

Recommendation Report for Planning Permission**REF NO:** AL/117/12/**LOCATION:** The Old Barn
Arundel Road
Fontwell**PROPOSAL:** Change of use of land for the siting of a second mobile home and storage of two caravan units for Travelling Show Persons. Departure from the Development Plan.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The proposal is for a change of use of the land for the siting of a second mobile home and storage of two caravans for Travelling Show Persons.
SITE AREA	1.75 ha
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	2 metre fence, brick wall and gates to front boundary (south). Timber post and rail fencing, supplemented by hedging and mature trees in places. Rear boundary (north) is conifer trees and mature deciduous trees in places. East boundary is copse of mature trees and grass embankment with mature shrubs and trees.
SITE CHARACTERISTICS	Flat site laid to grass with vehicular access onto A27. Site contains detached mobile home, storage barns, three touring caravans and hardstanding towards rear and northeast corner of site.
CHARACTER OF LOCALITY	Rural. Sporadic agricultural land and residential development adjoining site to east and west.

RELEVANT SITE HISTORY

AL/110/87	Construction of an earth bank on land adjoining the Northern edge of the A27	Approve Conditionally 17-02-1988
AL/22/94	Use of barn for the storage of a fairground ride and associated equipment	Approve Conditionally 15-06-1994

AL/15/65	Outline application for bungalow and garage in conjunction with small- holding	Refused 10-03-1966
AL/34/83	Proposed stables	Approve Conditionally 22-06-1983
AL/33/83	Alteration of east access to field using existing dropped kerbs	Approve 29-06-1983

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council

No objection. Aldingbourne Parish Council has no objections providing a suitable scheme for soft landscaping is put in place to provide visual screening and separation between the development site and the open grassland area to the south.

Comments on Representations received:

Comments noted. There is soft landscaping comprising conifer hedging that screens the proposed site for the additional mobile caravan from the open grassland to the south fronting the A27.

CONSULTATIONS

Engineers (Fluvial Flooding)

Southern Water Planning

WSCC Strategic Planning

Highways Agency

Consultations responses received:

Drainage Engineers: The applicant does not state how surface water will be disposed of. A SUDs system must be investigated for surface water disposal, i.e. soakage structures. Please apply standard condition ENG2DA. Any SUDs or soakaway must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant proposes a sewage treatment plant for the disposal of foul sewage. The Environment Agency should be consulted in this respect, as consent will be required. Please apply standard condition ENG1A.

Southern Water: The applicant is advised to consult the Environment Agency directly regarding the use of a package treatment plant which disposes effluent to sub-soil irrigation. The owner of the premises will need to maintain the works to ensure its long term effectiveness. The applicant has not stated details of the proposed means of surface water disposal from the site. This should not involve disposal to a public foul sewer. There are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer. Due to surface water inundation issues in the Lidsey Catchment, the applicant is advised to adopt, where appropriate, measures in the table "Practical measures to reduce the potential impacts of development". The developer should look to protect the public sewerage system from inundation and infiltration, which contribute to flooding in unfavourable conditions.

County Highways: The A27 is maintained by the Highways Agency. Therefore, you will need to

consult with Regional Manager for the southeast on the acceptability of the proposals and traffic generation on the highway network.

Highways Agency: (Original comments) No objection to the principle. However, we have safety concerns related to the access arrangement onto the A27 and require further information from the applicant. There must be a minimum of 14 metres distance from the edge of the A27 carriageway and the site gates. The gates must open inwards into the site. The access radii must conform to the requirements set out in TD41 of the Design Manual for Roads and Bridges. We are issuing a TR110 form directly that planning permission is not directed for a period of 56 days.

(Additional comments) Currently, the HA works to DfT Circular 02/2007 and is required to ensure that planning proposals do not materially impact upon the safety and operation of the strategic road network. This proposal would intensify the use of the access including use by large, slow moving vehicles (caravans under tow) onto and off a stretch of highspeed road. Therefore we need to be confident that the access is appropriate and accords to current standards. Thank you for confirming the gates are a minimum of 14.5m from the edge of the highway and open inwards. With regard to access radii, a scale drawing is required to show proposed access arrangement. The drawing will need to demonstrate suitable radii to accommodate vehicles that currently and are proposed to use the access. We are particularly concerned about the diverge off the A27 into the property. It is recommended that the applicant commissions an appropriate professional familiar with the HA's Design Manual for Roads and Bridges to undertake this survey and design work.

(Additional comments): Following the HA letter of 24 January, the applicant has declined to provide a layout plan for the proposed access to the A27 on the grounds of the existing permitted use.

We have considered the applicant's representations and will not insist on improvement of the access (within the development site). This takes into account that our principle concern is the verge crossing arrangement.

In respect of the verge crossing arrangement, we are minded to serve a notice on the occupier of the site under Section 184(1) of the Highways Act 1980 advising of our intention to construct, at the occupier's expense, works for the construction of a vehicle crossing over the verge outside the site. The purpose of the works would be to avoid further damage to the verge, which is being damaged either side of the existing vehicles crossing by vehicles running over it and to ensure safe access and egress to the premises.

However, we advise you that it would be desirable for the access (within the development site) to be modified to integrate with the widened verge crossing.

In principle, we would be seeking an access/verge crossing to Layout 6 of TD 41/95 with a diverge taper in accordance with Layout 9. We would be pleased to discuss this further with the applicant and your Council. I attach Form TR110 which rescinds the 'holding' direction issued on 24 January 2013.

Planning Policy: In 2007, Circular 04/2007: Planning for Travelling Showpeople required that an assessment of the accommodation needs of Travelling Showpeople was undertaken to inform

planning policy. As a result, a Study was prepared by David Coutie Associates (DCA) in 2007 and published in 2008. The aim of the study was to assess the accommodation needs of Travelling Showpeople across the Districts of Arun, Chichester and Horsham. The results of the Study found that there were two Travelling Showpeople yards in Arun which provided a total of 6 plots and that there was a need to make provision for one further pitch in Arun within the five year period from 2007-2011.

The baseline figure of 6 pitches in Arun, as identified by the DCA Study, was incorporated into the Partial Review of the Regional Spatial Strategy for the South East: Provision for Gypsies, Travellers and Travelling Showpeople Recommendations for Policy H7, June 2009. The Partial Review recommended the provision of 2 net additional plots by 2016. It should be noted however that the recommendations of the Partial Review were not adopted, and that it is anticipated that the South East Plan will be revoked this year.

In March 2012, Circular 04/2007 was replaced by Planning Policy for Traveller Sites (PPTS). PPTS sets out that local planning authorities should set plot targets for Gypsies and Travellers and Travelling Showpeople which address the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighbouring local planning authorities. Local Planning authorities must also be able to demonstrate an up-to-date five year supply of deliverable Gypsy and Traveller and Travelling Showpeople sites in their Local Plan.

Subsequently, in 2012 Arun District Council commissioned Peter Brett Associates (PBA) and ORS to undertake a Gypsy and Traveller and Travelling Showpeople accommodation assessment (GTAA) to identify accommodation needs for Gypsies and Travellers and Travelling Showpeople over the next 15 years (2012-2027). The final results of this report are due by March 2013.

As part of this work, data was gathered over the course of 2012 and into 2013. As part of this work, a total of 4 Travelling Showpeople yards were identified in Arun which accommodate approximately 13 plots (this is an increase of 7 plots since 2007 and illustrates a growing need for Travelling Showpeople accommodation in the district). The emerging GTAA has identified that there is a need for additional Travelling Showpeople plots in the District over the next 15 years, to meet the demands of growing households in particular.

Although the results of the GTAA will not be made available until they are finalised next month, it should be noted that the consultants have used a growth model for Travelling Showpeople based upon the expiry of temporary permission, overcrowding at existing sites and household growth. For household growth, the typical rate used for the Travelling Showpeople population is between 1%-1.5%. Based on the model used in the emerging GTAA, and taking account of the existing number of plots in the district, it is clear that there will be a local need to make provision for additional plots over the course of the next 15 years. It is therefore considered that this proposal, to develop an additional plot on an existing site, will contribute towards the district's Travelling Showpeople accommodation needs.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Outside built-up area boundary
Trunk Road

Class A Road
Special Control of Adverts
Drainage Area
No public sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	GEN9	Foul and Surface Water Drainage

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003 and the South East Plan adopted in 2009.

It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is not considered to comply with relevant Development Plan policy that prevents development in the countryside for uses unrelated to agriculture.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. Namely, the site is an established Travelling Showpeople Site. The proposal would serve a further household and a growing need across the District. There is considered to be no harm to the rural amenities of the area or to residential amenity. Subject to conditions, the impact on highway safety may be mitigated.

CONCLUSIONS

PROPOSAL

The site is located on the north side of the A27, to the north of Fontwell Race Course and the west of the village of Fontwell, between Fontwell and Crockerhill.

The site currently contains one mobile home and three portable caravans for travelling showpeople, permitted under application AL/1/99 and a storage barn for the storage of lorries etc. associated with the storage of fairground equipment, permitted under application AL/22/94.

The proposal seeks to provide an additional mobile home, to be located 10 metres to the north of the existing mobile home, and for two stored caravans, to be sited in a yard adjacent to a storage barn. The two stored caravans are intended to be used for overnight accommodation when the applicant is away with equipment. This would bring the total number of stored caravans on the site to five. The second mobile home is intended to be accommodation for the applicant's son.

The site is well maintained and is screened by soft landscaping, mature trees, conifer hedges and an earth embankment. The hard landscaped element of the site comprising a hard standing, storage barn and open sided storage barns constructed from corrugated iron, are positioned towards the rear of the site in the eastern half. The three existing touring caravans are stored in this location, in addition to a number of parked lorries. The site boundaries are heavily screened by mature trees and vegetation.

PRINCIPLE

The site is located outside the built-up area where the principle of new development is strictly controlled, in order to safeguard the intrinsic character and rural amenity of the open countryside.

The National Planning Policy Framework Technical Guidance, Planning Policy for Traveller Sites, is the most up-to-date guidance in respect of travelling showpeople and can be summarised as follows:

Policy H states that in determining planning applications for traveller sites, local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) the existing level of local provision and need for sites;
- b) the availability (or lack) of alternative accommodation for the applicants;
- c) other personal circumstances of the applicant;
- d) that the locally specific criteria used to guide the allocation of sites in plans which form the policy where there is no identified need for pitches/plots should be used to assess applications that come forward on unallocated sites
- e) that they should determine applications for sites from any travellers and not just those with local connections.

Paragraph 23 adds that local planning authorities should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the local plan. Sites in rural areas should respect the scale of, and do not dominate the nearest settled community, and avoid placing undue pressure on local infrastructure.

Paragraph 24 states that local planning authorities should attach weight to the following matters:

- a) effective use of previously developed (brownfield), untidy or derelict land
- b) sites being well planned or soft landscaped in such a way as to positively enhance the environment in such a way as to positively enhance the environment and increase its openness
- c) promote opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
- d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.

With regard to the Development Plan policies, policy DEV25 is not a saved policy of the Arun District Local Plan. The Emerging Core Strategy Policy SP12 Traveller Accommodation is material, albeit it carries limited weight. This is emerging policy and states that planning applications for traveller sites shall:

- be of such a scale that is appropriate to their setting, having regard to the scale and form of nearby residential development;
- be located on sites not prone to flooding, near refuse sites, on sloping, exposed or contaminated sites;
- be located on sites well connected to the highway and enable access to schools, healthcare facilities by foot, bike, public transport, as well as car;
- be located so that any on site business does not have a negative impact on the occupants of the site and neighbouring residents and be visually pleasing;
- incorporate appropriate landscaping and boundary treatment, including existing nature landscape features, particularly trees;
- be served by adequate water supply and appropriate means of sewer disposal;
- be located in such a way as to have no adverse impact on the historic environment or heritage assets.

NEED

The Council commissioned Peter Brett Associates and ORS to undertake a Gypsy and Traveller and Travelling Showpeople accommodation assessment (GTAA) to identify accommodation needs for Gypsies and Travellers and Travelling Showpeople over the next 15 years (2012-2027). This is in response to the National Planning Policy Framework Planning Policy for Travellers Sites, which requires local authorities to set plot targets for Gypsies and Travellers and Travelling Show People and to address the likely permanent and transit site accommodation needs of travellers in their area, working with neighbouring authorities.

The final report is due in March 2013. Data gathered during the period 2012-2013 identified a total of 4 Travelling Showpeople yards in Arun, which accommodate approximately 13 plots (an increase of 7 plots since 2007). The emerging GTAA has identified a need for additional Travelling Showpeople plots in the District over the next 15 years, to meet the demand of growing households, as is the case with the current proposal. In this case, the applicant currently resides at the mobile home and is a member of the Travelling Showmen's Guild. The second mobile home is intended for the applicant's son, who is also a member of the Travelling Showmen's Guild. The

applicant has provided a signed certificate to this effect. Based on the growth model used by consultants and taking account of the existing number of plots within the District, it is therefore clear that there will be a local need to make provision for additional plots over the course of the next 15 years within Arun District. It is therefore considered that this proposal, to develop an additional plot on an existing site, will contribute towards the District's Showpeople accommodation needs.

SITE CHARACTERISTICS

The site occupies an area of approximately 1.75ha and is well landscaped by mature trees, vegetation, conifer trees and laid to grass. There is an earth embankment on the eastern boundary and a copse of trees on the northeast boundary, in addition to mature trees along part of the west boundary. The existing mobile home and yard is set back approximately 100 metres from the A27 and is well screened by conifer hedging, which was approved as part of a landscaping scheme permitted under application AL/1/99/. The site has a well maintained appearance and the amount of built-form on the site does not dominant the site or harm the rural character of the area. The site is flat, is not contaminated or prone to flooding. It is easily accessible from the A27 trunk road and is not located close to heritage assets or the historic environment. With regard to drainage and sewer disposal, this is considered in further detail below.

IMPACT ON SURROUNDING COUNTRYSIDE

The mobile home will measure 12.5 metres in length and 6 metres wide, with rough cast render elevations. The building will have a shallow pitch roof on brick foundations. It will be identical in form, scale and design to the existing mobile home. The mobile home will be positioned in the northern part of the site on a flat, grassed area behind the existing mobile home permitted under AL/1/99/. The building will be single storey with a shallow pitch roof, occupying a footprint of approximately 75 sq metres. It will not be visible from any public viewpoint along the A27 to the south or from farmland to the north, owing to the level of screening.

The touring caravans will be sited adjacent to a storage barn and will be screened from view by an earth embankment and mature trees to the east. From the north, the impact on the surrounding open countryside is limited by the presence of conifer trees and mature vegetation. Given the spacious layout of the site and the level of mature, soft landscaping, it is considered that the siting of a second mobile home and the storage of two caravans will not adversely impact the visual and rural amenities of the area.

The site promotes opportunities for healthy lifestyles, owing to its large size and soft landscaped appearance. There is evidence of a free range chicken coup adjacent to the existing mobile home. The site is within reasonable distance to nearby community facilities, shops and local amenities, such as schools, at Westergate and Fontwell, to the east and southeast.

RESIDENTIAL AMENITY

The site has been occupied for a period in excess of 10 years by a family of travelling showpeople, without detriment to the residential amenities of nearby properties.

The nearest neighbouring residential properties are located approximately 50 metres to the southeast at 'Little Glebe' and 'The Paddock', and 50-60 metres to the west at 'Westergates'. The property to the southeast is screened from view by mature trees, vegetation and an earth

embankment. The properties to the west are situated in large landscaped grounds with mature trees on the side boundary, some of which have recently been removed.

Give the ample separation distance and the level of screening/landscaping, the amenity of the occupiers of the adjacent properties will not be adversely affected by the siting of a second mobile home.

IMPACT ON HIGHWAY NETWORK

The site has good access directly onto the A27 trunk road. Vehicles enter the site from the carriageway to the west and exit to the east.

The Highways Agency raised an initial objection to the proposal on the basis that the applicant failed to demonstrate that the access meets current design standards appropriate for its proposed use (DfT Circular 02/2007 and the Highways Agency Design Manual for Roads and Bridges). The proposal would intensify the use of the access onto the main A27 trunk road, including use by large slow moving vehicles and caravans under tow. There is evidence of damage to the verge crossing arrangement onto the A27 either side of the existing vehicle crossing.

The Highways Agency has subsequently advised that it is minded to serve a notice under Section 184(1) of the Highways Act 1980 advising of their intention to construct a vehicle crossing outside the application site, at the expense of occupier, in accordance with up-to-date design guidance (TD 41/95 Vehicular Access to All Purpose Trunk Roads). This will allow for the safe movement of vehicles and prevent further damage to the verge crossing. The HA also advises that it is desirable for the access (within the site) to be modified to integrate with the widened verge crossing onto the A27. On this basis, the HA removes its earlier objection. Given that the HA states this condition is 'desirable', rather than 'necessary' to make the development acceptable in highway safety terms, it is considered unreasonable and unnecessary to impose such a condition.

IMPACT ON DRAINAGE

With regard to foul water drainage, the applicant is proposing to use a sewage treatment plant, which was originally permitted and installed under application AL/1/99/. The applicant is proposing an additional manhole to be provided on the foul drainage pipe. The applicant is advised to consult the Environment Agency regarding the use of a package treatment plant which disposes effluent to sub-soil irrigation. The owner of the premises will need to maintain the works to ensure its long term effectiveness. A condition is recommended to provide further details of the means of foul water drainage.

SUMMARY

In summary, the site is located outside the built-up area boundary where the principle of new development unrelated to the needs of agriculture is unacceptable.

The site currently benefits from planning permission for the siting of one mobile home (AL/1/99/) and three touring caravans, in addition to storage barns for the storage of fairground equipment (AL/22/94).

The site has been occupied for a period in excess of 10 years by one household of travelling show people without detriment to visual or residential amenity.

The site is well maintained and is well screened by mature soft landscaping. The proposed

addition of a second mobile home for the applicant's son with two storing caravans is not considered to harm the intrinsic character of the surrounding open countryside or residential amenity. Furthermore, the provision of 1 additional mobile caravan would meet the identified accommodation needs for the District's Travelling Showpeople.

The site is well served to the main highway network and is within reasonable distance of local services and amenities. It is considered that the site offers opportunities for a healthy lifestyle for future occupiers. The impact on drainage may be adequately controlled by planning condition.

With regard to highway safety, the applicant has failed to demonstrate that the vehicular access onto the A27 trunk road meets current design standards appropriate for its intended use. The HA is therefore minded to serve a notice on the occupier of the site under Section 184(1) of the Highways Act 1980 to construct a vehicle crossing over the verge outside the site that complies with current design guidance (TD 41/95 Vehicular Access to All-Purpose Trunk Roads).

HUMAN RIGHTS ACT

Human Rights Act:

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect to private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts (Neutral) have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans: drawing 06/12 Block and Location Plans, Mobile Home (2nd) and 2 Caravans, received on 12 December 2012.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The occupation of the mobile home hereby permitted approved shall be restricted to one household only and be only for occupation of members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling as such). This includes such persons who on the grounds of their own or their family's or dependants's more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such, but excludes Gypsies and Travellers as defined in Planning policy for travellers sites (National Planning Policy Framework 2012).

Reason: To ensure that the land is maintained as a supply of accommodation only for those defined as belonging to the travelling showpeople community, in compliance with Annex 1 of Planning policy for travellers sites (National Planning Policy Framework 2012).

- 4 Notwithstanding the details hereby approved, no more than 2 mobile homes for the permanent residential use of 2 households shall be stationed on the site. No more than 5 touring caravans shall be stationed on the land and these shall not be used for residential use at any time whilst on the site.

Reason: To protect the amenities of the area and ensure that the residential use of the site is kept to a minimum in line with policies GEN3 and GEN7 of the Arun District Local Plan.

- 5 The development shall not commence until full details of the proposed foul water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. (Including details of its routing, design, and subsequent management / maintenance).

The mobile home shall not be occupied until the foul water drainage scheme has been implemented in accordance with the approved details, and retained as such thereafter, unless otherwise first agreed in writing by the Local Planning Authority.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

- 6 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7, GEN3, GEN9

NATIONAL POLICIES: National Planning Policy Framework (2012)

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

7 INFORMATIVE: The applicant is advised that the Highways Agency, in respect of the verge crossing arrangement, is minded to serve a notice on the occupier of the site under Section 184(1) of the Highways Act 1980 advising of their intention to construct, at the occupier's expense, works for the construction of a vehicle crossing over the verge outside the site. The purposes of the works would be to avoid further damage to the verge, which is being damaged to either side of the existing vehicle crossing by vehicles over running it and to ensure safe access and egress to the premises. In principle, the Highways Agency would be seeking an access/verge crossing to Layout 6 of TD 41/95 (Vehicular Access to All Purpose Trunk Roads) with a diverge taper in accordance with Layout 9. The applicant is advised to contact the Highways Agency for further details.

8 INFORMATIVE: The applicant proposes a sewage treatment plant for the disposal of foul sewerage. The Environment Agency should be consulted in this respect, as consent will be required.

Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests and design must be carried out in accordance with BRE365 , CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level in the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location.

9 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.