DELEGATED FILE NOTE

CASE OFFICER: …Tom Donovan……

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/01087/LDCE	Continued use of buildings and yard area at lands adjacent to Jacks Hill Caravan Park for use in conection with storage and operation of coach business	Jacks Hill Park Jacks Hill Graveley Hitchin Hertfordshire SG4 7EG

Submitted Plan Nos

1.0 Policies

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1.1 None relevant.

2.0 Relevant History

2.1 None relevant.

3.0 Representations

3.1 No consultation required.

4.0 Planning Considerations

4.1 **Site & Surroundings**

4.1.1 The application site is located to the rear of 'The Highwayman' PH which is located on Jacks Hill. Jacks Hill is situated some way north of the main settlement of Graveley and comprises a small but densely developed area which includes a caravan park, several industrial/business uses, and residential properties.

4.2 **Proposal**

4.2.1 Certificate of Lawful Development (Existing):
--Use of buildings and yard as a coach yard (sui generis use).

4.3 **Key Issues**

4.3.1 The key issues for consideration is whether the use of the site and the associated buildings in question as a coach yard has, on the balance of all probabilities, lawfully occurred for a continuous period of 10 years or more.

4.3.2 The following information has been submitted in support of the application:
Witness Statement from Peter Cave the owner of the site. Within this signed statement is the history of the site which suggests that Chambers Coaches (Stevenage) Ltd began using an agricultural building in the mid-1980's for the storage and maintenance of their coaches and their business operations. Moreover, it is stated that vehicles were kept at the site but outside of the building and that other smaller buildings on the site were used in conjunction with the coach business. A number of exhibits have been presented in support of the witness statement.

4.3.3 Exhibit 1:
Letter from Mr Papworth, resident of Plot 1 Jacks Hill Park, confirming that a coach company has occupied the yard behind his property since (at least) January 1984.

4.3.4 Exhibit 2:
A selection of rent invoices between May 2000 and November 2017.

4.3.5 Exhibit 3:
Confirmation from Wagstaffs (accountants and tax advisors) that rental income was received between 2002 and 2017.

4.3.6 Exhibit 4:
Letter from Foreman Laws.

4.3.7 Exhibit 5:
Screenshots from Chambers Coaches (Stevenage) Ltd confirming site address.

4.3.8 Exhibit 6
Photos of coaches on the site and aerial mapping 2007, 2008, 2012, 2013 & 2017.

4.3.9 Exhibit 7
Letter from Landmark Vehicle Hire Ltd confirming ongoing negotiations with Mr Cave (site owner) regarding the future use of the site.

4.4 **Conclusion**

4.4.1 Based on the information I have seen, it appears to me that, on the balance of all probabilities, the application site and associated buildings have been utilised for a continuous period of 10 years or more as a coach depot.

5.0 Recommendation

5.1 The Lawful Development Certificate should be **GRANTED**.

1. The Council is satisfied that, on the balance of all probabilities, sufficent evidence has been provided to establish that the use of the buildings and yard contained within the red line plan submitted with the application as a coach depot (Sui Generis) has been occuring for a continuous period of ten years or more.

Signed  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 16 May 2018	