

DELEGATED FILE NOTE

CASE OFFICER: ...Henry Thomas.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02355/FP	Replacement of box dormer with two dormer windows on north roofslope and continued use of first floor as one 1-bed studio accommodation.	The Studio Manor Farm Church Lane Graveley Hitchin Hertfordshire SG4 7BN

Submitted Plan Nos

24/02355/FP 1397_YPUK_P002 1397_YPUK_P003 - 1397_YPUK_P004
1397_YPUK_P005 P5 131397_YPUK_P006 P5 1397_YPUK_P007

1.0 Policies

D1	Sustainable design
D3	Protecting living conditions
SP1	Sustainable development in North Herts
SP9	Design and Sustainability
T2	Parking
HE1	Designated heritage assets
SECN4	Achieving sustainable development
SECN14	Achieving well-designed places
SECN17	Pollution, public protection + security
SECN20	Conserving+enhancing historic environmnt
SECN13	Protecting Green Belt Land
SP5	Countryside and Green Belt

2.0 **Site History**

- 2.1 **02/00291/1** - Change of use of single storey farm building to offices. Change of use of part of barn to furniture restoration workshop.
Conditional Permission.
- 2.2 **19/02394/FPH** - Side extension to existing triple garage and insertion of three front and one rear dormer windows. Two front porch extensions and replacement of external staircase.
Refused.
- 2.3 **20/00184/FP** - Change of Use and conversion of existing ground floor detached garage to one self contained 1-bed flat including insertion of ground floor windows and doors on the front elevation. Relocation of existing external staircase (existing first floor use as office accommodation remains unchanged).
Conditional Permission.
- 2.4 **22/02681/PNMA** - Conversion of first floor office (use class E) into one 1-bed dwelling (use class C3).
Withdrawn.
- 2.5 **22/03006/FPH** - Retention of two dormer windows to existing outbuilding South roofslope and box dormer to North roofslope. (Fee transferred to 23/01101/FP)
Withdrawn.
- 2.6 **23/01101/FP** - Retention of two dormer windows on South roofslope, box dormer on North roofslope and continued use of first floor as one 1-bed studio accommodation
Refused and Appeal Dismissed.

3.0 **Representations**

- 3.1 **Graveley Parish Council** – No objection as long as the rear dormer window is obscure glazed.
- 3.2 **Conservation Officer** – Objection

The two rear dormers (as amended) are considered better in design terms when compared with i) the existing box dormer and ii) the original submission under this current application. However, the dormers are directly linked in this proposal with the continued use of first floor as one 1-bed studio accommodation. On the basis that the dormers will not provide sufficient internal useable floor space for a 1-bed studio as set out in the Nationally Described Space Standard, there is good reason to resist the proposed use of the first floor. Furthermore, considering both the dismissed planning appeal under ref: 23/01101/FP (15 January 2026) and the associated enforcement appeal (16 October 2025), it is imperative in my view, that the enforcement notice is complied with by 16 April.

On this basis, I assume that the case officer would be looking at a planning as opposed to heritage-based reason for refusal on the understanding that there appears to be insufficient justification for the continued use of first floor as one 1-bed studio accommodation and that I cannot see how this can be achieved with what is proposed.

(Full comments on file)

3.5 **Site Notice and Neighbour Notification** – None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is an existing two-storey barn within the Chesfield Manor Farm estate located east of Graveley. The site is accessed through Back Lane, off of Church Lane. The site is within the Green Belt. To the south of the site is Chesfield Manor Farm House a Grade II listed building and the ruins of St Etheldreda's Church which is grade II* listed and is also a scheduled ancient monument.

4.2 **Proposal**

4.2.1 Replacement of box dormer with two dormer windows on north roofslope and continued use of first floor as one 1-bed studio accommodation.

4.3 **Key Issues**

4.3.1 The key material considerations are whether the principle is acceptable, design and heritage, impacts on neighbour amenity, greenbelt, and parking.

Planning History

4.3.2 NPPF Policy DM8 states that "in cases of unauthorised development where consideration is being given to an application for retrospective planning permission... if it is concluded based on evidence that the unauthorised development was intentional, that fact should be given substantial weight in considering whether to grant planning permission." Substantial weight may therefore be applied against the continued use of the first floor as a 1-bed studio if considered to be an intentional breach of planning control. In this case, an application for development that included dormer windows (19/02394/FPH) was refused planning permission on 17 December 2019 for three reasons including scale, bulk, size and overly residential appearance within a rural area. In the light of this refusal of permission is it considered that Policy DM8 applies to this case and substantial weight should be given to this in considering whether to grant planning permission.

Principle

4.3.3 The application site falls outside of any defined settlement boundary within the Green Belt, where only certain types of development are acceptable in principle. Policy GB6 of the NPPF confirms that development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7, and stipulates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Policy GB7 (b) of the NPPF supports:

"The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the

original building. In the case of proposals for a replacement building, it should be for the same use and not materially larger than the one it replaces;”

- 4.3.4 The existing building as currently extended is not lawful in planning terms as evidenced by 23/01101/FP and the subsequent appeal decision. Although the extensions are of a modest scale, the starting point for this application is an unlawful building which is by virtue inappropriate development within the green belt. Whether there are material considerations that clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other harm will be considered later in the planning balance and following consideration of other relevant matters.

A further consideration is that of NPPF Policy GB7 (g) where development would utilise grey belt land. In this case in terms of the provisions of this policy the development utilises previously developed land, and would meet an unmet need for housing given the Council cannot demonstrate a five-year housing land supply. However, access to the site is via a narrow and unlit country lane with not roadside pavement for pedestrians. Therefore, it is not considered to be a sustainable location under NPPF Policy TR3 and therefore not meet all the criteria of Policy GB7 (g).

Design and heritage

- 4.3.5 The objectives of the National Planning Policy Framework (NPPF) include those seeking to secure the creation of high quality, beautiful and sustainable buildings and places (Chapter 14 – Achieving well-designed places). Policy DP3 of the NPPF states that *“Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings”*. In this regard, Policy D1 and D2 of the North Hertfordshire Local Plan are consistent with the objectives set out within the NPPF.
- 4.3.6 Policy D2 states that planning permission will be granted where: *“the extension is sympathetic to the existing house in height, form, proportions, roof type, window details, materials and the orientation of the main dwelling”*.
- 4.3.7 Under application ref: 20/00184/FP the barn was granted consent to convert into a residential dwelling on the ground floor and an office unit on the first floor, served by an external staircase, gravel driveway and parking. Three rooflights were approved in the rear roofslope along with a first-floor window to the west elevation. This current application seeks the retention of the front and dormer windows, the provision of rear dormers in place of a box dormer and the conversion of the office unit into a separate residential unit. The external staircase, footprint, parking, and gravel driveway remain the same as under application ref: 20/00184/FP.
- 4.3.8 Whilst not listed, the former garage lies within the immediate setting of Chesfield Manor Farm House and its walled gardens, both grade II listed buildings and the ruin of St Etheldreda’s Church which is grade II* listed and is also a scheduled ancient monument. This places the church ruins within the category of highest significance. The impacts of the development on the setting and significance of these designated heritage assets are an important material consideration.

- 4.3.9 The Council's Conservation Officer has commented on the scheme, whilst they consider that the scale and design of the dormer windows would not give rise to any significant harm to the neighbouring heritage assets, they have objected on the basis that there is insufficient justification for the continued use of the first-floor unit as residential accommodation. With regard to the design and scale of the dormer windows, I consider that they would be appropriate in size and siting to the host building and therefore comply with Policies D1 and D2 of the Local Plan
- 4.3.10 That being said, the size of the flat falls below the Nationally Described Space standards for 1 bedroom / 1 person dwelling of 37sqm (with built in storage). Although the floorplans have identified the Gross Internal Area to be 37.14sqm, this calculation includes inaccessible areas and areas below the minimum height threshold. The agent has not provided an amended figure upon querying this. As such, it is considered that the proposal would fall below the minimum space standards and would fail to provide a suitable standard of private amenity space for occupants. The layout is considered to be contrived and would fail to deliver a sufficient quality of accommodation. Contrary to policy D1 and D3 of the Local Plan and Policy P3 of the NPPF.

Neighbour amenity

- 4.3.11 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 NHLP.
- 4.3.12 Due to the contrived nature of the site, the former garage building is within proximity to the neighbouring dwelling of 1 Barn Cottages to the rear of the property. Although the two dormer windows would be a noticeable feature from the front windows of 1 Barn Cottage, I consider that they would be set in sufficiently from the side of the roofslope and the eaves to prevent any significant overbearing impact. The windows are proposed to be obscure glazed to prevent any loss of privacy. The proposal would comply with Policy D3 of the Local Plan and Section 17 of the NPPF.

Parking

- 4.3.13 The site has sufficient parking provision which complies with Local Plan policies and is acceptable.

Environmental Implications

- 4.3.14 The proposed development would be consistent with the criteria set out in Local Plan Policy D1 '*Sustainable Design*'. There are no other significant environmental implications as a result of the proposed development.

Biodiversity Net Gain

- 4.3.15 The proposal is for the extension and conversion of an existing building with limited existing habitat space, as such the proposed development is 'de minimis' and would not exceed the threshold of 25 sqm of on-site habitat, or and/ less than 5 meters of linear habitats. This

application is therefore exempt from BNG legislation defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Benefits of the Development

- 4.3.16 The overarching purpose of the planning system is to contribute to achieving sustainable development, as stated in Paragraph 17 of the NPPF. This is considered against the three objectives of sustainable development, the economic, social and environmental objectives.
- 4.3.17 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. Overall, moderate weight is attributed to these benefits.

4.4 Planning Balance and Conclusion

- 4.4.1 The development is inappropriate development in the Green Belt for the reasons set out previously. There would be some harm to the openness of the Green Belt and harm to future occupiers from the provision of accommodation that falls short of the minimum space standards. There would be modest economic and social benefit from the provision of a single small dwelling tempered by the sub-standard size. Substantial weight must also be attributed to the existing unauthorised development was intentional. The circumstances do not exist where the harm to the Green Belt by reason of inappropriateness and other harms is clearly outweighed by other considerations. The development conflicts with NPPF Policies GB6, GB7 and P3 and Local Plan Policies D1 and D3 Therefore, planning permission should be **REFUSED**.

5.0 Recommendation

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

1. The proposed development constitutes inappropriate development in the Green Belt and causes harm to the openness of the Green Belt. The harm by reason of inappropriateness, is not clearly outweighed by other material planning considerations such as to constitute the very special circumstances necessary to permit inappropriate development in the Green Belt. The proposal is therefore contrary to Policies GB6 and GB7 of the National Planning Policy Framework and Policy SP5 of the North Hertfordshire Local Plan 2011-2031
2. The proposed development would fail to provide sufficient amenity space provision for the prospective future occupiers of the new unit resulting in poor living conditions. As such the development would fail to meet the requirements of Policies D1 and D3 of the Local Plan and Policy P3 of the National Planning Policy Framework.

Proactive Statement:

0. Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted proactively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. 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 September 2026	