

Development Control Committee
3 April 2012

Additional Information

The National Planning Policy Framework

Introduction:

The National Planning Policy Framework (NPPF) was published on the 27 March 2012 and took effect from that date. It replaces all previous Planning Policy Statements (PPS) and Guidance Notes, the Circular on Planning Obligations and a number of Chief Planning Officer Letters. However, companion guidance to PPSs remains extant.

Alongside the NPPF, the Government published technical guidance which retains key elements of PPS25 on flood risk and also aspects of the minerals policy. The publication of this guidance is an interim measure pending a wider review of guidance to support planning policy.

On the 25 March, the Government also published the Planning Policy for traveller sites, which should be read in conjunction with the NPPF. It is intended to review this policy 'when fair and representative practical results of its implementation are clear', although it is not clear what this means in terms of timescale, with a view to incorporating a version of the policy within the NPPF, having taken account of the results of its implementation.

Key Elements:

There has been a degree of clarification in the wording of the final version of the NPPF which has gone some way to address concerns raised by a number of organisations that the draft NPPF would lead to a building free for all, with the development of greenfield sites across the countryside.

The statement that 'the default answer to development proposals is yes' has been removed. The principle in favour of **sustainable development** remains, and is referred to as the 'golden thread' running through the document. The references to sustainable development have been re-balanced to emphasise that not one of the three dimensions to this – economic, social and environmental – should be undertaken in isolation,

although the draft NPPF emphasised economic sustainability as being pre-eminent. However, the NPPF nevertheless is clearly pro-growth and pro-economic recovery. Indeed one of the 12 new core planning principles is that planning should 'proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs'.

The NPPF does not change the statutory principle that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is one of those material considerations. As such, the Core Strategy remains the starting point for decision making along with the Regional Plan, which has not yet been abolished.

The full impact of the NPPF upon the Council's planning activity will only become apparent through the use and interpretation of the document.

Immediate Action:

The committee agenda was produced before 27 March 2012 and the reports refer to Planning Policy Statements (PPS) which were the relevant national planning guidance up to that date.

The specific reference to Planning Policy Statements (PPS) in the current agenda must be removed and replaced by the relevant sections of the new NPPF. Members determining these applications must now have regard to any relevant advice in the NPPF and disregard the PPS.

The reports in the current agenda refer to the following PPS:

PJM1	-	PPS1, PPS13, PPS17 & PPS24
RV1	-	PPS1 & PPS3
SP1	-	PPS1 & PPS3

Those PPS have been superseded as follows (It should be noted that the NPPF is generally less prescriptive and detailed than the PPS):

PPS 1 – The delivery of sustainable development is the overall aim of the NPPF and sections 1-13 are relevant.

PPS 3 – Housing is principally addressed by sections 6, 7 & 8 of the NPPF.

PPS 13 – Transport is principally addressed by section 9 of the NPPF.

PPS 17 – Open space, sport and recreation are principally addressed by section 8 of the NPPF

PPS 24 – Section 11 of the NPPF refers to planning and noise

In respect of the three applications before this Committee meeting, the changes from the PPS to the NPPF do not have a material effect upon either the officers' assessment and recommendation.

Future Development Control Committee Reports

Future committee reports will refer to the relevant sections of the NPPF.

PJM1 – S12/0070

Proposal: Redevelopment of existing tennis club to include the erection of building to incorporate 4 indoor tennis courts, with associated changing, café, bar studios, education room and gym together with 13 outdoor tennis courts, formation of new access, car parking and landscaping.

Information Received:

Comments have been received from The Upper Witham Drainage Board as follows:

“As I understand the proposal, the applicant is suggesting that the Board can access the maintenance strip via the southern entrance and cross the overspill car park.

We still have concerns that access with a low-loader then tracking through the site from the car park with a 360° tracked excavator may not be viable and would welcome direct discussion with the applicant on this matter.

We will access the site with a tractor and flail a couple of times a year. The tractor may be able to circumnavigate the access route.

We are also concerned that the applicant has not yet proved that the surface water regulation pond is sufficient to serve the proposed site.

The Board’s objection, unfortunately, is maintained until these issues can be resolved.”

This objection has now been withdrawn, see the comments below.

Additional Information from Applicants Agent:

I managed to have a detailed conversation with The Upper Witham Drainage Board about this and with regard to the points raised I respond as follows:

1. The access and car park, at present, is owned by SKDC and will remain to be so. It is still unclear if the Tennis Club will be leasing the existing car park and this is still under discussion directly between Grantham Tennis Club (GTC) and SKDC. At present, if the IDB need to get access they do so through the only vehicular access and once into the site with their equipment will turn right onto the grass area (subject to the removal of

some existing crash barrier – photo attached) to access the field and the running furrows. I am assuming that maintenance access with required plant and machinery is fully permitted by SKDC to the IDB at present and I confirm that the proposed application will not change that situation. With the proposed development that access will remain (though is proposed as an exit) and can be used for the same direct access at times of required maintenance. The one change is that the crash barrier section is being removed and will be replaced with removable bollards and a key can be given to the IDB for their access. In addition there is proposed a new vehicular access which may be more suitable for easier access for tyre driven machinery or plant with access around the rear of the building to the other end of the running furrows. I also confirm that if any gates or barriers are proposed in the future by GTC the key/keys can also be provided to the IDB. A further suggestion by Ken Pratt was to consider a new gated access to the maintenance strip for direct access from the footpath further south down the site but that would be subject to a further planning application by SKDC as the land is owned by them and is not known to be part of the lease to GTC. I can confirm that GTC will support any such application. In summary the current planning application will not, in any way, affect the existing arrangements for access by the IDB for maintenance of the running furrows and will in my mind improve them with the replacement of a permanent crash barrier (blocking access) with removable bollards.

2. With regard to the SW design. SKDC initially stated that they were happy for the new development to utilise the holding pond for SW as there was spare capacity. The IDB were also happy with this subject to proof of concept. We are now in a detail design stage of the SW system which will be ongoing for a further 6-8 weeks and it is becoming clear that limited data is available with regard to the existing capacity v existing requirement capacity of the holding pond. We have now established that the existing pond is acting as an overflow for the storm sewer from the housing estate to the North and it may be determined that it is not a viable outfall for the development drainage. We may need to commission a detailed survey of the drainage on site and have now received a response from Anglian Water indicating further sewers around the site. At this stage we may be looking at a separate outfall to Running Furrows, with attenuation to cater for the additional hard surfacing on the site, much as described in section 6.10 of G30's report, with the difference that the discharge would not enter the pond. The tennis courts are porous and we may look at similar surfacing for the footpaths etc. with the building roof water being the main bulk. With that in mind, I refer to your proposed condition 13 reading:

Development shall not begin until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the

development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

I hope that this condition will satisfy the IDB that a full detailed scheme will need to be submitted and approved by SKDC and in turn the IDB before the development commences. I also attach the relevant GTC section of the report for clarification. Condition 13 is on page 10 of the report.

I hope that this email will now satisfy the outstanding concerns from the IDB

Additional Consultee Comments:

In summary, the Upper Witham Drainage Board has considered the additional information which has been provided and have confirmed that they have no objection to the development subject to:

1. There is an access strip adjacent to the watercourse (6 metres)
2. There is an easy access route to get to that strip from the highway
3. Run off rates and surface water disposal are properly dealt with so that flood risk is not increased.

Officer Comment on Information Received:

The additional information has been submitted in relation to issues that have been raised with regard to drainage and access for maintenance.

Drainage has been mostly addressed in the main report. No objections have been received from The Environment Agency.

A condition has been recommended (Condition 13) which states that development shall not begin until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The provision of the access strip which the Drainage Board has requested will be ensured by condition 15.

Alterations to Conditions:

No additional conditions are required as a result of the additional information that has been received.

Condition 8 – amendment

Following questions at the committee site visit it is recommended that condition 8 is amended so that the landscaping details are submitted to and approved in writing “before development commences” not “prior to the occupation of the development”

Changes to Recommendation:

No change to the recommendation. Approve Planning Permission for the reason stated in the main committee report.

AH1 – S11/2619

Proposal: Use of land as grass airstrip and erection of building for storage of aircraft and agricultural machinery.

Additional Information:

The determination of this application has been deferred because:

- A neighbour was not notified of the receipt of additional information
- The need for an Environmental Impact Assessment must be reviewed
- The noise data which has been submitted needs to be reviewed and more survey information may be required
- Need to take account of the NPPF in respect of this type of development

The application will be reported to committee when these matters are resolved.