

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/01460/FP	Replacement of existing dilapidated barn to provide one self-contained dwelling including basement, parking and landscaping.	Marshfield Barn New Inn Road Hinxworth Hertfordshire SG7 5HB

Submitted Plan Nos

3852 01A 3852 02 3852 02 3852 42 3852 43 3852 44E 3852 45B -

1.0 Policies

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
SP1	Sustainable development in North Herts
SP9	Design and Sustainability
T2	Parking
SP2	Settlement Hierarchy and Spatial Distrib
CGB1	Rural Areas beyond the Green Belt.
CGB4	Exist buildings in the RA Beyond GB
SECN12	Achieving well-designed places
SECN8	Promoting healthy and safe communities
HE1	Designated heritage assets

2.0 **Site History**

- 2.1 **22/00547/PNQ** - Conversion of existing agricultural barn to provide one 2-bed dwelling.

Prior Approval Granted

- 2.2 **23/02947/FP** - Single storey front and rear extensions to existing redundant barn to facilitate conversion into one 4-bed dwelling and landscaping (as amended by plans received 2nd February 2024).

Refused / Appeal dismissed.

- 2.4 **24/02446/FP** - Single storey rear extension, replace existing barn roof and insertion of fenestration to facilitate conversion of barn into one 4-bed dwelling including associated parking and landscaping.

Conditional Permission

3.0 **Representations**

- 3.1 **Site Notice and Neighbour Consultation** – two representation received objecting to the scheme on the following grounds (summary):

- ☐ The rearranged layout still constitutes a major extension which does not overcome the previous reason for refusal or the appeal decision.
- ☐ Conflict with Policy SP2, CGB1 and CGB4.
- ☐ A four bedroom dwelling with a basement would generate more wastewater than a septic tank and natural drainage could support due to a high water table. Which could result in harm to neighbour's drainage systems.
- ☐ Alterations to farm track / bridle path and erection of fencing would harm openness of the landscape.
- ☐ Four bedroom dwelling would put strains on mains water supply which is already low pressure.
- ☐ Impact from construction equipment on the existing road and traffic.
- ☐ Harm to the openness and character of the area.
- ☐ Front projection would be at odds with the linear nature of the barn.

- 3.2 **Environmental Health** - No objection subject to conditions and informatives.

- 3.3 **HCC Highways** – No objection.

- 3.4 **Waste and Recycling** – None received.

- 3.5 **Hinxworth Parish Council** – Objection.

The Parish Councillors unanimously voted to object to the plan as it differs completely to the plan that was approved after appeal in both overall height, front aspect (planners main concern) and right-side profile (view from front), The addition of the basement area is not a concern to us, but water displacement as a result of this needs to be checked.

3.6 **North Herts Ecology** – No objection subject to condition.

3.7 **HCC Archaeology** – No objection subject to condition.

3.8 **Procedural Note**

The Parish Council has raised an objection as a statutory consultee. In accordance with

Paragraph 8.4.5 of the Council Constitution the ward councillors were written to on 7th July 2025 advising that the case officer was likely to have a contrary view to that of the Parish Council and therefore the letter sought whether the Ward Councillors were supportive of the Parish Council position. The Ward Councillor confirmed that they did not wish to support the Parish Council with a 'Call in' to Planning Control Committee. Accordingly, this application may be considered under powers delegated to the Development Control and Conservation Manager.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is situated to the east side of New Inn Road, Hinxworth. The site features a single barn located on the edge of a small hamlet, which comprises a group of farm buildings and converted dwellings. The barn has a lean-to roof, finished with corrugated metal sheeting. The barn is located close to a small cluster of buildings in a relatively isolated open countryside location. The orientation of the barn is such that it projects away from the nearby group of buildings, and into its host field which has an open character. The orientation of the barn, along with mature intervening vegetation means that it appears detached from the nearby cluster of buildings. As such the barn itself appears as an isolated building within an otherwise open and rural landscape. A public right of way passes close to the barn, from which the building is clearly prominent.

4.2 **Proposal**

4.2.1 Planning permission is sought for a single storey rear extension, single storey front porch extension, insertion of basement, replace and raising of the existing barn roof and insertion of fenestration to facilitate conversion of barn into one 4-bed dwelling including associated parking and landscaping.

- 4.2.2 Prior approval was granted under application ref: 22/00547/PNQ to convert the existing barn into a 2-bedroom dwelling. Subsequent planning approval was granted under 24/02446/FP for a four bedroom dwelling. This proposal differs from the previous approvals by inserting a basement, front porch, raising the roof of the barn and altering the fenestration.

4.3 **Key Issues**

- 4.3.1 The key considerations are:

- ☐ The Principle of Development
- ☐ Rural Area beyond the Green Belt
- ☐ Design/Impact on the Character of the Area
- ☐ Impact on the Amenities of Neighbouring Properties/Future Occupiers
- ☐ Highways and Parking
- ☐ Heritage Assets
- ☐ Landscaping

The Principle of Development

- 4.3.2 Policy SP2 of the Local Plan states that the majority of the district's housing development will be located within the settlement boundaries of the major towns. It goes on to categorise the remaining villages into A, B and C based on their size and availability of services, with Hinxworth categorised as a Category B village. Policy SP2 goes on to state that infilling development which does not extend the built core of the village will be allowed in the Category B villages.
- 4.3.3 The site is located close to a cluster of existing buildings off New Inn Road, which is a fairly isolated location away from the main built areas of built form in Hinxworth. In the context of Policy SP2, it is considered that this proposal would not constitute infill development, as there are open fields on 3 sides of the existing barn. Therefore, the proposal could be said to be unacceptable in principle given the clear conflict with Policy SP2 of the Local Plan.
- 4.3.4 However, the site has been the subject of an approved Prior Approval Class Q under application ref: 22/00547/PNQ, which has permitted the conversion of the barn into a 2-bedroom dwelling. This is a weighty material consideration insofar as under a Class Q, the principle of residential development can be formalised as a material fall back position for residential development in places where the Council would normally maintain an objection. In this case, it is considered that the Council would not normally be supportive of new residential development in this location, given its isolation away from the main services in Hinxworth. That said, the existence of the approved Class Q acknowledges that barns will be located in fairly remote locations.
- 4.3.5 In addition to this, the previous application under ref: 24/02446/FP establishes the principle for development. Therefore, whilst the proposal can be considered contrary to Policy SP2 of the Local Plan, the approved Class Q Prior Approval and planning history is a weighty material consideration in favour of the principle of development. On balance, it is considered that the proposed development is acceptable in principle, notwithstanding this policy conflict.

Rural Area beyond the Green Belt

- 4.3.6 The site is located within the Rural Area beyond the Green Belt. Policy CBG4 of the Local Plan considers existing buildings in the Rural Area beyond the Green Belt, stating:

“Planning permission for the re-use, replacement, or extension of buildings in the Rural Area beyond the Green Belt will be granted provided that:

b) Any existing building to be converted for re-use does not require major extension or reconstruction;

c) The resultant building(s) do not have a materially greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt than the original building(s); and

d) Any outbuilding(s) are sited as close as possible to the main building(s) and visually subordinate to them”.

- 4.3.7 Given that planning permission has been granted under ref: 24/02446/FP for the rear extension, and it is considered that they would not harm the openness of the site. This proposal therefore poses the question whether the addition of a front extension, basement and raised roof height would comply with Policy CGB4.

- 4.3.8 This proposal is for the re-use and extension of the existing barn building into a 4-bedroom dwelling, which makes this policy relevant. The existing barn building measures approx. 29.5m wide and 5.1m deep, with a lean-to roof measuring approx. 2.5m on the principal elevation and 3.9m on the rear elevation. The external footprint of this building is approx. 150.4 sqm. The proposed extensions to this building would add a further 110sqm at ground floor level and 90sqm at basement level. This would equate to an external increase of roughly 72% above ground and 60% below ground level. Given that the basement would not affect the visual character of the dwelling and the surrounding area, it is my view that CGB4 should be compared against the external footprint increase of the extensions above ground level. Under the refused application that was dismissed at appeal, the proposed footprint increase was approximately 75%. Therefore, in respect of Policy CGB4, the development would constitute a major extension to the existing building and therefore would not comply with part B of the policy. Under the Part Q application under ref: 22/00547/PNQ, the applicant demonstrated that the conversion of the building could be undertaken without the need for any extension. In my view, I do not consider that this fallback position gives any significant weight to the proposed extensions of this scale.

- 4.3.8 Under the previous application (23/02947/FP), the scheme was found to be non-compliant with part C of Policy CGB4 which states that *“The resultant building(s) do not have a materially greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt than the original building(s)”*. Whilst this was supported in the appeal, the inspectorate focused on the front extension as the primary offensive addition giving reference

to the rear extension on in cumulation. In their decision they stated that *“the front extension would erode the open landscape setting in which the building is set. Therefore, I find that the development would have a materially greater impact on the openness of the rural area.”*

- 4.3.9 When compared against the refused scheme (23/02947/FP) there is a significant difference between the size of the front extensions, the current scheme has significantly reduced the scale to create a more subordinate feature which has a minor projection beyond the front elevation of the barn. In my view, the proposed front gable is a minor addition to the barn which would not harm the character and appearance of the barn or the openness of the host field by virtue of its scale, sympathetic eaves, ridge, pitch and materials.
- 4.3.10 The proposal seeks to raise the roof ridge from 4m to 4.3m whilst retaining the eaves. Given that the building would retain its single storey form. I consider that this increase in height would have a minimal, if noticeable, impact on the visual appearance of the building which would not be harmful in my view. Therefore, I do not consider the non-compliance with part C of Policy CGB4 to be a strong reason for refusal.
- 4.3.11 As such, by virtue of the proposed development’s scale and size compared to the existing building, the scheme fails to comply with parts b) and c) of Policy CGB4 of the Local Plan.

Design/Impact on the Character of the Area

- 4.3.12 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site’s local context in addition to other criteria. Policy SP9 of the Local Plan further considers that new development will be supported where it is well designed and located and responds positively to its local context. These considerations are echoed in Section 12 of the NPPF.
- 4.3.13 The proposed development, in terms of its external appearance, is considered to respond positively to the site’s local context. The proposal would utilise appropriate external materials with a facing brick plinth and stained black hit and miss timber walls and slate tile roof. The use of large amounts of glazing is considered contemporary. In terms of materials, the proposed extensions and alterations to the building are sympathetic to the existing barn. However, notwithstanding my views on materials, the proposal is still considered in conflict with Policy CGB4 of the Local Plan, due to its scale and pursuant impact on openness.

Impact on the Amenities of Neighbouring Properties/Future Occupiers

- 4.3.14 Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions.
- 4.3.15 In terms of neighbour amenity, the building would be in an isolated location in the corner of a wider agricultural field. The closest neighbour to the site would be Hinxworth Place, which is immediately to the west on the opposite side of the bridle path. In my view, the location of this building is sufficient distance from this neighbour to not have any adverse impacts on it, with

respect to over-dominance, loss of privacy through overlooking, and loss of daylight/sunlight, even with the proposed extensions, boundary treatments and landscaping.

4.3.16 In terms of the amenity of future occupiers, the dwelling would exceed the nationally prescribed minimum space standards for a 4-bedroom/8-person dwelling, would benefit from a sizable private amenity space, and all rooms would have adequate levels of nature light. Therefore, the scheme would ensure a suitable standard of amenity for future occupiers.

4.3.17 As such, the proposal would comply with Policies D1 and D3 of the Local Plan.

Highways and Parking

4.3.18 The site would be accessed via the existing road that serves the dwellings nearby and the bridle path in the western corner of the field. The scheme looks to utilise the bridle path before siting a parking area in front of the building for at least 4 vehicles. The application form also states that no right of way would be diverted or extinguished, contrary to the concerns raised by interested parties.

4.3.19 The Highway Authority have formally commented on this application, stating no objection subject to informatives concerning the storage of materials and ensuring the highway and public right of ways are unobstructed at all times. It is not considered that increasing the number of bedrooms from 2 to 4 will have a material impact on traffic in this area. There were no objections raised on highway grounds during the previously approved applications under ref 24/02446/FP and 22/00547/PNQ.

4.3.20 The provision of 4 parking spaces would exceed that required under Policy T2 of the Local Plan, which is acceptable in my view.

Heritage Assets

4.3.21 The immediate neighbour to the site, Hinxworth Place, is a Grade II listed building. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 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.

4.3.22 In my opinion, given the nature of the development and the distance between this listed building and the host building, it is not considered that the proposal would result in any level of harm to the setting or significance of the heritage asset. This is in accordance with Policy HE1 of the Local Plan and Section 16 of the NPPF.

Landscaping / Ecology.

4.3.23 The proposed conversion of this barn building would be further facilitated by the formation of a sizable private garden, which would incorporate boundary fencing and landscaping through the

planting of trees and hedges. No details have been given for the boundary treatments which would have been reserved by condition if permission was to be granted. It is likely that the Council would only support a low-level picket type of fencing, in order to maintain the character and openness of the area. In my view, this is unobjectionable.

Biodiversity Net Gain

- 4.3.24 This development is considered exempt from BNG Legislation, defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, due to it falling under the scope of the 'self-build' exemption.

Waste Storage

- 4.3.25 Although NHC Waste and Recycling Team have not provided any further comment on the application. It is considered that the proposal would have ample room for the site the bins adjacent to the dwelling and the resident will be required to drag the bins to the end of the driveway for collection in line with the neighbouring dwellings.

Sustainability

- 4.3.26 The scheme would also incorporate 15 solar PV panels on the roof of the proposed lean-to element and an Air Source Heat Pump. These are sustainable additions to the proposal which are considered acceptable and a benefit of this scheme.

Other Matters

- 4.3.27 Interested parties have commented on this proposal, stating concerns that the scheme would make existing services worse than they already are. Whilst I note these concerns, they are not material planning considerations.
- 4.3.28 With regards to the objection received regarding wastewater management. The agent has provided the following comment: *"The intention is to install a Biodisc sewage treatment plant. Any discharge of the plant is clean and flows into attenuation crates alongside stormwater. Looking at the soil and ground contamination reports the site does not sit within a drinking water protection area and is permeability is high on sand, gravel, silts, clay and chalky till."* This is a further consideration for Herts Building Control.

4.4 Conclusion

- 4.4.1 Overall, whilst the proposal can be considered contrary to Policy SP2 of the Local Plan, the previously approved applications under ref: 24/02446/FP and 22/00547/PNQ is a weighty material consideration in favour of the principle of development. On balance, it is considered that the proposed development is acceptable in principle, notwithstanding this policy conflict.

In terms of external materials and general design, the proposal would be sympathetic to the existing barn. The proposal would be acceptable in terms of its impact in the amenities of

neighbouring dwellings/future occupiers, highways, parking, landscaping, and impacts on the nearby listed building. The scheme would also incorporate sustainable methods of power generation.

However, the site is within the Rural Area beyond the Green Belt and given the scale and size of the proposed extensions to this existing building which would increase its footprint by approx. 72% and be very noticeable, significant changes, the scheme would constitute major extensions and re-construction of the existing building which would result in a materially greater impact on the openness of the Rural Area beyond the Green Belt. Therefore, the proposal would fail to comply with parts b) and c) of Policy CBG4 of the Local Plan. It is considered that the proposal should be refused on this basis.

The Council cannot demonstrate a five-year supply of deliverable housing sites – currently estimated at 3.5 years' worth of supply – and therefore there is a potential presumption in favour of development as set out in Paragraph 11 of the NPPF. Although the benefit of one additional dwelling to help address the current shortfall of housing in the district is of limited value, given that the proposal would be acceptable in all matters excluded Policy CGB4, it must then be considered whether this would be a strong reason for refusal in line with the NPPF. Due to the reasoning given in Paragraph 4.3.8, it is acknowledged that the proposal would be a large extension contrary to part B of Policy CGB4, however in the absence of any substantial harm to the openness of the host field and the wider Rural Area Beyond the Green Belt under part C of the same Policy, I do not consider this to be a strong enough reason to refuse planning permission. It is therefore considered that the harm to Policy CGB4 does not outweigh the benefits of the proposed development and planning permission should therefore be granted on that basis.

4.5 **Alternative Options**

4.5.1 N/A

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. Any contamination that is found during the course of construction of the development permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

4. A No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

B The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A)

C The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

Reason: In the interests of archaeology protection to comply with Policy HE4 of the North Hertfordshire Local Plan 2011 to 2031.

5. No works are in any circumstances to commence unless the local planning authority has been provided with either:
- o a licence issued by Natural England authorizing the specified activity/development to go ahead; or
 - o a statement in writing from a suitably qualified ecologist to the effect that the works are not considered to require a licence.

Reason: To ensure that works do not result in adverse impacts to protected species in accordance with the National Planning Policy Framework.

6. No development shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as hibernacula, the inclusion of integrated bird/bat and bee boxes in buildings/structures, has been submitted to and approved in writing by the local planning authority. The approved measures must be implemented on site prior to the first occupation of the first dwelling hereby approved and retained on site thereafter.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework.

7. No development shall commence until full details (in the form of scaled plans and / or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following: Access arrangements as shown on Drawing Ref-41 Rev A

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

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.

Informative/s:

1. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

2. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

3. The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is

available on the County Council's website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

4. The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users

for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 28 July 2025	