

DELEGATED FILE NOTE

CASE OFFICER: ...Andrew Hunter.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00812/FPH	New 5 bar gate to existing access to replace existing gate, new driveway to amended parking area adjacent to the barn. Erection of detached garden store building.	Barn Adjacent Dower House Hitchin Road Preston Hertfordshire SG4 7TZ

Submitted Plan Nos

P1-Planning-2 P2-Planning-3 P3-Planning-2

1.0 Policies

D1	Sustainable design
----	--------------------

D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
HE1	Designated heritage assets
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land
SECN16	Conserve + enhance historic environment
SECN9	Promoting sustainable transport
SP13	Historic environment
SP5	Countryside and Green Belt
SP6	Sustainable transport
SP9	Design and Sustainability
T2	Parking
T1	Assessment of transport matters

Preston Neighbourhood Plan

Policies QL2, QL3, HD9, EH1, EH2, TC1

2.0 Relevant site history

- 2.1 23/00141/LBC - Single storey side extension incorporating lower ground floor accommodation to be implemented alongside conversion and extension scheme under ref: 20/01540/LBC dated 08/01/2021 (As amended by plans received 31/05/2023) – Approved 20/12/23.
- 2.2 22/03113/FP - Addition of two-storey side extension comprising carport and bedroom to dwelling under construction approved under planning permission 20/01539/FP dated 08/01/2021 (as amended by plans received 31/05/2023) – Approved 20/12/23.
- 2.3 20/01540/LBC - Single storey rear extension, associated external and internal alterations to and part-demolition of curtilage listed barn to facilitate its conversion to a single dwelling – Approved 08/01/21.
- 2.4 20/01539/FP - Single storey rear extension, associated external and internal alterations to and part-demolition of curtilage listed barn to facilitate its conversion to a single dwelling – Approved 08/01/21.

3.0 Representations

- 3.1 **Neighbours** – 1 comment was received on the following grounds:
 - ☐ Support the application.
 - ☐ No objection.
- 3.2 **HCC Fire and Rescue** – The new building appears to be for storage purposes only, and therefore should not present a risk to life. Therefore, if crews need to take up time to travel further with extended lengths of hose, there should not be any sleeping persons exposed to smoke or fire from this building. Therefore, I have no further comments to make.
- 3.3 **Highways Officer** – Does not wish to restrict the grant of permission.
- 3.4 **Conservation Officer** – No objections.

4.0 Planning Considerations

4.1 Site and Surroundings

- 4.1.1 The site is land around a barn which is being converted to a dwelling. The barn is curtilage listed in association with Dower House, which is a Grade II listed building to the west. Ground levels slope down from north to south. The west boundary is a low post and rail fence. Other boundaries have similar fences or are more open. The site has access onto a private drive serving Dower House, and to public highway Hitchin Road through the blue-edged part of the site.
- 4.1.2 The character of the locality is rural, apart from Dower House to the west which has been converted into 6 dwellings. A walled garden to the north adjoins part of the site. The site is in the Green Belt, outside the Preston settlement boundary. The western

part of the site is in a Conservation Area. The site is part of Temple Dinsley Registered Park and Garden (Grade II*), a designated heritage asset.

4.2 **Proposal**

- 4.2.1 A new five bar gate to replace an existing gate, the creation of a gravel drive from the gate to a new parking area near the dwelling that is also proposed (the parking area is an amendment of a parking area approved under 22/03113/FP), and a new garden store building with a pitched roof to the south of the dwelling.

4.3 **Key Issues**

- 4.3.1 The key material considerations are whether the development is acceptable in principle, design and heritage, neighbour amenity, and highways and parking.

Principle

- 4.3.2 The site is in the Green Belt. Policy SP5 of the adopted Local Plan states that the Council will only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated. Policy SP5 refers to the National Planning Policy Framework (NPPF) which sets out exceptions to inappropriate development in the Green Belt in paragraphs 154 and 155 (December 2024 version). Para. 154 is:

154. Development in the Green Belt is inappropriate unless one of the following exceptions applies:

a) buildings for agriculture and forestry;

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

i. mineral extraction;

ii. engineering operations;

iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;

iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;

v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

4.3.4 Para. 155 states that housing, commercial and other development should not be regarded as inappropriate development where:

a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

b. There is a demonstrable unmet need for the type of development proposed;

c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework(57); and

d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156 – 157.

4.3.5 The proposed replacement gate would be of a similar height and size as the existing gate, and does not raise any Green Belt concerns. The proposed garden store would be sufficiently close to the main dwelling to be considered as an extension by reason of it being a domestic adjunct, would be of a small size in comparison to the main dwelling, and is not considered inappropriate development in the Green Belt as it would comply with para. 154 c). The parking area would be similar to that approved by 22/03113/FP, and remains acceptable.

4.3.6 As it is considered that the proposed gate and outbuilding would not be inappropriate development under NPPF154, it is not necessary to consider the proposal under NPPF 155.

4.3.7 The proposed driveway would be gravel, raised above the existing ground level, and relatively long. This is considered to be an engineering operation due to the need to raise ground levels, ensure ground stability, and provide a new surface capable of carrying vehicular traffic. Engineers include those who design and build roads, which is essentially what the proposed driveway would be.

4.3.8 For engineering operations to not be inappropriate development in the Green Belt, they should preserve its openness and not conflict with the purposes of including land within it. Openness is not defined in the NPPF, but is typically taken to mean the absence of development.

4.3.9 The location of the drive is presently unused land which has had some minor digging take place to mark the location of the drive, and before that was overgrown grass and weeds. The proposed driveway would be considered to appear as 'development' as it would be an unnaturally raised part of the site with a man-made surface. While the drive would not be of a significant size, it's considered that it would not preserve the openness of the Green Belt as it would be new development.

4.3.10 The proposal should also not conflict with the purposes of including land within Green Belts, with the purposes set out in para. 143:

143. Green Belt serves five purposes:

a) to check the unrestricted sprawl of large built-up areas;

b) to prevent neighbouring towns merging into one another;

c) to assist in safeguarding the countryside from encroachment;

d) to preserve the setting and special character of historic towns; and

e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

4.3.11 Of the 5 purposes, there is only a potential conflict with c), as there would be some encroachment into the countryside. The degree of encroachment would however be small as the drive would be close to the Dower House development and its hard surfaces and fences, the use of gravel would be a more natural surface, and it's considered that it would be viewed overall as being part of the larger Dower House and listed barn conversion development. In these respects it's not considered that the proposal would not conflict with c) of 143.

4.3.12 The proposal is considered to comply with para. 154 of the NPPF, and would not be inappropriate development. The proposal is acceptable in principle, and complies with Policy SP5 of the Local Plan and Section 13 of the NPPF.

Design and heritage

4.3.13 The site is in a Conservation Area, where under the Planning (Listed Buildings and Conservation Areas) Act 1990, S72 (1) requires that in the exercise of planning powers in conservation areas "*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*".

4.3.14 The site is also near listed building Dower House, and the barn undergoing conversion to a dwelling is curtilage listed in association with Dower House. Under the Planning (Listed Buildings and Conservation Areas) Act 1990, S66(1) requires that when considering whether to grant planning permission for development which affects a listed building or its setting, special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses. Furthermore, the site is part of Temple Dinsley Registered Park and Garden (Grade II*), a designated heritage asset.

4.3.15 In respect of the proposed works, the proposed parking area would be similar to that approved under 22/03113/FP and does not result in heritage concerns. The proposed replacement gate would be similar in size, height and design to the existing, and does

not result in heritage concerns. These aspects of the proposal are also considered acceptable in respect of the character and appearance of the site and locality.

- 4.3.16 The proposed garden store would be small in relation to the main dwelling, and is considered to be appropriately sited. The design and size of the store are considered to be acceptable. Details or samples of the external materials will be required by condition. The store is not considered harmful to the designated heritage assets nearby. The store will have limited impacts on the wider locality and is acceptable.
- 4.3.17 The proposed new gravel driveway would be the largest and most visible part of the proposed development. The driveway would be viewed in the context of the main dwelling and its connection to its parking area, and would not appear out of character in this respect. The driveway would be lower than ground levels to the west, and is not considered that it would appear prominent. In addition the driveway would be obscured by proposed planting.
- 4.3.18 The driveway would overall be considered to have similar impacts to the nearby private drive and parking areas serving the Dower House conversion, and is not considered harmful to the settings and significance of relevant designated heritage assets. The Council's Conservation Officer has not objected which is given significant weight. The proposed works are considered of an acceptable design. The character and appearance of the conservation area and the setting of the listed Dower House would be unharmed, and therefore preserved. The proposal complies with Policies D1 and HE1 of the adopted Local Plan; and Sections 12 and 16 of the NPPF.

Neighbour amenity

- 4.3.19 The replacement gate and new parking area will be small and will not harm amenity. The new driveway will predominantly be lower than ground levels of the dwellings to the west, and will not cause harm.
- 4.3.20 The garden store will be small and substantially obscured from the closest dwellings to the west by a car port building and the host dwelling, and will not appear overbearing or cause loss of light. The outbuilding will be used for incidental domestic storage which will not cause harm. The proposal is not considered harmful to amenity. The proposal complies with Policy D3 of the adopted Local Plan and Section 12 of the NPPF.

Parking and highways

- 4.3.21 The main dwelling will have at least two parking spaces, which complies with minimum standards and is acceptable. The proposal will not affect the public highway, the access and gate onto the Dower House private driveway is acceptable, and there are no objections from the highways officer. The proposal complies with Policies T1 and T2 of the Local Plan, and Section 9 of the NPPF.

Conclusion

- 4.4.1 In the absence of material planning reasons to the contrary it is my view that planning permission is **GRANTED**.

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. Prior to commencement of the construction of the approved garden store building, details or samples of the external materials to be used in its construction shall be submitted to the LPA. The building shall be completed in accordance with the approved details, unless otherwise agreed in writing by the LPA.

Reason: In the interests of character and appearance. To comply with Policies D1 and D2 of the Local Plan.

4. The approved store building shall only be used for purposes ancillary to host dwelling 'Barn Adjacent Dower House', Hitchin Road, Preston (as shown on the submitted Location Plan).

Reason: In the interests of amenity. To comply with Policy D3 of the Local Plan.

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 May 2025	