

DELEGATED FILE NOTE

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

**APPLICATION
REFERENCE**

**BRIEF DESCRIPTION OF
DEVELOPMENT**

APPLICATION SITE

25/01819/FP

Change of use of paddock to residential
garden land

Millstream Barn

Purwell Lane

Hitchin

Hertfordshire

SG4 0NF

Submitted Plan Nos

RSD-24-22-PO1

1.0 Policies

D1

Sustainable design

D3 Protecting living conditions

SECN13 Protecting Green Belt Land

SP5 Countryside and Green Belt

1.1 National Planning Policy Framework

Section 12 – Achieving well-designed places

1.2 North Hertfordshire Draft Local Plan 2011-2031 - (Approved by Full Council April 2017)

SP1 – Sustainable Development in North Herts

SP5: Countryside and Green Belt

D3 – Protecting Living Conditions

2.0 Site History

2.1 98/00492/1: Replacement of existing buildings with three dwellings, new detached garage building and access road, approved 28/5/98

2.2 14/03028/1HH Installation of full-length window into second bedroom. REFUSED

2.3 15/02861/1HH Insert window at first floor CONDITIONAL PERMISSION

3.0 Representations

3.1 Neighbouring Notifications: None

3.2 Statutory Consultees: None

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 End of terrace barn located north of Purwell Mill and south of Purwell Lane.

4.2 Proposal

4.2.1 Planning permission is sought for the change of use of the existing paddock into residential garden.

4.2.2 The proposal seeks to change the use of paddock/agricultural land to a residential garden. This garden will serve as an extension of the existing garden associated the host property.

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- Whether the proposed development would be inappropriate development in the Green Belt for the purposes of the National Planning Policy and Local Development Plan.
- The impact the proposed development would have on the character and appearance of the property and the surrounding area.
- The impact that the proposed development would have on the living conditions of nearby neighbouring properties.

Principle of Development in the Green Belt

4.3.2 The site is designated as Green Belt within the Local Plan, Section 13 of the National Planning Policy Framework (NPPF) notes that great importance should be attached to the Green Belt and that the main aim of Green Belt policy is to keep land permanently open. Paragraph 154 of the NPPF states that development in the Green Belt is inappropriate subject to a number of exceptions. The proposal would met the following exceptions “Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it”.

4.3.3 The proposed change of use of the paddock land would not result in unacceptable harm to the openness or purposes of the Green Belt. The paddock land is currently fenced off from the larger paddock fields to the rear and is linked to the application property via an existing gate adjacent the drive. Furthermore, the paddock is to the rear of the application site and is screen with hedgerows and vegetation and is not considered to contribute greatly to openness. It is therefore considered that the change of use of the land would not result in harm to the Green Belt.

4.3.4 The proposed use is considered to be for outdoor recreation in association with the host dwelling. It would not make it easier for permission to be granted for further future development, as the land would remain undeveloped. I therefore consider the proposal acceptable in principle.

Design and Appearance:

4.3.5 The objectives of the NPPF include those seeking to secure high quality design and a good standard of amenity (Section 12 – Achieving well-designed places). In this regard, Policy 28 and 57 of the Current Local Plan and Policy D2 of the Emerging Local Plan is consistent with the NPPF.

4.3.6 The proposed change of use would not involve any physical development to the site, and future development would require a new planning application. I have recommended a condition to submit details or any proposed landscaping and boundary treatments to be submitted prior to the change of use. The proposal would result in host dwelling having a larger garden, however this is not uncommon for dwellings in this area therefore I do not consider it harmful. The site is also substantially obscured from wider public views. The proposal is not considered harmful to the nearby Conservation Area and listed buildings. Given the low intensity of the use and its other characteristics and how it would relate to the

wider locality, I consider its impacts on the character and appearance of the locality acceptable.

Impact on Neighbouring Properties:

- 4.3.7 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 D3 of the Local Plan.
- 4.3.8 No objections have been received to the proposed change of use of the paddock land to the rear of the site.
- 4.3.9 Given the limited scale of the works proposed to the existing dwelling and the relatively isolated nature of the site compared to other nearby neighbouring properties, it is considered that the proposed works and change of use of the paddock land to the rear of the site would not harm neighbouring amenity.

Environmental Implications:

- 4.3.10 The proposed development, by virtue of its limited scale in general terms together with the sustainable location would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF.

Other Issues:

- 4.3.11 It should be noted that permitted development rights would not be available to the property on land that does not form part of the original curtilage of the dwelling. Permitted development rights are therefore not available to the land proposed to be changed from paddock / agricultural to residential.

4.4 **Conclusion**

- 4.4.1 The proposed development is considered acceptable and is considered to comply with the necessary provisions of both the existing and emerging Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

4.5 **Alternative Options**

- 4.5.1 None applicable

4.6 **Pre-Commencement Conditions**

- 4.6.1 N/A

5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

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

3. Details of the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

Biodiversity Net Gain

1. This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 22 August 2025	