DELEGATED FILE NOTE

CASE OFFICER: ...Tom Donovan.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/01408/FP	Permanent retention of existing storage unit to provide storage area for the Day Nursery	Knebworth Sports Pavilion Watton Road Knebworth Hertfordshire SG3 6AH

Submitted Plan Nos

18/1 18/2 18/3

1.0 Policies

1.1 **North Hertfordshire District Local Plan No.2 with alterations**

Policy 2 - Green Belt

1.2 **National Planning Policy Framework**

Chapter 7 - Requiring good design
Chapter 9 - Protecting Green Belt land

1.3 **North Hertfordshire Draft Local Plan 2011-2031**

The policies of relevance in this instance are as follows:

Strategic Policies
SP5 - Countryside and Green Belt
SP9 – Design

Development Management Policies
D1 – Sustainable design
D3 – Protecting living conditions

2.0 **Site History**

2.1 None relevant.

3.0 **Representations**

3.1 **Public Notice/ Local Residents**
No representations received.

3.2 **Knebworth Parish Council**
No response received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is located in the south-western corner of the Knebworth Recreation Ground near to the boundary with properties on Watton Road.

4.2 **Proposal**

4.2.1 Permanent retention of shipping container in association with children's day nursery.

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:
--Whether the proposal would be inappropriate development in the Green Belt and

whether any harm by reason of inappropriateness (if it is found to be so), and any other harm, would be clearly outweighed by other considerations.;
--The effect on the character and appearance of the area;
--The effect on the living conditions of neighbouring properties.

4.3.2 Green Belt: Inappropriate development

Policy background

Paragraph 89 of the NPPF (the Framework) states that new buildings in the Green Belt are inappropriate development unless certain exceptions apply. In line with para.87 of the Framework, if a proposal is found to be inappropriate development than permission should only be granted in very special circumstances. Very special circumstances will only exist if the harm to the Green Belt is clearly outweighed by other considerations.

Policy 2 of the saved Local Plan states that, except in very special circumstances, development will be granted for proposals that are appropriate in Green Belt and which do not result in 'significant visual impact'. Emerging Policy SP5 largely defers to the provisions of the Framework.

4.3.3 *The Framework*

The storage unit has previously been granted temporary consent for 1 and 5 years respectively with the most recent, 5-year temporary consent expiring this July 2018. However, notwithstanding these previous consents, the siting of the storage unit is inappropriate development as it is not compliant with any of the exceptions set out in paragraphs 89 or 90 of the Framework.

4.3.4 *Saved Local Plan*

For the purposes of the application of Saved Policy 2 the siting of the storage unit would not be ‘appropriate’ in the Green Belt and would therefore be inappropriate.

4.3.5 *Emerging Plan*

The Emerging Plan has yet to be adopted but the Examination in Public (EiP) has been undertaken and the site is proposed to remain in the Green Belt. Policy SP5 is largely consistent with the aims of the Framework and therefore the proposal is inappropriate development.

4.3.6 Green Belt Impact on openness and purposes

The storage unit is located in the south-western corner of the recreation ground and is therefore situated in as secluded a position as it could probably be. Strictly by definition the siting of the container would harm openness as it is situated on land that was previously not occupied by a building. However, this part of the site is not open in the wider sense and makes a very limited contribution to the openness of the Green Belt in location. In my view the siting of the storage unit does not conflict with any of the purposes of the Green Belt as set out in para.80.

4.3.7 Impact on neighbouring properties

The site is some distance from the nearest residential properties and therefore I am satisfied that neighbouring properties would not be negatively affected by the proposal.

4.3.8 Very special circumstances

It has been established that the continued siting of the shipping container would be inappropriate development and, as such, permission should only be granted in very special circumstances. However, my observations suggest that the storage unit would not cause actual harm to openness nor would it conflict with any of the

purposes of the Green Belt. I would therefore make the case that the absence of any tangible harm to the Green Belt sufficiently outweighs harm cause by inappropriateness.

4.4 **Conclusion**

4.4.1 The proposal would be acceptable in planning terms and therefore it is my recommendation that planning permission is **GRANTED**.

4.5 **Alternative options**

4.5.1 Not applicable.

5.0 **Recommendation**

5.1 Planning permission is **GRANTED** subject to the following conditions:

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 18 July 2018	