DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/01150/FP	Change of use from agricultural land to residential amenity garden land	Roseacre Pirton Road Holwell Hitchin Hertfordshire SG5 3SS

Submitted Plan Nos

P01

1.0 Policies

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

Policy 6 – Rural Areas beyond the Green Belt

1.2 **National Planning Policy Framework.**

Section 3 – Supporting a prosperous rural economy
Section 7 - Requiring good design

1.3 **Emerging Local Plan 2011-2031 (Approved by Full Council 11th April 2017).**

SP5: Countryside and Green Belt
CGB1: Rural Areas beyond the Green Belt

2.0 **Site History**

2.1 Planning permission granted in mid-2016 for extensions to the existing property.

2.2 Planning permission granted in March 2017 for the erection of a detached four bedroom dwelling.

3.0 **Representations**

3.1 **Local residents**
No representations received.

3.2 **Holwell Parish Council**
No objection.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is located beyond the rear boundary of the existing residential curtilage that belongs to 'Roseacre'. The properties on this side of Pirton Road all share a fairly common rear boundary line which defines the edge of the settlement and the rural area beyond.

4.2 **Proposal**

4.2.1 Change of use of land from agricultural land to residential garden land. The plans indicate a section outlined in red which it is agreed would retain its permitted development rights whereas the land to the rear and outlined in blue would be restricted as per the condition attached to the previous consent.

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:
--The acceptability of the change of use of the site;

--The impact the proposed change of use would have on the character and appearance of the area.

4.3.2 Change of use

Although the site is classed as agricultural land it does not appear to be utilised for any particular agricultural use. As the land is beyond the rear of the boundaries of properties along this section of road it inevitably has more of a relationship with the agricultural land which surrounds it. That said, as it is under the private ownership of the residents of Roseacre, it is unlikely to ever be used for agricultural purposes in association with the adjoining land. Whilst the Framework aims to support the rural economy, there seems to be no particular agricultural use occurring here nor is it likely to. As such, I raise no objection to the principle of the change of use.

4.3.3 Visual impact

The change of use would not in-itself have any particular visual impact. However, the land beyond the rear boundaries of this and other properties to the north is generally void of any buildings or structures other than those in association with agricultural activities. However, the red line boundary extends only as far as the boundary of several of the properties to the north and I do not believe it would be reasonable to remove Class E of the PD rights for this section of land given that other properties to the north will retain their rights. Moreover, the key area of concern is the section of land that is beyond the site to the west of the application site and PD rights for this section have been removed by the previous planning permission which was granted earlier in the year.

4.4 **Conclusion**

4.4.1 Planning permission should be granted for the proposed change of use.

5.0 **Recommendation**

5.1 Planning permission is **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.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant at the pre-application stage and 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 (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: 19 June 2018	