DELEGATED FILE NOTE

CASE OFFICER: ...Kate Poyser.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00709/FP	Change of use of land from Car Boot Sale to Crazy Golf Course	Graveley Hall Farm Church Lane Graveley Hitchin Hertfordshire SG4 7LY

Submitted Plan Nos

Location plan T-4955-01

1.0 Policies

LP2 Green Belt

LP39	Leisure Uses
LP55	Car Parking Standards
SECN6	Building strong, competitive economy
SECN9	Promoting sustainable transport
SECN13	Protecting Green Belt Land
SECN15	Conserve + enhance natural environment
XSP5	Countryside and Green Belt
XSP6	Sustainable Transport
XT1	Assessment of Transport Matters
XT2	Parking

2.0 **Site History**

2.1 Please see file for history. The most relevant cases are as follows:

2.2 89/00436/1 permission granted for use of land as 18 hole golf course, including clubhouse, parking and new v. access.

2.3 94/00275/1 permission granted for use of detached agricultural building for purposes ancillary to 'pick your own' soft fruit operation.

2.4 07/02319/1 permission granted for use of land for car boot sales (restricted to Saturdays).

2.5 07/02321/1 permission granted for use of land for dog training.

2.6 13/02810/1 S73 application to remove days of operation condition of 07/02319/1. This was approved and replaced with a condition restricting use of the car boots sales to Wednesdays and Saturdays only from April to October.

3.0 Representations

3.1 Highway Authority – raises no objections, subject to a number of conditions relating to permanent parking spaces, surfacing of vehicular areas, cycle stands, access for all inc. surfaced pathways and improvements to the vehicular access.

3.2 Graveley Parish Council – "Are concerned at the possible increase in traffic through the village and the entrance and exit from the site onto a very busy road. Also concerns were raised on the impact on the Green Belt and the negative biodiversity in this development."

3.3 CPRE – raise concerns relating to intensification of use, together with existing car boot sale and impact of additional traffic on highways.

3.4 Local Residents/Site Notice - two occupiers from 4 High Street Graveley object to the proposal for the following reasons:

- Increase in traffic in an already congested village;
- Likely to be unsightly/more appropriate to an amusement park;
- Concern for biodiversity and protected species here inc. skylark and English partridge.

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 The application site is currently a field laid to grass and uses on Wednesdays and Saturdays for car boot sales. The site is set back from the road and includes an existing vehicular access onto the B197. Car boot sales would continue on the remaining and larger part of the field. 'Pick your own' fruit occupies a field to the east of the site and there is an existing 'Carousel Café, children's play area and car park adjacent the site'. Dog training takes place in a field to the northwest. Beyond these lies agricultural land. The site measures 0.4 ha and lies within the Green Belt.

4.2 Proposal

4.2.1 The proposal is to use part of a field as an eighteen-hole crazy golf course. This would include a kiosk in one corner. No details are provided of the kiosk. An indicative layout only is provided for the course and an area for a display feature is shown. Details of the display feature are not given, but the applicant is considering something to do with aeroplanes. It is proposed to surround the crazy golf course with 1.8 metre high 'shadow box' fencing. It is intended that customers would use existing car parking facilities.

4.3 Key Issues

4.3.1 The key planning considerations relate to:

- The principle of the use in the Green Belt
- Sustainability
- Traffic impact and highway matters
- Impact on the natural environment.

Principle of the use in the Green Belt

4.3.2 Whilst there is an objection in principle to new buildings in the Green Belt there are exceptions to this listed in para 145 of the NPPF. One such exception is as follows:

The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial ground and allotments; as long as the facilities preserve the openness of the Green Belt and do no conflict with the purposes of including land within it.

Para 146 of the NPPF also allows a material change in the use of land for recreation, providing it preserves the openness of the Green Belt and does not conflict with the purposes of including the land within it. The proposed crazy golf is an outdoor recreation and acceptable in principle **if** it preserves the openness of the Green Belt and does not conflict with the purposes of including the land within it.

4.3.3 The details of the 18 greens are not provided. They are likely to involve a degree of ground engineering and construction. The kiosk would also be a building and again no details of its appearance have been provided. It would be possible to leave details to a condition. The footprint and location of the kiosk is given and an indication of how 18 holes could be laid out is also shown. However, would it be probable that a design could be achieved that would preserve the openness of the Green Belt?

4.3.4 At present, the application site is part of a field, laid to grass and with no buildings or structures. The car boot sales only affect the openness of the Green Belt on Wednesdays and Saturdays, from April to October when the sales are taking place. The proposed crazy golf would effect the openness of the Green Belt permanently, whatever the design of the course and holes or kiosk.

4.3.5 The application site is approximately 100metres from the road (B197) and there is an informal hedge along the highway boundary, so the site has only limited visibility from the road. A public footpath (Graveley 002) runs approximately 100 metres to the south and a bridleway (Graveley 005) runs further away to the east, but on higher ground. The site is also visible to those using the existing 'pick your own' and café facilities on adjacent land. The site would also be seen in conjunction with a small play area adjacent the car park and the car boot sale area on Wednesdays and Saturdays. The nearby dog training area is limited to 25 classes per week and has obstacles for the dogs, which whilst for practical reasons tend to be left out, are of a temporary nature.

4.3.6 I consider the proposed crazy golf, regardless of the detailed design, would have a significantly greater effect upon the openness of the Green Belt than the current situation. Also, when seen together with the car boot sale, parking area and the dog training ground would have the effect of consolidating non agricultural development in an otherwise agricultural setting. **I, therefore, consider that the proposed change of use would fail to preserve the openness of the Green Belt here and would be contrary to the purposes of the Green belt, specifically (c) *to assist in safeguarding the countryside from encroachment.* As such the change of use would be inappropriate development in the Green Belt.**

4.3.7 It is noted that in the NPPF Section 6 – Building a strong, competitive economy, that supporting a prosperous rural economy is encouraged. This does include sustainable leisure development which respects the character of the countryside. I consider the proposed development would not respect the character of the countryside for reasons described in previous paragraphs and, in any case, would not outweigh the Green Belt objections.

4.3.8 Sustainability

The three strands of sustainability in the NPPF are relevant. The application site is located just beyond the village of Graveley and is part of small group of farm diversification activities, including car boot sale, dog training and 'pick your own' fruit.

Economic – crazy golf would generate a need for 1 employee, add to the income of the landowner and provide work through the construction of the course.

Social – crazy golf would provide a sociable activity for the residents of Graveley and beyond.

Environmental – the proposed use would generate additional car trips as this is likely to be the main form of travel given the rural location.

Overall, I consider the proposal would be sufficiently sustainable for this not to be a reason for refusal.

4.3.9 Traffic impact and highway matters

The highway authority has been consulted and raises no objections, subject to several conditions. Any increase in traffic along the B197 is not considered to amount to a reason for refusal. The requested conditions include the creation of footpaths within the site and from the highway to a standard suitable for people with impaired mobility. This would have a knock-on effect of adding to the consolidation of development here, contrary to the openness of the Green Belt.

4.3.10 No additional car parking spaces are proposed, but there are 50 existing spaces adjacent to the field. The highway authority not that according to current car parking standards 50 spaces would be required, with overflow parking of 25 spaces. The proposed development would fail to provide the number of parking spaces required by the SPD. The highway authority does note that the surrounding land is owned by the applicant and considers it possible to require additional parking by condition. I am, however, concerned at the appearance of a larger car park in the openness of the Green Belt.

4.3.11 Impact on the natural environment

The application site is not within or adjacent to any designated wildlife site. A local resident advises that there are birds which are protected species in the area. Should permission be granted it could be subject to a condition requiring an ecological survey and mitigation measures is necessary.

4.4 Conclusion

4.4.1 In conclusion I consider that planning permission should be refused as the change of use would have an adverse effect on the openness of the Green Belt and as such would be inappropriate development in the Green Belt.

5.0 Recommendation

That permission should be **REFUSED** for the following reason.

1. The application site is located within an area designated in the North Hertfordshire District Local Plan no. 2 with Alterations proposals map as Green Belt, within which there is a presumption against inappropriate development unless very special circumstances can be demonstrated. Although the proposal would constitute the provision of appropriate facilities for outdoor recreation, in the opinion of the Local Planning Authority it would not be an exception to Green Belt policy as it would not preserve the openness of the Green Belt, it would therefore be inappropriate development within the Green Belt. The development would cause harm to the purposes of the Green Belt as defined in paragraph 134 of the National Planning Policy Framework (NPPF), specifically to safeguarding the countryside from encroachment. No special circumstances have been demonstrated to outweigh the substantial weight that should be given to any harm to the Green Belt that is required under paragraph 144 of the NPPF. Furthermore, due to a kiosk building and the appearance of a crazy golf course and a display feature, demonstrable harm would be caused to the openness of the Green Belt. The proposal, therefore, conflicts with saved Policy 2 'Green Belt' of the North Hertfordshire District Local Plan no. 2 with Alterations, Section 13 'Protecting Green Belt Land of the NPPF and Policy SP5 'Countryside and Green Belt' of the submitted Local Plan 2011 - 2013.

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 (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: 30 August 2018	