

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 27/03/2012</b>	<b>Item No: 5.3</b>
<b>Report Originator</b>	<b>Mark Coleman Assistant Development Officer</b>	<b>Application No: KET/2011/0363</b>
<b>Wards Affected</b>	<b>Slade</b>	
<b>Location</b>	<b>The Old Willows, Unit 10, Old Northampton Road, Broughton</b>	
<b>Proposal</b>	<b>s.73A Retrospective Application: Change of use of land to residential gypsy traveller site of 3 no. pitches, comprising 1 no. mobile home, 1 no. associated touring caravan, 2 no. static caravans, together with the retention of a day room, toilet building, associated hard standing, external lighting and septic tank klargester.</b>	
<b>Applicant</b>	<b>Mr P Rooney PR Contractor,</b>	

### **1. PURPOSE OF REPORT**

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

### **2. RECOMMENDATION**

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The site shall not be occupied by any persons other than Gypsies and Travellers as defined in paragraph 15 of ODPM Circular 01/2006.

REASON: To ensure that the use is implemented as an exception to the general presumption against development in the open countryside, in accordance with policies 1, 9, 13 and 17 of the North Northamptonshire Core Spatial Strategy and PPS7.

2. No more than six caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed at any time, of which only three of these caravans shall be a residential mobile homes.

REASON: In the interests of visual amenity and character and appearance of the open countryside and residential amenity in accordance with policies 13 (h) and (l) of the North Northamptonshire Core Spatial Strategy.

3. Other than the parking of no more than 2 no. light goods/public carrier vehicles, the site shall not be used in connection with any trade, industrial or business activity.

REASON: In order to protect the amenities of occupiers of nearby properties and the appearance of the open countryside in accordance with Policy 13 (h) and (l) of the North Northamptonshire Core Spatial Strategy.

4. The boundary treatment and gates (including the division between the principal mobile home and workmen caravans) as detailed on the submitted block plan

received on 11th January 2012 and hereby approved and already present within the site shall be permanently retained hereafter.

REASON: In the interests of protecting the neighbouring amenity of the occupiers of the site and the character and appearance of the wider open countryside in accordance with Policy 2 of the East Midlands Regional Plan and Policy 13 and (h) (l) of the North Northamptonshire Core Spatial Strategy.

5. The residential use hereby permitted shall cease and the works undertaken to facilitate the use (namely the stationing of two static caravans and one mobile home and associated touring caravans and vehicles, erection of one toilet building and one day room and foul drainage) shall be permanently removed from the site within 1 month of the date of failure to meet any one of the requirements set out in (i) to (iii) below:

i. within 2 months of the date of this decision, a percolation test must be undertaken to ensure that the soakaway serving the proposed foul drainage system (septic tank) will work in adverse conditions. Results of this test shall have been submitted for written approval of the Local Planning Authority;

ii. if within 11 months of the date of this decision the Local Planning Authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by the Secretary of State;

iii. if an appeal is made pursuant of (ii) above, that appeal shall have been finally determined and the submitted test details shall have been approved by the Secretary of State.

REASON: To prevent pollution of the water environment in accordance with Policy 32 of the East Midlands Regional Plan, and Policy 13 (q) of the North Northamptonshire Core Spatial Strategy.

6. The use hereby permitted shall cease and the works undertaken to facilitate the use (namely the stationing of two static caravans, one mobile home, erection of one toilet building, one day room and foul drainage, etc) shall be permanently removed from the site within 1 month of the date of failure to meet any one of the requirements set out in (i) to (iv) below:

i. within 1 month of the date of this decision, full details of the proposed septic tank (including Environment Agency Discharge Consent Number, site of unit, design and projected loading of unit, together with final discharge point and maintenance schedule) together with a timetable for its implementation if not already installed shall have been submitted for written approval of the Local Planning Authority;

ii. if within 11 months of the date of this decision the Local Planning Authority refuse to approve the details or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by the Secretary of State;

iii. if an appeal is made pursuant of (ii) above, that appeal shall have been finally determined and the submitted test details shall have been approved by the Secretary of State;

iv. the approved details shall have been carried out and completed in accordance with the approved timetables.

The use hereby permitted shall not operate other than in accordance with the approved details.

REASON: To prevent pollution of the water environment in accordance with Policy 32 of the East Midlands Regional Plan, and Policy 13 (q) of the North Northamptonshire Core Spatial Strategy.

Notes (if any) :-

- You are advised that under the Caravan Sites and Control of Development Act 1960 a site licence will be required from Kettering Borough Council prior to the occupation of any caravan on this site. Further information regarding this matter is available from Kettering Borough Council Environmental Health Services, tel: 01536 410333

CONSENT OF DISCHARGE

- The law regarding discharges of sewage effluent from septic tanks and treatment plants changed under the Environmental Permitting Regulations on 6th April 2010. Now, anyone intending to discharge 5 cubic metres per day or less to surface waters or 2 cubic metres per day or less to ground may be eligible for an exemption and will need to register before they commence making the discharge.

The Environment Agency would advise the application to view the following information on how to register:

[http://www.environment-agency.gov.uk/static/documents/Business/Guidance\\_for\\_house\\_holderseptic\\_tank\\_or\\_sewage\\_treatment\\_plant\\_-\\_FINAL.pdf](http://www.environment-agency.gov.uk/static/documents/Business/Guidance_for_house_holderseptic_tank_or_sewage_treatment_plant_-_FINAL.pdf)

There are further guidance notes and application forms for effluent sewage discharges also available to download from:

<http://www.environment-agency.gov.uk/business/topics/water/117485.aspx>

The Environment Agency has also issued Environmental Permitting Regulations including revised Pollution Prevention Guidelines (PPGs) which are accessible via [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk). Given the nature of the proposed development, it would be advisable that the applicant refer to these notes for further information, specifically 'PPG4 - Treatment and disposal of sewage where no foul sewer is available' which is available to download from:

<http://publications.environment-agency.gov.uk/pdf/PDHO0706BJGL-E-E.pdf>

SOAKAWAYS

Soakaways should be constructed to BS6297:2007. There should be no connection to watercourses or land drainage system, and no part of the soakaway system can be within 10 metres of any ditch or watercourse, or within

50 metres of a well, borehole or spring.

### **Justification for Granting Planning Permission**

The proposal is in accordance with national and local policies as set out in Planning Policy Statements and Guidance Notes 1, 3, 7, 13, 23, Policies 1, 2, 3, 11, 16, 32 of The East Midlands Regional Plan, Policies 1, 9, 13, 14, 17, of the North Northamptonshire Core Spatial Strategy and Policy 7 of the Local Plan for Kettering Borough. Although there is some conflict with PPS3 and Policy 3 of the East Midlands Regional Plan in this instance the issues raised do not outweigh the principal policies referred to. The issues relating to vacant adjacent gypsy pitches and the development being located outside of the village boundary are material planning considerations and, in reaching the decision to approve the proposal, have been carefully weighed against all relevant policy considerations.

## Officers Report

### 3.0 Information

#### **Relevant Planning History**

KE/93/0217 - {Plots 1- 9a and application site] Change Of Use: Proposed Residential Caravan Site For Seven Families (Refused : 25.03.93; Appeal Allowed 11.07.94)

*The appeal granted a temporary 2 year permission for retention of the 7 no. gypsy traveller pitches, allowing additional time to comply with an enforcement notice which required their removal by which time the LPA's assessment of alternative sites would be complete.*

KE97/0068 – [Plots 1 – 9a] Change Of Use: Continued Use As Gypsy Caravan Site (Approved 11.03.97)

*The planning permission gave permanent consent for 9 pitches.*

KE/00/0267 –Erect A `Day Room` For Use Solely In Connection With Residential Occupation Of Caravan On Plot 3 Comprising, Toilet/Bathroom, Kitchen And Multi-Purpose Childrens Activity Room (Approved 06.06.00)

KE/01/0052 – [plot 1] Erection of Day Building (Approved 10.04.01)

#### **Site Description**

Officer's site inspection was carried out on 3<sup>rd</sup> October 2011. The site is located in open countryside, to the south of Broughton village, on the former route of the A43 highway adjacent to 10 existing gypsy traveller pitches. The site is set down from the A43 which is located to the west, and separated by a band of established trees which extends to the south and in parts to the east of the site. To the east of the site is agricultural land. To the south are 10 neighbouring gypsy traveller pitches which are accessed from the old slip road which connects to Northampton Road and leads into Broughton Village. It is evident that some of the existing pitches (pitches 5, 6, 9 and 9a) were not occupied at the time of the site visit.

#### **Proposed Development**

The application is retrospective. The proposal was originally worded '*change of use of the land to a mobile home site for one mobile home and touring caravans and retention and extension of day room. Retention of toilet block*'. However, at the time of the site visit, it was clear that the site actually comprises of three pitches, as there are three distinct groups of people living separately within the site. The main mobile home is occupied by the applicant, Mr Paddy Rooney, together with his wife Christine Rooney, and children, Felix, Larry and William. The Rooney family have sole use of the day room. In addition, two static caravans are present within the site, which are separated from Mr Rooney's pitch by a gate and boundary fence; one caravan is occupied by Mr Martin Kent, the other is occupied by Mr David Stevens and Mr Richard Trunk, both of whom are cousins to Mr Rooney. These two pitches are

not separated from each other a share a parking and amenity space. All three occupants are also employed by Mr Rooney. Vehicular access to the two static caravans is depended on the access serving the pitch occupied by Mr Rooney's family.

As a result of the above arrangements, the applicant has agreed to re-word the proposal as '*change of use of the land to a 3 pitch gypsy traveller site for one mobile home and touring caravan, and two static caravans, and retention and extension of day room and retention of toilet block*'. The proposal does not include a commercial use other than for the parking of light goods/public carrier vehicles; as a result the application has been made under the company name 'P R Contractors' who specialise in block paving (patios and driveways).

### **Any Constraints Affecting The Site**

A Road

Open Countryside

## **4.0 Consultation and Customer Impact**

### **Parish/Town Council**

Objection from Broughton Parish Council, on the grounds of unjustified development within open countryside. Comment also made with respect of the status of the existing pitches.

### **NCC Highway Authority**

No Objection.

### **Northamptonshire Countywide Traveller Unit (CTU)**

No Objection. The CTU has not encountered the applicant's family within the county over the last 5 years, and they have not approach the CTU for help. The CTU Consortium Partnership supports the creation of small family sites where practicable and in accordance with government Circular 01/2006.

### **Environment Agency**

Comment of no objection, subject to recommended condition seeking percolation test to foul drainage system, and condition to secure the use of a septic tank. Additional informative information has also been provided.

### **Environmental Health, Kettering Borough Council**

No objection. Informative recommenced with respect of the Caravan Sites and Control of Development Act 1960.

### **Neighbours**

No comments received.

## **5.0 Planning Policy**

### **National Policies**

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing

Planning Policy Statement 7: Sustainable Development in Rural Areas

Planning Policy Guidance 13: Transport

Planning Policy Statement 23: Planning and Pollution Control.

### **Development Plan Policies**

#### **East Midlands Regional Plan**

Policy 1: Regional Core Objectives

Policy 2: Promoting Better Design

Policy 3: Distribution of New Development

Policy 11: Development in the Southern Sub Area

Policy 16: Regional Priorities for Provision for Gypsies, Travellers and Travelling

Showpeople

Policy 32: A Regional Approach to Water Resources and Water Quality

#### **North Northamptonshire Core Spatial Strategy**

Policy 1: Strengthening the Network of Settlements

Policy 9: Distribution and Location of Development

Policy 13: General Sustainable Development Principles

Policy 14: Energy Efficiency and Sustainable Construction

Policy 17: Gypsies and Travellers

#### **Local Plan**

Policy 7: Protection of Open Countryside

#### **SPDs**

Sustainable Design

#### **Background Papers**

Work is current in progress on the DPD and allocation of sites, no sites have yet been allocated, although a background paper on 'Gypsy and Traveller Site Allocations' was endorsed by members on 15<sup>th</sup> November 2011, which set out a range of options. These options are currently being consulted on as part of the formal consultation of the options paper for the site specific proposals. It is anticipated the final adoption of this document should be completed in 2013.

#### **Government Circulars and Emerging Policy**

Circular 01/2006: Planning for Gypsy and Traveller Caravan Sites

Circular 04/2007: Planning for Travelling Showpeople

Planning for traveller sites (Consultation: April 2011)

## **6.0 Financial/Resource Implications**

None

## **7.0 Planning Considerations**

The key issues for consideration in this application are:-

1. Need for Additional Gypsy Sites
2. Sustainability of the Site
3. Landscape Implications
4. Impact on Neighbouring Amenity
5. Impact on Parking and Highway Safety
6. Drainage
7. Sustainable Development

### **1. Need for Additional Gypsy Sites**

The applicant has confirmed within the application that there are three groups of people who live independent of each other on the site, as discussed in section 3.0 [Proposed Development] of this report. The applicant claims that they have all lived on the site for the past 9 years. Council photographic aerial maps confirm that the site had not been developed in 1999; in 2005 the mobile home, day room, and two touring caravans were present; in 2009 an additional touring caravan was present. No static caravans were present during these periods. No evidence is available to indicate that the occupiers of the site are not Gypsy travellers; their Gypsy traveller status is therefore accepted.

Northamptonshire County Traveller Unit (CTU) has been consulted on the application and has not submitted comments to the contrary with respect of any of the occupiers of the site, but does state that they have not come into contact with the applicant or their family over the last 5 years at any unauthorised encampments within the county.

In Northamptonshire, the CTU co-ordinated a Gypsy and Traveller Accommodation Assessment (GTAA) the results of which were published in March 2008. The GTAA is a tool used to identify the level of need that exists in the local area for Gypsy and Traveller accommodation. This 2008 assessment identified a need for 18 additional pitches within Kettering Borough up to 2017. The GTAA was updated in October 2011 which identified the need for an additional 3 residential pitches up to 2017 instead; this assumed delivery of 7 pitches that already have planning permission but which have not yet been implemented at The Pastures. A further need for 10 residential pitches between the periods of 2017 – 2022 has also been identified. The figures identified in the 2011 GTAA updates the figures quoted in the East Midlands Regional Plan which were based upon the 2008 GTAA. Discussion with the Northamptonshire CTU confirms that these figures assumed that the application site was an authorised site for a single pitch.

In addition to this, work is currently being progressed by Kettering Borough Council to identify sites for Gypsy accommodation. A background paper to the Site Specific Local Development Document was approved by Planning Policy



Committee on 15<sup>th</sup> November which outlined the current Gypsy traveller provision and need within the Borough followed by a description of options which will form part of the Site Specific Local Development Consultation Document, for which consultation is currently being undertaken. The need figures contained within this report make the same assumptions as the 2011 GTAA. The options set out in this paper are:

Option 1: identifying additional pitches on existing sites or in close proximity to existing sites;

Option 2: provide new sites away from existing ones;

Option 3: identify the ideal site using a set of search criteria and;

Option 4: a combination of the above options.

The identification of specific sites, how these will be assessed for sustainability, and consultation will follow on once the options consultation has been reported back to the Planning Policy Committee. Final adoption of the Site Specific LDD is scheduled for April 2013.

Section 225 of the Housing Act 2004, in conjunction with ODPM Circular 01/2006, created a statutory duty for Local Authorities to assess the demand for Gypsy Traveller accommodation in their area and to take the assessment into account in exercising all its functions, including planning functions.

The Government has announced its intention to withdraw Circular 01/2006 in favour of new light-touch guidance on provisions for Gypsies and Travellers. In April 2011 the Government published the 'Planning for Travellers Sites Consultation', which expired on 4<sup>th</sup> August 2011. The changes within this consultation document are designed to give Local Planning Authorities discretion to meet site provision in their area, in consultation with the local community, to ensure greater fairness in the planning system and align policy more closely to other housing policy and be more streamlined and effective. Whilst this consultation document and Government intentions are a material consideration, Circular 01/2006 still remains national policy, and as such a greater weight has been given to this in the determination of this application.

Objection has been raised by Broughton Parish Council on the grounds that there is no need for extra pitches as there are a number of vacant pitches within the existing adjacent authorised gypsy traveller site in Broughton. The availability of these additional sites has previously been investigated. Of the 11 pitches (including the application site which was counted as 1 pitch), 4 were shown at that time to be vacant. Whilst Council Tax records have been interrogated to establish vacancy rates, records held are not up-to-date, limiting weight which can be attached to them.

To better inform members of the extent of vacant sites within the Borough, letters were sent to all possible vacant plots in Broughton in August 2011 asking owners to confirm if the site is vacant and if so, is it accessible for other Gypsies

to occupy. Although these letters were sent to establish vacancy rates required in consideration of the earlier Millwinds application (KET/2010/0133), the findings are transferrable. All of the letters sent were delivered (i.e. not returned), however, no responses were received. A re-assessment of unoccupied plots at Broughton was repeated on 13<sup>th</sup> February 2012. At that time, plots 5, 6, 9 and 9a were unoccupied. In line with the August 2011 assessment, it remains the view that unoccupied pitches do not necessarily indicate that pitches are vacant and available for use.

Whilst it is evident from the GTAA there is a need for additional pitches for Gypsies and Travellers in order to meet current and future need, this identified need must be balanced with other material considerations, including advice in Circular 01/2006 and policies in the North Northamptonshire Core Spatial Strategy and these issues are discussed below.

## **2. Sustainability of the site**

Policy 17 'Gypsies and Travellers' of the North Northamptonshire Core Spatial Strategy sets out criteria that needs to be met where a need is identified for additional accommodation for Gypsies. These criteria are set out below along with a consideration as to whether they can be met.

*(a) be in accordance with the locational requirements set out in Policy 9 of the Core Spatial Strategy and should also meet the criteria set out in policy 13 of the Strategy;*

Policy 9 of the Core Spatial Strategy as is referred to in policy 17 (CSS), requires that development be distributed to strengthen the network of settlements, being principally directed to the urban core, and new building development in the open countryside shall be strictly controlled. In addition policy 9 identifies that priority will be given to the reuse of suitable previously developed land and buildings within the urban area, followed by other available land in urban areas.

Policy 13 (c and k) of the North Northamptonshire Core Spatial Strategy require that developments maintain and improve the provision of accessible local services and community services and allow for travel to home, shops, work and school on foot any by cycle and public transport. Policy 13 (e) of the Core Spatial Strategy requires that developments incorporate measures to contribute to a target of 5% modal shift in developments over the plan period.

Circular 01/2006 also adopts a more flexible approach to the location of Gypsy sites than policies set out in the Core Spatial Strategy. Circular 01/2006 states '*Rural settings, where not subject to specific planning constraints are acceptable in principle. In assessing the suitability of such sites, Local Planning Authorities should be realistic about the availability, or likely availability of alternatives to the car in assessing local services*'. However, the Circular does clearly state that in deciding where to provide for Gypsy and Traveller sites, Local Planning Authorities should first consider locations in or near existing settlements with access to local services including shops doctors and schools.

In this instance, although the application site is located within open countryside, it occupies an edge of village location and is also adjacent to an existing, established gypsy traveller site. As the site was also used as a former highway it is also classed as previously developed land and makes effective use of land. Whilst and Policy 3 of the East Midlands Regional Plan resists development outside the settlement boundary and policies 9 and 17 of the Core Spatial Strategy require that development be located within urban areas and development in the open countryside be strictly controlled, Circular 01/2006 is less strict and states that rural sites are acceptable in principle. However an important consideration is how each site compares in terms of sustainability and this is explored below.

*(b) not be within an area designated as environmentally sensitive*

The site is not located in an area designated as environmentally sensitive. The impact of development on the landscape is considered under 'Landscape Implications'.

*(c) should be closely linked to an existing settlement with an adequate range of services and facilities in order to maximise the possibilities for social inclusion.*

The closest settlement to the site is Broughton village, which is approximately 600m (0.4 miles) north of the site, and provides local services in the form of a public house (1200m) , church, primary school (1500m), convenience shop (1100m) , take away (1600m) , park (1400m) and bus service stops (750m). The main bus route (no.38 and no.39) between Kettering and Northampton also picks up at various stops along Northampton Road at hourly intervals. A very limited bus service (no.304) between Desborough and Northampton also currently picks up from the village centre on Wednesdays.

Other services (doctors, dentist, café, nursery, primary school, etc) are available at Mawsley which is approximately 2 mile to the west. Both villages are accessed by country roads with no pavement. Whilst distance to Broughton is walkable, it is more likely to be accessed by bicycle or motor vehicle. Due to its distance, Mawsley would realistically be accessed by motor vehicle. The closest main town is Kettering (approximately 3 miles northeast), which provides a more comprehensive range of facilities and mainline connection to London. A cycle lane route to Kettering connects to Northampton Road, Broughton close to the site (approximately 350m away).

As a result, whilst some services are within relatively close proximity, pedestrian access is limited due to the absence of a connecting footway. The development is therefore more likely to be dependent on private motorised transportation or bicycle.

In considering sustainability, Circular 01/2006 makes it clear that distance from services is not the only consideration. Consideration also needs to be given to the promotion of peaceful and integrated existence between the site and the local community; the wider benefits of access to a GP and school, the benefits a settled base has in reducing the need for long distance travelling and not being located in an area at a high risk of flooding.

In the absence of the forthcoming DPD process which will set out a sustainability criteria, the proposal must be considered in accordance with the aforementioned considerations. In conclusion, despite the site being located in open countryside, it is located within proximity to a neighbouring village settlement and a range of services and benefits which could be accessed by sustainable modes of transport (foot/cycle). The site is also close to an established gypsy traveller community.

### **3. Landscape Implications**

The site is set down from the A43 to the west, and separated by an established tree belt to the south and west. Further planting is present to the east, encircling the site on three sides and limiting its impact on wider landscape. As the planting is located outside of the application site, a condition to secure its retention is not considered necessary. To the north is the main access road connecting with Northampton Road, and 10 neighbouring gypsy traveller pitches. Being single storey in height, the utility building, static caravan and touring caravans and toilet building are all proportionate in appearance to their surroundings and considered acceptable. A small amount of low level illumination is present on site, which is not considered to have an adverse impact on the surrounding landscape; as a result, no objection to the external lighting has been received from KBC Environmental Health. The proposal is therefore considered to have an acceptable impact on the surrounding landscape and accords with the relevant parts of PPS1, Policy 2 (EMRP), Policy 13 (CSS).

### **4. Impact on neighbouring amenity**

The proposed 3 no. pitches share a large site which is split into two curtilages, with one shared by the smaller 2 no. static caravans. The sharing a curtilage which abuts existing traveller pitches to the north. To the west is a main road connecting Kettering with Northampton. Abutting the site to the south and east is open countryside. To the north is an existing 10 pitch gypsy traveller site, whilst to the west the site is framed by the A43 bypass. Due to these constraints and separation distances from neighbouring pitches, impact on neighbouring amenity is limited to acceptable levels subject to boundary condition to secure the existing boundary treatments shown on the submitted layout plan received on 11.01.12. With respect of the amenity of the occupiers of the proposed pitches, it is considered that these are also adequately protected due to the size of the site, subject to similar boundary condition. As a result, the proposal is considered acceptable and in accordance with the relevant parts of Policy 2 (EMRP) and Policy 13 (CSS) with respect of neighbouring amenity.

### **5. Impact on parking and highway safety**

The proposed vehicular access to the Gypsy traveller site extends from the existing gypsy traveller site [pitches 1 to 9a] access connection with Northampton Road. The majority of land within the site is set out as hard standing and provides a large area for vehicular parking (including associated touring caravans) and turning clear of the highway and existing access road. NNC Highways make no objection to the proposed development. As a result, the proposed development is acceptable with respect of this material

consideration and accords with the relevant parts of PPG13, Policies 2 and 48 (EMRP), and Policy 13 (CSS).

## **6. Drainage**

Policy 13(q) of the North Northamptonshire Core Spatial Strategy requires that developments do not cause a risk to the quality of the underlying ground water or surface water. Policy 32 of the East Midlands Regional Plan also seeks to protect ground waters from pollution.

The application states that the foul drainage will be to a Klargestor BioDisc BA-BC which has the capacity to serve 18 people. Informal conversation with the applicant's agent on 09.03.12 confirmed that the Klargestor was installed approximately 7 years ago. The Klargestor is not known to be subject to an EA Discharge Consent. The Klargestor unit is maintained by emptying on a periodic basis as required, and connected to a soak away drain by a pipe measuring 110mm diameter. Informal comment from KBC Development Control department does not identify any specific concerns regarding the proposed method of drainage, although comment from the Environment Agency maintains no objection subject to planning conditions seeking a percolation test and securing the use of the septic tank. The Environment Agency also recommends applying flood zone 1 standing advice as an informative with respect of surface water drainage. Subject to this conditions, the proposed development is in accordance with relevant parts of policy 13 (CSS) and policy 32 (EMRP) with respect of foul and surface water drainage.

## **7. Sustainable Development**

Policy 14 of the North Northamptonshire Core Spatial Strategy requires that proposals demonstrate that the development incorporates techniques of sustainable construction and energy efficiency, and that there is a provision for waste reduction / recycling and water efficiency and water recycling measures.

A Sustainability Statement has been submitted as part of the application, but provides limited information with respect of these issues. All habitable rooms with water services are to utilise water saving taps with restricted flow rate. The applicant states that the external lights are solar powered, but on inspection appear to be solar controlled, rather than powered. Despite this, they are unlikely to make a significant difference to the overall performance of the proposed development. Refuse and Recycling will be serviced by Kettering Borough Council, and despite no secure storage area being shown within the site, it is considered that the site has adequate space for the refuse/recycling needs of the site and does not need to be secured by condition.

As the site was previously a slip road to the A43, the site is classified as previously developed land and has some sustainability merits due to this. In addition, it is accepted that caravans typically consume considerably less energy and non renewable resources compared to a traditional dwelling house (operationally and in terms of construction). As a result, the proposal is considered acceptable and in accordance with the relevant parts of Policy 14 (CSS) and Policy 2 (EMRP).

## **Conclusion**

The updated GTAA recognises the need for additional Gypsy accommodation within the borough, which remains so, after adjustments regarding the status of this site in the count have been made. At this current point in time, the Council has no alternative sites, or knowledge of any sites available for the three groups of people referred to in this application.

Although the site is located within open countryside, being an edge of village location, it is situated within relatively close proximity to a broad range of services available within Broughton. In addition, an existing gypsy traveller development outside of the village boundary adjacent to the site has already been established, and the proposal would result in the existing gypsy traveller site increasing in size to 13 pitches, in line with the optimum size for permanent residential sites referred to in the GTAA (2008).

Given that the proposal is acceptable in terms of its impact on parking and highway safety, neighbouring amenity, landscape, drainage, sustainable development subject to conditions, in accordance with the statutory duty of Section 38 (6) of the Planning and Compensation Act 2004 Act, the proposed development is recommended for approval.

### **Background Papers**

Title of Document:

Date:

Contact Officer:

Mark Coleman, Assistant Development Officer on 01536 534316

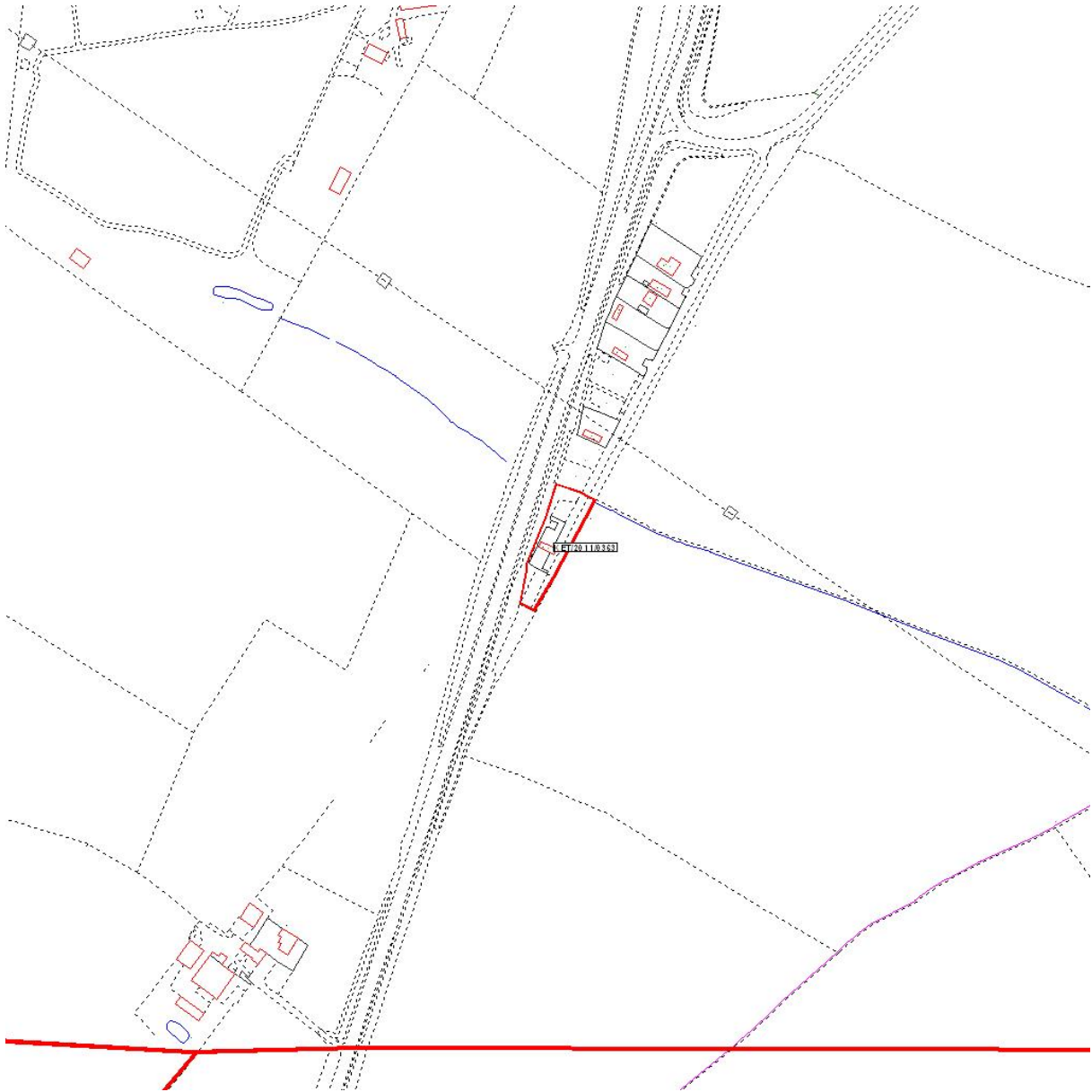
### **Previous Reports/Minutes**

Ref:

Date:

## SITE LOCATION PLAN

The Old Willows, Unit 10, Old Northampton Road, Broughton  
Application No.: KET/2011/0363



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