

DESIGN AND ACCESS STATEMENT

1. Introduction

This Design and Access Statement has been prepared in support of an application by Mr Andrew Brogan (the "Applicant") for retrospective consent for the change of use of land to allow for the creation of hard standing for the storage of vehicles associated with the family catering business (the "Application"). The Application is for the retention of a hard standing area adjacent to the residential property known as The Melrose, a residential property which is situated outside of the development boundary and therefore in the open countryside.

The Applicant owns two private vehicles, a caravan and a trailer for private use. This Application also seeks permission for the provision of storage for four further vehicles used by the Applicant in relation to his small family run catering business. Those vehicles are a refrigerated vehicle 32 feet long by 10 feet wide, a catering unit 22 feet long by 13 feet wide, a second catering unit 18 feet wide by 10 ½ feet long and a long wheel base Mercedes Van 24 feet long by 7 feet wide.

The Applicant submitted an application in 2012 (reference H23-0801-12) for full planning permission for the exact same use, scale and design as is the subject of this Application (as stated above). Full planning permission was granted for the above use by South Holland District Council (the "Council"), subject to conditions, on 9th January 2013 for a temporary period of up to three years. For the avoidance of doubt, this Application is for the renewal of the previously approved application (reference H23-0801-12). This is in line with recent pre-application advice the Applicant has sought from Mr David Grant (Planning Officer at the Council), who has advised that any current application proposal should be consistent in terms of size, use and scale as was previous approved.

This statement aims to address the Applicant's continuing need for the renewal of the previously approved application and to put this Application in the context of the South Holland District Council Local Plan (adopted July 2006) (the "Local Plan") and the National Planning Policy Framework 2012 (the "NPPF").

2. Application Site (the "Site")

The Application Site is situated adjacent to the residential property as shown on enclosed Drawing Number 4.

3. Local and National Planning Policy

The starting point for the consideration of the Application is the Local Plan and the NPPF which is a “material consideration” in planning decisions (NPPF, page 1). The relevant saved policies in the Local Plan applicable to this proposal and the NPPF have been identified as follows:-

The Local Plan

- (a) SG2 – distribution of development;
- (b) SG4 – development in the countryside;
- (c) SG13 – pollution and contamination;
- (d) SG14 – design and layout of new development;
- (e) SG17 – protection of residential amenity; and
- (f) SG18 – landscape of new development.

The NPPF

- (a) Achieving sustainable development; and
- (b) Section 7 – Requiring good design.

Policy SG2, SG4, SG13, SG14 and Achieving sustainable development (NPPF)

1.1 The Applicant’s circumstances remain the same as those stated in the previously approved application. The Applicant continues to run a small family business where the trade is solely for the catering of events off-Site. There is, as reiterated in the previous application, a continuing need for the Applicant to restrict his expenses if the business is to remain profitability operational. Although the business has had a long standing trading history, the boundaries between profit and loss in such a small family run company are often fine and the Applicant’s position, in short, still remains that the business could not afford to rent a storage unit on an industrial estate or otherwise and continue to operate comfortably.

1.2 Policy SG2 of the Local Plan seeks to protect the countryside from unnecessary development by only allowing development which is essential in that location. It would be financially unviable for the Applicant to move the commercial vehicles to a location on an industrial estate or otherwise, as the overall amount of vehicle movement and miles travelled would be significantly increased, and the Applicant would have to travel in his own car from his home to the industrial estate, and then on to

the event at which he was catering, and the same in reverse. This would be contrary to Policy SG13 of the Local Plan which seeks to prevent unacceptable levels of pollution and protect the public from harmful effects of pollution. In addition, the issue of safely storing the vehicles would come in to play and this is easier to achieve on Site. It is therefore essential, from both a financial and security point of view, to store the commercial vehicles on land already within the ownership of the family. This would be in line with Policy SG4 of the Local Plan which seeks to limit development in the open countryside to that where the need for the development outweighs its impact and there is no other solution to accommodate the proposed development.

1.3 At the heart of the NPPF is a “presumption in favour of sustainable development”, which is a “golden thread” running through decision-making (NPPF, page 3). In achieving sustainable development, it is vital for LPA’s to perform an economic role by “contributing to building a strong, responsive and competitive economy” (NPPF, page 2). The Applicant’s company has been operating since Spring 2011 from the property and the Applicant has over 20 years’ experience in the mobile catering industry. It is a small business, the sort of which is required for a strong local economy and the Applicant is committed to working with local suppliers wherever possible, as has always been the case. In short, it is precisely the sort of business which should be continued to be supported by the Council.

1.4 Furthermore, the Applicant continues to acknowledge that if the business expands there may come a point where it is no longer appropriate to operate from the current premises, but it is submitted that this point has still not been reached, and in the interim this small local business is one that the Council should be actively supporting. This would be in line with the NPPF which makes clear that in pursuing sustainable development, it “involves seeking positive improvements...in people’s quality of life, including...improving the conditions in which people live...and work”.

1.5 Policy SG2 of the Local Plan also encourages an efficient use of the land and requires that development is acceptable in terms of traffic regeneration and road safety in the surrounding area. Before, during and after the lifetime of the previous planning permission, the use on the Site has not resulted in an unacceptable increase of traffic to and from the Site and the Applicant confirms that there has been no issue with road safety in the surrounding area or otherwise as a result. Policy SG14 of the Local Plan asserts that in assessing the design and layout of the new development, matters such as the scale, layout of vehicular access, parking and manoeuvring facilities will be taken into account. It must be acknowledged that the Applicant has carefully

considered and acknowledged the importance of good design and layout in order to minimise any potential future impacts of the development.

Policies SG13, SG17, SG18 and Requiring good design (NPPF)

2.1 The NPPF underlines the importance of requiring good design when considering planning proposals, and this is summarised clearly at Paragraphs 56 and 57 of the NPPF, which states as follows:-

Paragraph 56: “The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to make places better for people”.

Paragraph 57: “It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes”.

2.2 The Applicant has continued to ensure that the development is of “good design...and of high quality and inclusive design” (NPPF, Paragraph 57). For example, the Applicant has, during the lifetime of the previous permission, and will continue, to allow a distance of 5 feet between each of the vehicles when parked to enable adequate room for cleaning and maintenance of the vehicles. This space enables the size of the hard standing to not be out of balance with the numbers of vehicles and has allowed the Site to continue to look tidy and in good order, in accordance with Policy SG14 of the Local Plan.

2.3 Similarly, the Application Site has been carefully calculated by the Applicant as the minimum required to enable the largest vehicle (the refrigerated vehicle) to tow the largest catering unit and safely turn on the hard standing to enable the Applicant to enter and exit the Site. The Applicant asserts that over the lifetime of the planning permission, this size of the hard standing has been satisfactory and therefore the Applicant is not seeking a change in the layout or size of the hard standing in this Application.

2.4 Paragraph 58 of the NPPF requires that LPA’s should aim to ensure that developments “are visually attractive as a result of good architecture and appropriate landscaping”. As can be seen from the drawings submitted with the Application, the Applicant has agreed to provide appropriate soft

landscaping/screening to ensure that the development adequately protects the quality of residential amenity for the surrounding properties and land. This is in accordance with Policies SG17 and SG18 which seeks to ensure that planning permission is granted for development which would not cause material harm to residential amenity and that appropriate landscaping is incorporated as an integral part of the design and layout.

2.5 The Applicant is aware from speaking with Ms Kate Bellamy (Senior Compliance Officer at the Council) that a recent complaint has been raised by a neighbour in respect of the lack of screening on the Site, as the complainant was aware that some of the screening has recently been removed. The Applicant will be reinstalling the screening (as set out on the plans enclosed with the Application, which is the same as the plans submitted with the previously approved application) to ensure that it mitigates any impacts of the residential amenity for others, in order to comply with Policies SG17 and SG18 of the Local Plan. This is in line with the Applicant's pre-application discussions with Ms Kate Bellamy and Mr David Grant, who both recommended that the screening is reinstalled. The Applicant requested whether an increase in screening and/or an alternative form of screening would be required in light of the complaint, but was advised that the best approach was to keep to the same form of screening (soft landscaping) and reinstall the previous screening.

2.6 Planning permission was previously granted for a temporary period of three years. The Applicant has shown that, over the lifetime of the previous planning permission, there has been no material impact of the development on the amenity of the area or otherwise. Therefore, the Applicant requests that permanent planning permission should now be granted. However, the Applicant accepts that should the Council think it necessary to provide temporary permission, the Applicant would accept the Council's decision despite the continued costs incurred in resubmitting applications after the expiry of the temporary use as required. The applicant does in the acknowledgement of the importance of keeping the business sustainable but would request the Council to consider a permanent planning permission put in place.

Conclusion

This proposal presents a continuing opportunity for the Council to support a small business within a rural economy which is in line with the principle of sustainable development underpinning the NPPF. It is submitted that the Council should take a positive approach and grant planning permission for this Application. This proposal continues to be in line with both local and national policy and there has not been any material impact on the amenity of neighbouring properties or otherwise which

cannot be satisfactorily curtailed through conditions (as has been shown throughout the lifetime of the previous planning permission).