

DELEGATED FILE NOTE

CASE OFFICER: ...Tabitha Kaye.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00356/FP	Retention of unauthorised barn and change of use to residential annexe (Amended scheme received 25.04.26).	The Pump House Royston Road Barkway Royston Hertfordshire SG8 8BX

Submitted Plan Nos

18-25-1 18-25-5 Location and Site Plan

1.0 Policies

SECN12	Achieving well-designed places
SECN14	Meeting climate change,coastal,flooding
SP9	Design and Sustainability
SP13	Historic environment
SECN16	Conserve + enhance historic environment
CGB1	Rural Areas beyond the Green Belt.
HS6	Relatives and dependents accommodation
D1	Sustainable design
D3	Protecting living conditions
T2	Parking

2.0 **Site History**

- 2.1 **23/00162/FPH:** Erection of detached timber barn for use as machinery store and workshop (as amended by plan 35-22-1B received 21st February 2023). **Conditional Permission.**
- 2.2 **22/03138/LDCP:** Erection of detached barn for use as machinery store and workshop. **Withdrawn.**
- 2.3 **16/00445/1HH:** Single storey rear extension (as amended by plans received on 7 April 2016). **Conditional Permission.**
- 2.4 **13/01709/1DOC:** Discharge of Condition 3 - Details and/or samples of materials for Planning application 13/00099/1HH granted 10/04/13. **Approval of Details.**
- 2.5 **13/00099/1HH:** Two storey and first floor extension to existing dwelling, linked single storey extensions and restoration of three Victorian glass houses (as amended by plans received 7.3.13). **Conditional Permission.**
- 2.6 **11/02423/1:** Conversion of Victorian Glasshouses to form one two bed dwelling. **Withdrawn.**

3.0 **Representations**

- 3.1 **Site Notice and Neighbour Consultation** – No comments received.
- 3.2 **Barkway Parish Council** – No objection.
- 3.3 **HCC Highways** – No objection.
- 3.4 **Environmental Health (Air Quality)** – No comments received.
- 3.5 **Environmental Health (Contamination)** – No objection (subject to land contamination condition).
- 3.6 **Environmental Health (Noise And Other Nuisances)** – No comments received.
- 3.7 **Waste & Recycling** – No comments received.

4.0 **Planning Considerations**

- 4.1 **Site and Surroundings**

- 4.1.1 The application site accommodates a detached two-storey dwelling situated on a large plot. The site is accessed via Royston Road and is largely set back from the highway by a long driveway. The site benefits from a walled garden and an outbuilding, which was constructed partially in accordance with the scheme permitted under 23/00162/FPH.
- 4.1.2 The site is located outside of the Barkway settlement boundary and is designated as a 'Rural Area beyond the Green Belt'. The site is within the Barkway Conservation Area.

4.2 **Proposal**

- 4.2.1 Retention of unauthorised barn and change of use to residential annexe (Amended scheme received 25.04.26).

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are as follows:

- Principle of development;
- Design and impact on local character;
- Impact on the historic environment;
- Impact on neighbour amenity;
- Highways and parking matters;
- Impact on the environment;
- Biodiversity Net Gain (BNG).

Principle of Development

- 4.3.2 Foremost, the application is for the retention of an unauthorised barn. As discussed at length under 'Design and Impact on Local Character', the outbuilding, which was initially intended to be used as machine storage for the Pump House, was not constructed in accordance with the plans approved under 23/00162/FPH. Section 73A (2)(C) of the Town and Country Planning Act 1990 enables the regularisation of development which has been carried out without complying with a certain condition; in this instance, Condition 2 (approved plans) of 23/00162/FPH. As the retention of the building would be to facilitate an annexe, which is deemed to be an acceptable use (as discussed below in

relation to Policy HS6), and is of an appropriate design despite the previous irregularities, the retention of the outbuilding is considered to be acceptable.

- 4.3.3 Policy CGB1 of the North Herts Local Plan 2011-2031 (NHLP) states that development within the 'Rural Area beyond the Green Belt' (RABGB) will be supported where it relates to an 'existing rural building'. The regularisation of the outbuilding, and its conversion to an annexe, would relate to the Pump House, and existing rural building. Therefore, the proposal accords with Policy CGB1.
- 4.3.4 Furthermore, it must be considered whether the proposed as a residential annexe would be acceptable. Policy HS6 of the NHLP deems that proposed relatives' accommodation is acceptable, providing that it meets the following criteria:

a) a genuine need for the accommodation is demonstrated;

b) the annex is subordinate to the main dwelling and designed in such a way that it can be easily (re-)incorporated into the main house if use as an annex ceases;

c) any development would not exceed the size of extensions that would otherwise normally be acceptable; and

d) the occupation of the accommodation is restricted by condition.

- 4.3.5 The annexe would be for a family member and therefore accords with (a). The size and design of the outbuilding, combined with the proposed internal arrangements, would be appropriately subordinate to the Pump House in accordance with (b) and (c). The use of the annexe will be conditioned. The proposal therefore complies with Policy HS6.

Design and Impact on Local Character and Historic Environment

- 4.3.6 Policy D1 of the NHLP require that development proposals respond positively to the site's local context. Policy D1 is broadly consistent with paragraph 135 of the NPPF. Policy HE1 emphasises how permission will be refused where proposals would cause substantial harm or a loss of significance to a Heritage Asset - in this case, the Barkway Conservation Area - and permission should be refused unless it can be demonstrated that the proposal is necessary to deliver considerable public benefits to outweigh this harm or loss. Policy SP13 emphasises how great weight will be given to the potential harms to the significance of heritage assets, seeking their conservation and management of their setting. These policies comply with the LPA's statutory duty under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and are broadly commensurate with Section 16 of the NPPF.
- 4.3.7 The present outbuilding was not constructed in accordance with the plans approved under 23/00162/FPH, insofar as the inclusion of roof lights to the rear roof slope, additional windows to the east and west elevations, and the vertical windows/double

doors to the front gable. Otherwise, the structure has been built to the dimensions and materials approved under 23/00162/FPH. To facilitate the conversion to annexe, the application proposes to install further windows to the front elevation. Overall, the design is considered to be acceptable for a rural annexe.

- 4.3.8 Due to the distance of the outbuilding from Royston Road and its subsequent screening from public viewpoints, as well as the appropriate scale/design of the outbuilding, it is considered that the proposal would not have an adverse impact upon the character of the Barkway Conservation Area.
- 4.3.9 The proposal therefore accords with Policy D1 of the NHLP as well as paragraph 135 of Section 12 of the National Planning Policy Framework. Regarding the impact upon the historic environment, the proposal accords with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies SP13 and HE1 of the Local Plan, and Section 16 of the NPPF.

Impact on Neighbours

- 4.3.10 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and encourages the use of mitigation measures where necessary. Policy D3 is generally reflected by the provisions of the NPPF.
- 4.3.11 The site does not benefit from any immediate neighbours and is of an appropriate scale and siting for its use as a residential annexe. Therefore, the proposal would not have an unacceptable impact on existing residential amenity and accords with Policy D3 of the NHLP and Section 12 of the NPPF.

Highways and Parking

- 4.3.12 There is adequate parking provision on site to serve both the main dwelling and the annexe, meaning that the proposal accords with Policy T2 of the NHLP.

Environmental Implications

- 4.3.13 Policy D1 of the NHLP outlines the Council's commitment to supporting climate change mitigation through the requirement for schemes to incorporate the principles of 'sustainable design'; with which the proposal is commensurate with. Policy D1 is broadly

consistent with the aims of Section 14 of the NPPF. There are no other environmental implications as a result of the proposed development.

Biodiversity Net Gain (BNG)

- 4.3.14 This is a form of development which is exempt from BNG Legislation, defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 due it falling under the scope of the 'de minimis' exemption.

4.4 **Conclusion**

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

4.5 **Alternative Options**

- 4.5.1 None.

4.6 **Pre-Commencement Conditions**

- 4.6.1 None.

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. The residential annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwellinghouse known as the Pump House.

Reason: To avoid the creation of a new dwelling contrary to the planning policies applicable to the area and to avoid the occupation of two separate dwellings by persons unconnected with each other as this would result in an unsatisfactory relationship and inadequate standard of amenity for both properties and to comply with Policy HS6 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. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. 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  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 20 May 2026	