

## **DECISION NOTICE**

Notice is given that the following decision has been taken under the Provisions set out in the Council's Constitution

**Decision maker:** Cabinet Member for Housing, Planning, Economic Development and Regeneration

**Date:** 22 April 2014

**Decision in the matter of:** Primrose Hill Nursery, Mere - Discharge of Section 52 Agreement

**Decision:** That approval be given to discharge the Section 52 Agreement which restricts the occupancy to an agricultural worker and ownership of the land detailed in the report so that it cannot be sold off separately at Primrose Hill Nursery, Warrington Road, Mere.

**Background:** Permission was granted under applications 7246P and 5426P for an agricultural workers dwelling subject to a condition relating to occupancy, and also to a Section 52 Agreement restricting occupancy and re-sale/sub-letting of the dwelling house and land.

The applicant now wishes to be released from the Section 52 Agreement which he entered into on 25<sup>th</sup> June 1976 when planning permission was granted for the construction of an agricultural worker's dwelling – specifically clause 1 which restricts sale of the land and dwelling house separately.

The discharge of the Section 52 Agreement is acceptable in planning policy terms as the conditions of the permission would continue to restrict the occupancy of the dwelling to agricultural workers. On this basis it is not considered reasonable or necessary to refuse to remove the Section 52 Agreement.

**Background Documents:** Can be inspected by contacting the report author.

**Approved:**

Signed .....  
Councillor Don Stockton (Cabinet Member for Housing, Planning, Economic Development and Regeneration)

**Date:** 22 April 2014

**Advising Officer:**

Signed .....  
Lauren Thompson (Planning Officer)