Dep 24/12

Development Control – Delegated Officer Report

Application Number: ADC/0664/07 **Recommendation – Issue Certificate**

Site: **Water Supply Works Steyning Road Shoreham-by-Sea West Sussex**

Proposal: **Proposed installation of plant and equipment within existing operational water treatment works (application for certificate of lawfulness)**

The Application

The site is within an area designated as countryside area and the area of outstanding natural beauty as set out in the Adur District Local Plan. The site is located to the north of Shoreham, beyond the A27 Shoreham by-pass. Access to the site is via an access point on Steyning Road which is to the south west of the site.

The Shoreham Water Treatment Works is a clean water supply station, as existing on site there is a spring receptacle, storage tank, control and treatment building and substation. In addition there is existing hardstanding, footpaths and gates to the site with palisade fencing enclosing the site. Access to the site is via gates from Steyning Road, there is tree screening to the west of the site. There is a private dwelling to the south of the site at a distance of 1.9 metres from the boundary of the site.

This application is for a Certificate of Lawfulness where the planning merits of the proposal are not a consideration in this case. The assessment is whether planning permission is required in accordance with the General Permitted Development Order 1995.

The proposed development consists of two, 2 metre diameter pipes which will have an anodized finish. The pipes will be approximately 46 and 20 metres long and will run side by side along the western boundary of the site. The pipes will provide added contact area for water undergoing treatment process. Also included in the proposal are ancillary works including new access platforms, washout chambers, improvements to footpaths and new gates to the site.

Consultations and Representations

Third Parties: Not applicable -(No third party representations have been received)

Relevant Planning Legislation

Town and County Planning (General Permitted Development) Order 1995, Schedule 2, Part 17. 'Development by Statutory Undertakers.'

Class E. Water or Hydraulic Power Undertakings

Assessment

Class E permits development for the purposes of their undertaking by statutory undertakers for the supply of water or hydraulic power under certain circumstances, (a) – (g). It is considered that the proposal is permitted development under (g) 'any other development in, on, over or under operational land other than the provision of a building but including the extension or alteration of a building.'

With regards to all other criteria, the development is not in connection with the supply of water, or for conserving, redistributing or augmenting water resources, or for the conveyance of water treatment sludge. Neither is the development in on or under any watercourse and required in connection with the improvement or maintenance of that watercourse. The development does not involve maintenance, improvement or repair works for measuring the flow in any watercourse or channel or the provision of a building or apparatus in, on or under land for the purpose of survey and investigation. It is not for the installation in a water distribution system of a booster station, valve house, meter or switch-gear house.

Section E.1 sets out development which is not permitted under class E which includes the construction of a reservoir, the installation of a station or house exceeding 29 cubic metres in capacity, certain extensions and alterations to buildings and the installation or erection of any plant or machinery exceeding 15 metres in height or the height of anything it replaces whichever is the greater. In this case the height of the proposed pipes is a maximum of 4 metres.

Recommendation

Issue Certificate of Lawfulness for Proposed Development.

Reason: - The proposal constitutes 'development' as defined by section 55 of the Town and County Planning Act 1990 but is permitted by Class E Part 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)

Case Officer...V Baker.....Date...5/12/07.