshire District Local Plan No. 2- with Alterations:

Policy 16 - Areas of Archaeological Significance and other Archaeological Areas

Policy 6 - Rural Areas beyond the Green Belt

Signed:



Planning Control & Conservation Manager

Planning Control
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth
Herts
SG6 3JF

Date: 16 April 2010

NOTES

1

Failure to satisfy conditions may invalidate this permission and/or result in

enforcement action. Particular attention should be paid to the requirements of any condition in bold.

- 2 Circular 04/2008 (Planning Related Fees) states that where an application is made under Article 21 of the Town and Country Planning (General Development Procedure) Order 1995, a fee will be payable for any consent, agreement or approval required by condition or limitation attached to the grant of planning permission.
- 3 The fee is £85 per request or £25 where the permission relates to an extension or alteration to a dwellinghouse or other development in the curtilage of the dwellinghouse. The request can be informal through the submission of a letter or plans, or formal through the completion of an application form and the submission of plans. Any number of conditions may be included on a single request. The form is available on the Council's website: (http://www.north-herts.gov.uk/index/planning/planning_control_and_conservation/applying_for_planning_permission/application_forms_2.htm).
- 4 If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pes.
The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

- 5 The District Council and County Highway Authority wish to ensure that, in the implementation of the development, hereby approved, the highway verge adjacent to the property is not damaged or does not become unsightly due to the stationing of skips, parking of vehicles, storing of building materials etc thereon. Your

attention is, therefore, drawn to the provisions of Section 131 of the Highways Act 1980 and to the Hertfordshire County Council Bylaws 1955 (specifically relating to grass margins and verges in Letchworth Garden City) by virtue of which such actions, unless authorised by the prior grant of a licence, constitute a prosecutable offence. Persons responsible for undertaking the development and any associated works are, therefore, strongly encouraged to take appropriate steps to ensure that no breach of the said legislation occurs during the course of such activities. In the event of any damage being caused it will be expected that suitable reinstatement is undertaken upon completion of the development. Failure to do so could also result in legal action being pursued. To obtain information regarding the issue of licences, contact Hertfordshire Highways, Northern Area Office, Antelope House, Gates Way, Stevenage, Herts SG1 3HL telephone 01438 757 800.

THIS PLANNING PERMISSION DOES NOT CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS AND IS NOT A LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT. IT DOES NOT CONVEY ANY APPROVAL OR CONSENT WHICH MAY BE REQUIRED UNDER ANY ENACTMENT, BYE-LAW, ORDER OR REGULATION OTHER THAN SECTION 57 OF THE TOWN AND COUNTRY PLANNING ACT 1990.

Appendix II

DELEGATED FILE NOTE

CASE OFFICER: ...Richard Tiffin.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
13/00416/1HH	Single storey extension to south elevation. Single storey rear and side elevation to north and west elevation. (renewal of permission granted under ref 09/02225/1HH)	Poplars Farm, Roe Green, Sandon, Buntingford, SG9 0QG

Submitted Plan Nos: Location plan, T3469-001, 002, 003 & 004

1.0 Relevant History

- 1.0 Permission was granted for this scheme in 2009 under ref 09/02225/1HH. Not implemented

2.0 Policies

- 2.1 **North Hertfordshire District Local Plan No.2 with Alterations**

Policy 16 - Areas of Archaeological Significance and other Archaeological Areas

Policy 6 - Rural Areas beyond the Green Belt

NPPF 7. Design

3.0 Representations

- 3.1 **Sandon Parish Council:** No response
- 3.2 **County Archaeologist** - No objection subject to archaeological investigation condition (view also taken on 09 application).
- 3.3 **Local Residents** - None received.

4.0 Planning Considerations

4.1 Site & Surroundings

560

- 4.1.1 The application site comprises the large curtilage of Poplars Farm, a listed building and range of buildings on the north side of Roe Green. The application building occupies a position along the western boundary of the site. The entire demise of the property and its buildings (once a former tenanted farm) is used as a private residence. the barn subject of the application is large and measures 18 m by 7m by 5m to ridge.

4.2 Proposal

- 4.2.1 The proposal seeks permission to extend an existing barn, which is currently used for private parties and fund raising activities. The proposed works include the addition of a single storey extension to either end of the existing barn. One comprises a lower toilet, cloak and entrance feature which wraps around the north west corner of the building. This measures 17m by 9m and is 4m in height. It would effectively add 9m to the length of the building. Owing to dimensions of this element of the scheme I would suggest that it benefits from permitted development and **does not require planning permission**.
- 4.2.2 The second element of the scheme involves elongating the main barn by 4.5m to the south. As the main barn attains a height of 5m it is this section of the building which requires planning permission as, exceeding 4m, it is not permitted by the General Development Order.
- 4.2.3 As for the use of the barn, the applicant previously stated that these alterations amount to an enhancement of the current use, namely that the building be used for private parties and fund raising activities. The Councils Conservation Officer has referred to the views she gave earlier and raises no objection.

f0

4.3 Key Issues

- 4.3.1 The key issues in this case centre on the consideration of two matters in my view. Firstly, are the extensions to the building acceptable in their own right in terms of their impact on the locality and the scale of development elsewhere on the plot?. Secondly, and most critically in my view, would the changes be likely to give rise to an intensification of activities such that could be said to be incompatible with a single residence of this kind?
- 4.3.2 Taking the issue of the physical changes first, I remain of the view that the larger extension containing the toilets and shower facilities would not require planning permission as it is, arguably, now within the domestic curtilage of Poplars Farm and benefits from Class E development rights. The elongation of the main barn, although over 5m, is, in the context of the spacious surroundings at Poplars Farm, not significant. Moreover, I do not consider that these physical changes would have any impact on the character of the countryside or the amenity of neighbouring properties, none of whom has objected.
- 4.3.3 Of more significance perhaps is the issue of the existing and proposed use and to this end I can understand the concerns of the Parish Council. However, this building is already used for private parties and charity events, activities which, I would suggest, could reasonably be described as incidental to the enjoyment of the resident family. Accordingly, I would contend that it is the potential for the disproportionate intensification of these activities arising from extension which must be the focus of the Planning Authority in determining this application.
- 4.3.4 As I suggest above, it is not unusual for larger country residences to have extensive accommodation available for entertaining and for this to be perfectly proportionate to the occupation of a property as a private family residence. In this case the physical changes could, in my view, be largely carried out without planning permission. However, the smaller addition over 5m does trigger the need for an application and therefore allows consideration of the overall use based on the floor plans declared by the applicant. The alterations would add a significant amount of additional floorspace which, if used intensively and frequently, could be problematic in terms of the amount of traffic which could potentially attend the property and the

consequences this may have for the amenity, safety and convenience of local residents. If this level of use were frequent, I would suggest that the venue could no longer be described as serving an incidental or ancillary function in relation to Poplars Farm. Accordingly, because of my conclusion that it is the level or intensity of the proposed use which is critical rather than the physical changes to the building, I would recommend that the application be supported subject to the imposition of a condition which limits the use of the building to activities which are incidental to the main property Poplars Farm. This condition is based on the standard condition set out in Circular advice (circ 11/95).

4.4 Conclusion

- 4.4.1 That permission be granted subject to condition limiting the use of the building to events which are incidental to the enjoyment of the occupiers of Poplars Farm. The condition should preclude use by parties not resident at Poplars Farm or the hiring out for functions not related to that dwelling. The imposition of such a condition would have the advantage that it would give the Planning Authority a control currently not available in respect of the existing activities in the building

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, or with minor modifications of those details which have previously been agreed in writing by the Local Planning Authority as being not materially different from those thereby permitted.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The building subject of the extensions hereby permitted shall not be occupied or used at any time other than for purposes ancillary to the residential use of the dwellinghouse known as Poplars Farm. For the avoidance of doubt the building, as extended, shall not be hired out or otherwise let for private parties or functions and shall only be used for purposes where it can be shown that the use or activity is incidental to the enjoyment of persons residing permanently in the main dwelling known as Poplars Farm.

Reason: To avoid the creation of a new dwelling or unrelated and non-ancillary uses such that would be contrary to the planning policies applicable to the area.

4. **A No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:**

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

B The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A)

C The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

Reason: To safeguard the archaeological record.

5. **Reason for Decision**

Subject to appropriate conditions it is not considered that the proposal would have a materially detrimental impact upon the character or amenity of the rural area and would therefore not conflict with the provisions of the development plan as summarised below:

North Hertfordshire District Local Plan No. 2- with Alterations:

Policy 16 - Areas of Archaeological Significance and other Archaeological Areas

Policy 6 - Rural Areas beyond the Green Belt

8

6. **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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Acts

DECISION NOTICE

Correspondence Address:

P.W Morris
Templars Building Surveyors Ltd
7 Coach House Cloisters
10 Hitchin Street
Baldock, Hertfordshire
SG7 6AE

Applicant:

Mr Alderman

PARTICULARS OF DEVELOPMENT

df13Application: 13/00416/1HH

Proposal: Single storey extension to south elevation. Single storey rear and side elevation to north and west elevation. (renewal of permission granted under ref 09/02225/1HH)

Location: **Poplars Farm, Roe Green, Sandon, Buntingford, SG9 0QG**

Approved Plan Nos: Location plan, T3469-001, 002, 003 & 004

PARTICULARS OF DECISION

In pursuance of its powers under the above Act and the associated Orders and Regulations, the Council hereby **GRANT PERMISSION** for the development proposed by you in your application received with sufficient particulars on 05/03/2013 subject to the following condition(s):

- 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.

eft0

- 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, or with minor modifications of those details which have previously been agreed in writing by the Local Planning Authority as being not materially different from those thereby permitted.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

- 3 The building subject of the extensions hereby permitted shall not be occupied or

used at any time other than for purposes ancillary to the residential use of the dwellinghouse known as Poplars Farm. For the avoidance of doubt the building, as extended, shall not be hired out or otherwise let for private parties or functions and shall only be used for purposes where it can be shown that the use or activity is incidental to the enjoyment of persons residing permanently in the main dwelling known as Poplars Farm.

Reason: To avoid the creation of a new dwelling or unrelated and non-ancillary uses such that would be contrary to the planning policies applicable to the area.

4

A No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

- 1. The programme and methodology of site investigation and recording**
- 2. The programme for post investigation assessment**
- 3. Provision to be made for analysis of the site investigation and recording**
- 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation**
- 5. Provision to be made for archive deposition of the analysis and records of the site investigation**
- 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.**

B The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A)

C The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

Reason: To safeguard the archaeological record.

Reason for Decision

Subject to appropriate conditions it is not considered that the proposal would have a materially detrimental impact upon the character or amenity of the rural area and would therefore not conflict with the provisions of the development plan as summarised below:

North Hertfordshire District Local Plan No. 2- with Alterations:

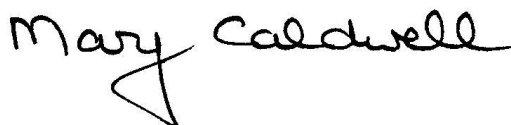
Policy 16 - Areas of Archaeological Significance and other Archaeological Areas

Policy 6 - Rural Areas beyond the Green Belt

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Signed:



280

Development & Conservation Manager

Development Management
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth
Herts
SG6 3JF

Date: 16 April 2013

NOTES

1 **Failure to satisfy conditions may invalidate this permission and/or result in enforcement action. Particular attention should be paid to the requirements of any condition in bold.**

2 Circular 04/2008 (Planning Related Fees) states that where an application is made under Article 21 of the Town and Country Planning (General Development Procedure) Order 1995, a fee will be payable for any consent, agreement or approval required by condition or limitation attached to the grant of planning permission.

3 The fee is £97 per request or £28 where the permission relates to an extension or alteration to a dwellinghouse or other development in the curtilage of the dwellinghouse. No fee is required for applications resulting from a condition removing "permitted development rights".

The request can be informal through the submission of a letter or plans, or formal through the completion of an application form and the submission of plans. Any number of conditions may be included on a single request. The form is available on the Council's website:

(http://www.north-herts.gov.uk/index/planning/planning_control_and_conservation/applying_for_planning_permission/application_forms_2.htm).

addl If you are aggrieved by the decision of your local planning authority to refuse
704 permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision on a householder application then you must do so within 12 weeks of the date of this notice.

Appeals must be made using a form which you can get from the Planning

Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

5 **Purchase Notices**

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

- 6 The District Council and County Highway Authority wish to ensure that, in the implementation of the development, hereby approved, the highway verge adjacent to the property is not damaged or does not become unsightly due to the stationing of skips, parking of vehicles, storing of building materials etc thereon. Your attention is, therefore, drawn to the provisions of Section 131 of the Highways Act 1980 and to the Hertfordshire County Council Bylaws 1955 (specifically relating to grass margins and verges in Letchworth Garden City) by virtue of which such actions, unless authorised by the prior grant of a licence, constitute a prosecutable offence. Persons responsible for undertaking the development and any associated works are, therefore, strongly encouraged to take appropriate steps to ensure that no breach of the said legislation occurs during the course of such activities. In the event of any damage being caused it will be expected that suitable reinstatement is undertaken upon completion of the development. Failure to do so could also result in legal action being pursued. To obtain information regarding the issue of licences, contact Hertfordshire Highways, Hertfordshire County Council, County Hall, Pegs Lane, Hertford, SG138DQ or telephone 0300 1234 047.

THIS PLANNING PERMISSION DOES NOT CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS AND IS NOT A LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT. IT DOES NOT CONVEY ANY APPROVAL OR CONSENT WHICH MAY BE REQUIRED UNDER ANY ENACTMENT, BYE-LAW, ORDER OR REGULATION OTHER THAN SECTION 57 OF THE TOWN AND COUNTRY PLANNING ACT 1990.