

Standing up for Hertfordshire's countryside

Richard Tiffin
Planning and Building Control
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth Garden City
Herts SG6 3JF

Our Ref:

Your Ref:

7th March 2018 (by email)

Dear Mr. Tiffin

Application No. 18/00187/FP
Retention of one mobile home and associated septic tank shed to facilitate continued occupation of nursery worker.
Mill End Nursery, Mill End, Rushden, Buntingford, Hertfordshire SG9 0TA

CPRE Hertfordshire has concerns regarding this application for a rural worker's dwelling in the Rural Area Beyond The Green Belt. The documentation accompanying the application is insufficient to determine the planning balance. In particular there is no planning statement or other statement which demonstrates the need for this accommodation.

The proposal is covered by Policies 6, 7, 29 and 34 of the existing North Herts Local Plan and Policies CGB1 and CGB3 of the Submission Local Plan currently subject to Examination in Public.

Under Local Plan Policy 7 (Selected Villages beyond the Green Belt), Rushden lies outside the defined areas and consequently the Council "will not normally grant planning permission" for residential development. Policies 6 (Rural Areas Beyond The Green Belt), Policy 29 (Rural Housing Needs) and Policy 34 (Residential Caravans and Mobile Homes) all require a proven need to be demonstrated.

Similarly, under Policy CGB1 (Rural Areas beyond the Green Belt) in the Submission Local Plan, it is necessary to demonstrated that the proposal "is strictly necessary for the needs of agriculture" and, under Policy CGB3 (Rural Worker's Dwellings), that there is (a) a clearly established existing functional need, (b) The unit and the rural business concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and should remain so, and (c) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable.

Unfortunately there is nothing in the documentation accompanying the application which addresses any of these points.

We assume from the use of the words 'retention' and 'continued occupation' in the title of the application that this is a retrospective application. Similarly we assume from wording on the site plan that there is existing accommodation for a 'horticultural manager' in the dwelling so designated.

Consequently, in considering the planning balance against the Council's existing and emerging policies, it will be necessary to ascertain that the existing business is established and viable, that there is a demonstrable requirement for a nursery worker to be resident on site and that the worker cannot be accommodated in the existing horticultural manager's dwelling.

We are somewhat puzzled by the including of a copy of Appeal Decision APP/U1105/W/17/3169196 among the documentation, particularly as there is no explanation as to why it has been included. Presumably the applicant considers that it supports a case (which they have not made) for the mobile home. However, the business in that case was for viniculture, which required an on-site presence during grape harvesting, which is not the case here. In fact, at para. 22 of the appeal decision, the Inspector makes it clear that an essential rural business need, requiring permanent occupation of the site for functional reasons, has to be demonstrated, and makes the observation that the existing accommodation on the site is close enough to provide for suitable management.

In our view the Council should not determine this application until the applicant adequately demonstrates that there is an essential need for the accommodation proposed.

Yours sincerely,

David Irving