

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02883/FP	Erection of three residential dwellings and associated works following demolition of no.3 redundant agricultural buildings, demolition of existing cartlodge and partial demolition of existing garage/outbuilding.	Woodcotes Fears Green Sandon Buntingford Hertfordshire SG9 0QZ

Submitted Plan Nos

220230-PL-00-001 220230-PL-00-005-A 220230-PL-00-100-B 220230-PL-00-101-B 220230-PL-01-100-C
220230-PL-01-101-A 220230-PL-01-301 220230-PL-02-100 220230-PL-02-101 220230-PL-02-301
220230-PL-03-100 220230-PL-03-101

1.0 **Policies**

2.0 **Site History**

- 2.1 24/01733/PNQ Conversion of former Poultry building into 3 residential dwellings with all associated building works. PRAG

3.0 **Representations**

- 3.1 **Neighbours** – None received

- 3.2 **Kelshall Parish Council** - *Whilst it has no particular objection to the conversion of former agricultural buildings, given the nature of the highway in this location it considers that significant improvements need to be made to the road to allow the addition of up to 25 cars from both sites and many more movements than at present. The three approved dwellings at Manor Farm (19/02388/FP) will introduce further traffic. The road suffers from consistent flooding, pot holing from farm traffic, is single lane most of the way and can be impassable in winter. The situation is seriously exacerbated by the inappropriateness of the junction between Gannock Road and Stump Road. This road suffers from frequent traffic diversions from the A505 and is frequently logjammed as traffic is guided by its satnav to perform a turn left into Stump Road if coming from Sandon and a right turn if approaching Sandon from Stump Road. This is of course nigh impossible. If this junction were made into a T junction it would greatly assist the movement of traffic and avoid traffic going through Kelshall village from the A505 or from Sandon . This is a particularly important consideration for traffic movements from the expanding Sandon Bury venue, the configuration of the junction at Gannock/Stump being an impediment to traffic approaching Sandon from the A505 at Odsey, the alternative going through Kelshall North End*

- 3.3 **Environmental Health** – Conditions recommended

Contamination - The application is supported by a phase 1 land contamination assessment. The report concludes that a phase 2 site investigation is required. I would recommend this approach and recommend the following conditions.

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

Local Air Quality: North Herts Council have specific air quality planning guidance that can be found at <http://www.north-herts.gov.uk/home/environmental-health/pollution/air->

quality/air-quality-andplanning Application of the guidance to a development of this scale and location defines the site as being a MINOR scale development and so the following condition is recommended to ensure that appropriate local air quality mitigation is provided.

- 3.4 **Hertfordshire County Council highways** – Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:

The Highway Authority reviewed a similar proposal in 2024. As there is no material change to the proposals in context of sustainability and safety the Highway Authorities' comments remain the same The application seeks Prior Approval under Class Q for the conversion of a former poultry building into three residential units, including associated works. The site is located on Fears Green (also known as Gannock Road), which is an unclassified road maintained by the highway authority and primarily serves local access. The posted speed limit is 60 mph, and there have been no recorded collisions in the vicinity within the last five years.

- 3.5 **Ecology** – Conditions – BNG and Barn Owl box and Bats

Thank you for consulting me, having looked at the submitted documents I would have no ecological objection to the proposal. The submitted Statutory Metric identifies the site biodiversity baseline as 3.4 Habitat Units and 0.48 Hedgerow Units with the post-development habitats of the site valued at 3.83 Habitat Units and 0.67 Hedgerow Units which means that the development is easily able to meet the mandatory requirement for 10% BNG on site. The Metric identifies medium distinctiveness habitats on site at the baseline with the creation of a traditional orchard bringing a high distinctiveness habitat to site post development. As a result, as described on the North Herts Council website, a Habitat Management and Monitoring Plan (HMMP) is required. To ensure the BNG is secured on site for 30 years and managed in an appropriate manner, the following condition is advised;

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site is located in Sandon, outside of the development boundary and within the countryside. The site is a farmyard which consists of 3 vacant former agricultural buildings, formerly used for housing chickens.

4.2 **Proposal**

- 4.2.1 Erection of three residential dwellings and associated works following demolition of no.3 redundant agricultural buildings, demolition of existing cartlodge and partial demolition of existing garage/outbuilding.
- 4.2.2 The application proposes the demolition of the existing large agricultural building (which benefits from Class Q Prior approval consent), along with two further agricultural buildings and the erection of three new dwellings. The application would see the removal

of the existing redundant agricultural buildings on site, replacing it purpose built residential development.

- 4.2.3 House 1 – Gross internal floor space 2224 sq m
- House 2 – Gross internal floor space 122.7 sq m
- House 3 - Gross internal floor space 122.7 Sq m

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are as follows:
 - Principle of Development
 - Previous history
 - Five year land supply
 - Sustainability
 - The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
 - The impact that the proposed development would have on the living conditions of both future occupiers and neighbouring properties.
 - The impact that the proposed development would have on highway safety and car parking provision in the area.

Principle of Development

- 4.3.2 Policy SP1 of the Local Plan supports the principles of sustainable development and seeks to maintain the role of key settlements as the main focus for housing and to ensure the long-term vitality of the villages by supporting growth which provides opportunities for existing and new residents and sustains key facilities. The policy elaborates on this stating that planning permission will be granted for proposals that deliver an appropriate mix of homes, create high quality development that respects and improves their surroundings and provides for healthy lifestyles, provides for necessary infrastructure to support an increasing populations, protects key elements of the District's environment including biodiversity, important landscape, heritage assets and green infrastructure, the mitigates the impact on climate change.
- 4.3.3 Policy SP2 of the Local Plan sets out the settlement hierarchy and states that the vast majority of new housing development in the district will be located within the settlement boundaries of the districts main towns and larger villages (Category A and above). The site is not within any defined settlement boundary, with the closest of those being Sandon, and as a result, is designated as within the Rural Area beyond the Green Belt. This accepts that the site is in an isolated location away from the main settlements and associated services, which would see future occupiers be solely reliant on private vehicles for the majority of trips. The proposed development fails to comply with Policy SP2 of the Local Plan.

Rural Area Beyond the Green Belt

- 4.3.4 The Local Plan Policy SP2 sets out the hierarchy for new residential development within the District, with the main housing being to allocated sites and then with general development allowed within the category A villages, in-filling within category B villages

and development for limited affordable housing and facilities for local community needs meeting the requirements of policy CGB2 in category C settlements. This site is located within a rural context which falls outside of the category A, B and C settlements and is an area protected by the designation of Policy CBG1.

- 4.3.5 Under the National Planning Policy Framework (NPPF) and the Planning Acts, decisions must be made in accordance with the development plan unless material considerations indicate otherwise. The location in the Rural Area beyond the Green Belt brings a strong presumption against new dwellings unless a strict policy exception is met (Policy CGB1).
- 4.3.6 Policy CGB1 – Rural Areas beyond the Green Belt states that in the Rural Areas beyond the Green Belt, there is a “presumption against new development” unless it meets specific exceptions. Planning permission will “only be granted” where the proposal:
- a) is infill within a built core;
 - b) meets proven local need for community facilities or rural housing;
 - c) is strictly necessary for agricultural/forestry needs;
 - d) relates to an existing rural building;
 - e) is modest rural economic development; or
 - f) provides outdoor sport/recreation/cemeteries that respect the open nature of the rural area
- 4.3.7 The proposed new dwellings are located in an open rural location which generally does not comply with these criteria unless it falls clearly within (a)–(f). Here, the replacement of an agricultural barn with new dwellings “does not clearly meet any exception”: it’s not infill, not proven rural need housing or agricultural/forestry-essential, and it goes beyond merely relating to an existing rural building.
- 4.3.8 Policy CGB4 – Existing Rural Buildings, states that even where a building exists, re-use and replacement is tightly controlled to ensure that changes “do not harm the character and openness” of the countryside.
- 4.3.9 Given that the proposal is for the erection of three new buildings, one of which is outside the PNQ fall back, would not fit any of the paragraphs above and is therefore considered inappropriate development in principle, which is contrary to the provisions of policies SP2, CGB1 and CGB4 of the Local Plan. I would find dwellings in this location to be materially harmful to the character of the area and the Rural Area Beyond the Green Belt. I attribute significant weight to this harm.

Previous history

- 4.3.10 While the planning history, including a prior approval, is acknowledged, these do not outweigh the significant conflict with the provisions of the development plan in its current form. The planning merits of the application must be assessed against up-to-date policies, and the proposal remains unacceptable in the context of those policies as discussed in the following sections.
- 4.3.11 Prior approvals / fallback rights do not automatically justify full planning permission. A prior approval under Part Q is a permitted development rights process, not a planning permission that sets a precedent. One must consider the current proposal on its own planning merits.

- 4.3.12 Officers acknowledge the existence of the Class Q Prior Approvals. However, these were limited to the re-use/conversion of an existing agricultural building, which would have therefore not resulted in a materially greater impact on openness of the Rural Area beyond the Green Belt. Moreover, the proposed development is significantly different to these Class Q approvals and no longer seeks to re-use/convert buildings, but instead demolish them and erect a domestic development in its place. Therefore, whilst the existing Prior Approval decisions offer a fallback position and are a material consideration relating to the principle of residential redevelopment of the site, it is considered that this does not outweigh the identified conflict with Policies SP2 and CGB4 in this respect.

Five year land supply

- 4.3.13 Though the Local Plan is still within its date range of 2011 – 2031, the Council does not have a 5-year supply of deliverable housing land (5YHL). In The Five-Year Housing Land Supply Update dated November 2025 (pages 17-19) it concludes with two options. Both concluding we cannot demonstrate a 5YHL. Table 10 shows that we can demonstrate a five-year land position of 2.6 years against our adopted housing requirement. This figure falls below the five-year requirement. And Table 11 shows that we can demonstrate a five-year land position of 3.3 years using the Governments New Standard Methodology. This figure also falls below the five-year requirement. The tilted balance set out at paragraph 11 (d) of the NPPF would be engaged. Therefore, a there is a presumption in favour in terms of harm and benefits should be applied, whereby planning permission should be granted unless the application of policies in the NPPF that protect areas of assets of particular importance provides a strong reason for refusing the proposal; or the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF take as a whole.

Sustainability

- 4.3.14 The overarching purpose of the planning system is to contribute to achieving sustainable development, as stated in Section 2 of the NPPF. This is considered against the three objectives of sustainable development, the economic, social, and environmental objectives.
- 4.3.15 Paragraph 11 of the National Planning Policy Framework sets out a presumption in favour of sustainable development; however, this is not a blanket endorsement for development in all locations. The application site lies within the Rural Area beyond the Green Belt, where Policy CBG1 of the North Hertfordshire Local Plan restricts new residential development to specific, justified circumstances. The site is located outside any defined settlement boundary and is not within reasonable walking distance of shops, services, employment or public transport. As such, future occupiers would be heavily reliant on the private car for everyday journeys, contrary to the environmental and social objectives of sustainable development set out in paragraph 8 of the NPPF. The proposal would therefore constitute unsustainable, isolated residential development in the countryside, resulting in increased vehicle movements and associated carbon emissions, and would fail to accord with the spatial strategy of the development plan, which seeks to focus new housing in locations with good access to services and infrastructure. Accordingly, the proposal does not attract the presumption in favour of sustainable development.

- 4.3.16 Overall, on the grounds of sustainability, the economic and social benefits of the proposal are very modest in my opinion, which is relative to the scale of development of a single dwelling. Moreover, there would be some environmental benefits through the incorporation of sustainable building features. Overall, modest weight is attributed to these benefits.
- 4.3.17 Residential developments should be delivered in the most sustainable locations, connectivity is maximised, the need to travel is minimised, and safe and direct walking and cycling routes are provided.

Design, layout and Landscaping

- 4.3.18 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site's local context in addition to other criteria. Policy SP9 of the Local Plan further considers that new development will be supported where it is well designed and located and responds positively to its local context. These considerations are echoed in Section 12 of the NPPF.
- 4.3.19 The site is currently an agricultural farmyard with buildings and siting associated with that use, which is appropriate in this context. The buildings do not necessarily hold any architectural merit, and indeed three of the buildings proposed for removal are dilapidated, but there is a clear agricultural context in this regard.
- 4.3.20 The proposed dwellings would be three, three- bedroom dwellings and all would have a generous internal area, with large private gardens. Each dwelling is proposed to be single-storey and would have a largely traditional barn like form. It is also proposed to have variations in the design, with the dwellings having a materials palette including Grey/buff brick/Siberian larch and metal cladding roof.
- 4.3.21 Officers are of the view that whilst the existing buildings on site are not exactly of high architectural quality, they are clearly agricultural buildings and appropriate in their context. The proposed development would not be appropriate in this location given there large detached buildings and very different from the existing context in the RABGB. The scheme would be domestic in its layout, form and appearance, which would be visually out of context with the sparse nature and character of the existing agricultural farmyard. The Class Q applications reflected the agricultural context of this site, utilising the existing buildings and their agricultural form and character, whereas the same cannot be said for the proposed development. As such, it is considered that the scheme is poorly designed and would not respond positively to the site's local context.
- 4.3.22 As such, the proposal would be contrary to Policies SP9 and D1 of the Local Plan, and Section 12 of the NPPF in terms of the design and layout of the scheme.

Impact on Neighbouring Properties

- 4.3.23 A core planning principle set out in the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy 28 of the Local Plan and D3 of the Emerging Local Plan.

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

Future Occupiers

- 4.3.25 Policy D1 of the Local Plan states that, amongst other things, development proposals should meet or exceed the nationally described space standards. Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions. These considerations are echoed within Section 12 of the NPPF.
- 4.3.26 In terms of potential future occupiers, all dwellings would exceed the nationally prescribed minimum space standards for the number of bedrooms in the dwellings, they would benefit from a suitable size and type of private amenity space, and all habitable rooms would benefit from acceptable levels of natural light. Therefore, the proposal would not result in unacceptable harm to the reasonable living conditions of future occupiers.

Highways and Parking

- 4.3.27 The application site would provide three car parking spaces per dwelling. The number of spaces would be sufficient to serve the proposed 3-bed properties in line with the provisions set out within local policy.
- 4.3.28 HCC Highways were consulted and recommend refusal on sustainability grounds. Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused.
- 4.3.29 Policies encourage active travel, which is about 'living locally' and giving people the ability to access most of their needs within an easy walk or cycle from their home, with safe access to cycling and local public transport options.
- 4.3.30 Walking or cycling to and from the site would therefore be neither particularly appealing nor safe. This is likely to discourage occupiers of the proposed dwellings from walking and cycling to local services, also the site is not served by public transport and so no public transport options exist for occupants of the site that could easily access. Accordingly, the development cannot be described as well served by public transport, walking, and cycling opportunities, and the site's situation is not conducive to accessing the development and surrounding area except predominantly by private car.
- 4.3.31 The limited alternative transport options available mean that occupiers of the proposed development would be likely to be highly reliant on one mode of transport, the private car, for a significant majority of their journeys and to serve their daily needs. Consequently, although vehicle movements would only be associated with 3 dwellings in this instance and may therefore not be particularly significant, the site and appeal of the proposal cannot reasonably be described as sustainable in relation to accessibility considerations.

- 4.3.32 With the lack of realistic transport alternatives and occupants of the development thus having little choice other than to rely on driving to and from the site, neither could the development be regarded as promoting sustainable transport choices and having no adverse environmental impact.
- 4.3.33 This would likely result in treacherous conditions for any future occupiers navigating the roads by foot or cycling during the evenings, winter months or adverse weather fronts, there is no nearby bus stops, or acceptable walking distances to access public transport, services and facilities. On this basis, the proposed development would not enhance or maintain the vitality of the rural community and would lead to the use of unsustainable travel modes and likely to heavily rely on the private car.
- 4.3.34 Residential developments should be delivered in the most sustainable locations, connectivity is maximised, the need to travel is minimised, and safe and direct walking and cycling routes are provided.
- 4.3.35 Consequently, the site and its access without the provision of safe and lit footway connectivity with established settlements and public transport are not considered acceptable for residential development in such an isolated location because it is not viable for access by non-car transport modes contrary to all policies and guidance's, in particular NPPF which seeks new development to provide safe and suitable access for all, and to create safe and secure layouts minimising conflicts between traffic and pedestrians.

Ecology and BNG

- 4.3.36 Following consultation with the North Herts Ecologist they concluded that they would have no ecological objection to the proposal. The submitted Statutory Metric identifies the site biodiversity baseline as 3.4 Habitat Units and 0.48 Hedgerow Units with the post-development habitats of the site valued at 3.83 Habitat Units and 0.67 Hedgerow Units which means that the development is easily able to meet the mandatory requirement for 10% BNG on site. The Metric identifies medium distinctiveness habitats on site at the baseline with the creation of a traditional orchard bringing a high distinctiveness habitat to site post development. As a result, as described on the North Herts Council website, a Habitat Management and Monitoring Plan (HMMP) is required.

Birds and bats

- 4.3.37 The presence of Barn owls in one of the buildings was also identified and the PEA advises installation of a barn owl nest box on a suitable mature tree on the wider site. Further bat surveys of the buildings within the application site revealed no evidence of important bat roosts but did make recommendation for a lighting strategy due to the potential for increased levels of lighting causing disturbance to bats foraging and commuting in the area. As such a sensitive lighting strategy is advised.

4.4 Conclusion

- 4.4.1 The District does not have a 5 year supply of housing land, therefore in accordance with the NPPF paragraph 11 d) i., the application should be approved unless any adverse impacts of doing so would significantly and adversely outweigh the benefits.

- 4.4.2 The adverse impacts are considered to be harm to the character of the countryside, new development in a more unsustainable location. These harms are considered moderate to substantial individually and cumulatively. The benefits are considered to be the addition of three new dwellings, which are considered limited.
- 4.4.3 The site is not within any defined settlement boundary and as a result, is designated as within the Rural Area beyond the Green Belt. The Council acknowledge that there is some merit in the floor space trade-off between the proposed dwellings and the existing buildings. However, the proposed layout, form and appearance would be incongruous within the agrarian and rural setting and would result in a materially greater impact on openness, contrary to the aims of part c) of Policy CGB4 of the Local Plan. The proposed development would be significantly different to the Class Q permitted development and have would have a greater impact.
- 4.4.4 On balance, it is considered that the proposed development is unacceptable in principle. The adverse impacts are considered to significantly and adversely outweigh the benefits, which would be limited. The proposed planning in principle should thereby be **REFUSED** as it would be contrary to applicable policies in the development framework, and no other material considerations would indicate that a decision should be made to the contrary.

5.0 **Recommendation**

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

1. The proposal for three new dwellings outside a settlement boundary in the Rural Area beyond the Green Belt is contrary to Policy CGB1 of the North Hertfordshire Local Plan 2011-2031. The development does not constitute infill within a defined built core, does not meet a proven local rural housing need, is not strictly necessary for agricultural or forestry purposes, nor does it otherwise satisfy the limited exceptions in Policy CGB1. The scheme therefore constitutes unsustainable development in the open countryside.
2. The replacement of agricultural building with three new dwellings would result in an unacceptable change in the character and appearance of the rural landscape, contrary to Policies CGB1 and CGB4 which seek to protect and conserve the rural area and ensure that re-use/replacement of existing rural buildings is appropriate in scale and impact
3. While the planning history, including a prior approval and earlier permission, is acknowledged, these do not outweigh the significant conflict with the provisions of the development plan in its current form. The planning merits of the application must be assessed against up-to-date policies, and the proposal remains unacceptable in the context of policies SP2, CGB1, CBG4 and Hertfordshire Local Transport Plan 4 (LTP4)
4. The application proposal would be located in an area remote from services and

facilities such that the occupiers would be almost exclusively reliant on private transport for their everyday needs. This would amount to unsustainable development at odds with the National Planning Policy Framework in its aim to promote sustainable patterns of growth and development and policies in the Council's local plan relating to the same. Accordingly, the scheme is contrary to the core policy, advice and aims set out in the National Planning Policy Framework (NPPF) in seeking sustainable form of development and is contrary to Policies SP1, SP6 and T1 Local Plan, as well as Policy 5 of Hertfordshire's Local Transport Plan-4.

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 10 February 2026	