

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02755/FP	Change of use of two barns from agricultural to B8 Storage.	Wellbury Farm Clothall Road Clothall Baldock Hertfordshire SG7 6RD

Submitted Plan Nos

2025/01 2025/02 2025/03 2025/04

1.0 **Relevant Planning Policy**

1.1 North Hertfordshire Local Plan 2011 – 2031

Policy SP1: Sustainable development in North Hertfordshire
Policy SP2: Settlement Hierarchy and Spatial Distribution
Policy SP3: Employment
Policy SP5: Countryside and Green Belt
Policy SP6: Sustainable Transport
Policy SP9: Design and Sustainability
Policy SP12: Green Infrastructure, landscape and biodiversity
Policy ETC2: Employment development outside of Employment Areas and Employment Allocations BA10 and RY9
Policy T1: Assessment of transport matters
Policy T2: Parking
Policy D1: Sustainable Design
Policy D3: Protecting Living conditions
Policy D4: Air quality
Policy NE2: Landscape
Policy NE4: Biodiversity and geological sites
Policy NE8: Sustainable drainage systems
Policy HE1: Designated heritage assets
Policy HE4: Archaeology

1.3 National Planning Policy Framework (2024)

Section 2: Achieving sustainable development
Section 6: Building a strong competitive economy
Section 9: Promoting sustainable transport
Section 11: Making effective use of land
Section 12: Achieving well-designed and beautiful places
Section 13: Protecting Green Belt land
Section 14: Meeting the challenge of climate change
Section 16: Conserving and enhancing the natural environment

1.4 Supplementary Planning Guidance and Documents

- ☐ Design SPD 2011
- ☐ Vehicle Parking at New Developments 2011
- ☐ Sustainability SPD (2024)

2.0 **Site History**

2.1 24/00776/AG Erection of agricultural storage barn. PANR

3.0 **Representations**

3.1 **Site Notice and Neighbour consultation**

3.3 **Hertfordshire 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: There is currently insufficient information provided within this application for the Highway Authority to make an informed recommendation. In the absence of the required details, the Highway Authority must recommend refusal due to concerns regarding potential implications for highway safety and convenience.

The following information is required:

- The proposal involves using part of the existing barns for B8 Storage. This use typically accommodates heavy goods vehicles (HGVs) up to approximately 18–19 metres in length, 2.5 metres in width, and weighing between 18 and 44 tonnes.
- A swept path analysis is needed to demonstrate that vehicles, particularly HGVs, can safely turn and exit the site in a forward gear.
- The existing width of the footpath must be confirmed, showing how HGVs can pass pedestrians, cyclists, and other users.
- Details of the footpath and bridleway surface construction are required to confirm it can withstand HGV loading.
- Projected trip rates for periods when B8 storage is operational must be provided.
- Confirmation of land ownership where the footpath and bridleway run is necessary.
- Visibility splays for the access onto Clothall Road must be demonstrated.

Until this information is supplied and assessed, the Highway Authority cannot support the application. Submission of the above details will enable a full review and consideration of the proposal.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is part of Wellbury Farm off Clothall Road in Baldock.

4.2 **Proposal**

4.2.1 Change of use of two barns from agricultural to B8 Storage.

4.3 **Key Issues**

4.3.1 The key issues are as follows:

- ☐ Principle of development
- ☐ Impact on character and appearance of the area
- ☐ Highway issues

Principle of development

- 4.3.3 Policy SP5 of the Local Plan states at paragraph c) that the LPA :

'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; '

- 4.3.4 Paragraph 153 of the NPPF states:

'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness.. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'

- 4.3.5 Paragraph 154 of the NPPF states that development in the Green Belt is inappropriate and then sets out several exceptions. The exceptions that may be relevant to consider with this application are as follows:

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

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

- 4.3.6 The NPPF published in December 2024 introduces a new designation of development – 'Grey Belt'. Annex 2 (Glossary) of the NPPF defines 'Grey Belt' as follows:

'For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.'

- 4.3.7 However, the authorised and last use of the land is for agricultural purposes land and the Annex in the NPPF specifically excludes 'land that is or was last occupied by agricultural or forestry buildings' as being considered previously developed land and therefore the site cannot be considered 'Grey Belt' land. Even if the site were considered to be Grey Belt it would not meet the criteria in paragraph 155 of the NPPF to be regarded as appropriate development in the Green Belt because there is no demonstrable unmet need for this type of industrial development in the district and the site is in an unsustainable location.

- 4.3.8 The development, by reason of its proposed use and associated operations is considered to be inappropriate development in the Green Belt and by definition harmful to the Green Belt and in accordance with paragraph 153 of the NPPF should not be

approved except in very special circumstances. The applicant has not acknowledged any harm to the Green Belt and has not advanced any very special circumstances. For there to be very special circumstances the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal must be clearly outweighed by other considerations.

- 4.3.9 Therefore, in addition to the harm caused by inappropriateness consideration must be given to any other harm arising from the development. Paragraph 142 of the Framework explains that *'The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.'* In assessing the impact of the development on the openness of the Green Belt the planning judgement must have regard to both the spatial impact of the development (i.e. the quantitative impact of new development) and a visual impact (the effect upon people's perception of openness from beyond the boundary of the application site).
- 4.3.10 In this case, an expansion of the track way to overcome highway refusals which would directly affect the openness of the site and therefore harm the openness of the Green Belt. In terms of the visual impact the buildings on site can be seen from Clothall Road. Any widening of the access road, boundary fencing or entrance gates would also be visible from the road. It is contended that the perception of openness of the Green Belt as a result of the proposed change of use and access works would be significantly affected as a result of this visual impact.
- 4.3.11 Paragraph 143 of the Framework sets out the five purposes of the Green Belt. The development fails to comply with sub-section c) which seeks to safeguard the countryside from encroachment.
- 4.3.12 The Council published its Green Belt Review Update in 2016. In that document the application site falls within strategic land parcel 19C Land south of A505 Baldock bypass between Hatch Lane and Clothall Road and Fore Street. The outcome of the review was that land parcel No. 19c made a moderate contribution towards safeguarding the countryside from encroachment and a moderate contribution overall to Green Belt purposes. The document was endorsed by the Local Plan Inspector when concluding the Local Plan Examination in Public which subsequently led to the adoption of the North Herts Local Plan 2011 – 2031. The Review confirms the important contribution that the application site and its immediate surroundings make to the fundamental aim of Green Belt policy which is to maintain openness.
- 4.3.13 In conclusion on the Green Belt issue it is considered that the development results in inappropriate development that by definition is harmful to the Green Belt. Furthermore, the development results in other harm including spatial and visual harm as well as encroachment into the Green Belt.
- 4.3.14 SP3 ('Employment') of the Local Plan states that the Council will *'Support offices, research and development, light industrial and B-class uses in appropriate locations outside of designated employment areas, including offices in main town centres and concentrations of these employment uses in certain villages;'*
- 4.3.15 The site is not in an appropriate location for employment development given the locational approach set out in SP3, the harm to the Green Belt and the generally

unsustainable location for the scale of development that has taken place at the site. The development is therefore also contrary to the provisions of Policy SP3 of the LP

- 4.3.16 In summary, the proposal is inappropriate development within the Green Belt and there is harm to the openness of the Green Belt and conflict with a purpose of the Green Belt. It is necessary to consider whether there are any other harms and benefits that would arise before setting out the concluding planning balance on this proposal.

Impact on the character and appearance of the area

- 4.3.17 Policy SP9 states that the Council will support new development where it is well designed and located and responds positively to its local context. Policy D1 also states that permission will be granted for development which responds positively to the site's local context. Policy NE2 ('Landscape') is particularly relevant to this application as it states:

Planning permission will be granted for development proposals that:

- a) Respect the sensitivities of the relevant landscape character area and have regard to the guidelines identified for built development and landscape management;
- b) Do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking account of any suitable mitigation measures necessary to achieve this;
- c) Are designed and located to ensure the health and future retention of important landscape features; and
- d) Have considered the long-term management and maintenance of any existing and proposed landscaping.

- 4.3.18 It is considered that the proposed change of use would have an adverse impact on the tranquillity and natural beauty of the countryside through the impacts set out above resulting in harm to the character and appearance of the area in general. The development is in conflict with Policies SP9, D1 and NE2 of the Local Plan as well as being contrary to Section 12 of the Framework, in particular paragraph 135 which states that planning decisions should, inter alia, ensure that developments are sympathetic to local character including the surrounding built environment and landscape setting.

Highway issues

- 4.3.19 Policy T1 of the Local Plan states that permission will be granted provided :
'Development would not lead to highway safety problems or cause unacceptable impacts on the highway network'

The Policy further states:

- d) For major developments, applicants demonstrate (as far as is practicable) how: i. the proposed scheme would be served by public transport; ii. safe, direct and convenient routes for pedestrians and cyclists will be provided; and iii. comprehensive integration into the existing pedestrian and cycle, public transport and road networks will be secured.

- 4.3.20 From the comments of the Highway Authority (HA) there is currently insufficient information provided within this application for the Highway Authority to make an

informed recommendation. In the absence of the required details, the Highway Authority must recommend refusal due to concerns regarding potential implications for highway safety and convenience.

The following information did not form part of the application:

- The proposal involves using part of the existing barns for B8 Storage. This use typically accommodates heavy goods vehicles (HGVs) up to approximately 18–19 metres in length, 2.5 metres in width, and weighing between 18 and 44 tonnes.
- A swept path analysis is needed to demonstrate that vehicles, particularly HGVs, can safely turn and exit the site in a forward gear.
- The existing width of the footpath must be confirmed, showing how HGVs can pass pedestrians, cyclists, and other users.
- Details of the footpath and bridleway surface construction are required to confirm it can withstand HGV loading.
- Projected trip rates for periods when B8 storage is operational must be provided.
- Confirmation of land ownership where the footpath and bridleway run is necessary.
- Visibility splays for the access onto Clothall Road must be demonstrated.

Until this information is supplied and assessed, the Highway Authority cannot support the application.

- 4.3.21 In terms of parking, no provision has been made for any lorry parking or visitors and no dedicated cycle storage area are shown on the submitted information.
- 4.3.22 Hertfordshire County Council's Local Transport Plan (LTP4 2018) sets out in its policies a hierarchical approach to transport planning to encourage greater and safer use of sustainable transport modes (Policy 1) and to influence where new development is located so that it can be served by public transport or where key services can be accessed by walking and cycling (Policy 2). Policy 5 of the LTP4 seeks to resist development *'that would either severely affect the rural or residential character of a road or other right of way, or which would severely affect safety on rural roads, local roads and rights of way especially for vulnerable road users'*
- 4.3.23 Hertfordshire County Council's 'Place and Movement Planning Design Guide' (adopted 2024) sets out the framework of policy, advice and standards aimed at supporting national policies and guidelines aimed at delivering sustainable development and in support of the Local Transport Plan (LTP4). The poor highway access to the site and the conflict between associated HGV traffic and other road users together with its unsustainable location means that the development is not in accordance with Design Guide.

Climate change

- 4.3.24 The application is not accompanied by a sustainability assessment to address the impact of the development on local climate change. The application is not supported by any further information as to how the development will be future proofed against the challenge of climate change as required by the Framework and the Council's Sustainability SPD adopted in 2024. If permission is granted a condition requiring the submission of a site-wide sustainability strategy would be required, such strategy addressing such matters as renewable energy, reducing carbon emissions and water conservation.

The Planning Balance and conclusion

- 4.3.25 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.
- 4.3.26 The development might bring forward economic benefits in the provision of employment. However, no information has been provided on the application form. The previous use would have involved some employment but the increase in employment is unknown. Little weight can therefore be attributed to this benefit.
- 4.3.27 The development is considered inappropriate development in the Green Belt. No very special circumstances have been advanced in support of the application and none are apparent in this case. Paragraph 142 of the NPPF says that the Government attaches great importance to Green Belts. The harm to the Green Belt must therefore carry significant weight.
- 4.3.28 The development causes harm to the character and appearance of the area and the use is detrimental to highway safety. The development is also in an unsustainable location and fails to achieve the environmental objective of sustainable development as required by the Framework. Collectively these environmental harms carry significant weight. In terms of Green Belt policy it is concluded that the benefits that would arise from the development do not constitute very special circumstances that clearly outweighs the harm to the Green Belt by reason of inappropriateness and any other harm.
- 4.3.29 In terms of a summary of applying weight to the positive and negative aspects of the application, it is considered that the adverse impacts of the development significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole and accordingly planning permission should be refused.

5.0 Recommendation

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

1. The application site is within an area designated in the North Hertfordshire Local Plan as Green Belt, within which there is a presumption against inappropriate development, unless very special circumstances can be demonstrated. In the view of the Local Planning Authority, the development does not comply with the exemption criteria set out under paragraphs 154 and 155 of the NPPF. Furthermore, the development would result in, together with any additional access development to overcome highways objections, a materially greater impact on openness and would conflict with one of the five purposes of the Green Belt. As such, in the opinion of the Local Planning Authority, the harm to the Green Belt by reason of inappropriateness, as well as to openness and the purposes of the Green Belt, is not clearly outweighed by other material considerations and as a result, very special circumstances have not been demonstrated. As such, the development does not accord with the provisions of Policy SP5 of the North Hertfordshire Local Plan 2011 - 2031 or with the provisions of Section

13 of the NPPF

2. The development, by reason of the general intensification and industrial use of the site together with any heavy goods vehicular movement, parking, engineering work to existing trackway to overcome highways refusal, and general paraphernalia, results in an adverse visual impact and consequent harmful effect on the character and appearance of the area. The use is therefore contrary to the provisions of Policies SP9, D1 and NE2 of the North Herts Local Plan 2011 - 2031 and Section 12 and 13 of the National Planning Policy Framework.
3. Under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reason: There is currently insufficient information provided within this application for the Highway Authority to make an informed recommendation. In the absence of the required details, the Highway Authority must recommend refusal due to concerns regarding potential implications for highway safety and convenience.

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 Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 7 January 2026	