

Parish:	West Walton	
Proposal:	OUTLINE ALL MATTERS RESERVED: Proposed plot	
Location:	5 Trafford Estate West Walton Wisbech Norfolk	
Applicant:	Mr Crockford	
Case No:	20/01112/O (Outline Application)	
Case Officer:	Clare Harpham	Date for Determination: 23 September 2020 Extension of Time Expiry Date: 9 November 2020

Reason for Referral to Planning Committee – The Parish Council object to the application which is at variance with the Officer recommendation and the Sifting Panel requires that the application be determined by Planning Committee.

Neighbourhood Plan: No

Case Summary

The application is for outline planning permission with all matters reserved for one dwelling within a plot of land currently used as garden land to no.5 Trafford Estate. The application site is currently within the development boundary where the principal of residential development is acceptable.

Key Issues

- Principle of Development
- Form and Character
- Neighbour Amenity
- Highways Issues
- Flood Risk
- Other material considerations
- Crime and Disorder

Recommendation

APPROVE

THE APPLICATION

The application site is currently garden land to 5 Trafford Estate, West Walton, although it was evident from the site visit that the application site has been separately fenced and is currently not being utilised as garden.

The existing dwelling at no.5 Trafford Estate is a semi-detached ex-Local Authority dwelling of a similar design to the other dwellings to the southern side of Trafford Estate. The application site is currently bounded by a mixture of close board fencing and trellis.

This application seeks outline planning permission with all matters reserved for a proposed plot for a dwelling on land to the immediate east of the existing dwelling.

SUPPORTING CASE

No supporting case submitted.

PLANNING HISTORY

18/01041/F: Application Permitted: 03.08.18 - Two storey rear extension, single storey front porch and alterations including formation of new window openings to side boundary – 5 Trafford Estate West Walton

18/01113/O: Application Withdrawn: 11.06.19 - Residential development - Plot Adjacent 5 Trafford Estate West Walton

14/00603/O: Application Withdrawn: 19.06.14 - OUTLINE APPLICATION WITH SOME MATTERS RESERVED: Residential development - 5 Trafford Estate West Walton

13/01842/F: Application Permitted: 11/02/14 - Two storey rear extension and porch extension to dwelling – 5 Trafford Estate West Walton

12/00029/PREAPP: INFORMAL - Likely to approve: 30/03/12 - APPLICATION FOR PRE-APPLICATION ADVICE: Erection of Dwelling - 5 Trafford Estate West Walton

Adjacent land to east:

17/01592/F: Application Permitted: 02/07/19 - Residential development of 8 dwellings - Land At Trafford Estate West Walton

14/00200/O: Application Permitted: 08.09.14 - Outline application for development of existing vacant site for residential use providing 8 properties - Trafford Estate West Walton

RESPONSE TO CONSULTATION

Parish Council: OBJECTION The proposal is overdevelopment of the plot and the area. Overcrowding to the access to the existing and proposed neighbouring properties.

Highways Authority: NO OBJECTION

For more than one dwelling our standards recommend that an access should be hard surfaced for a minimum width of 4.5m for a distance of 10m from the edge of the highway. The access should be of an alignment and width that allows for two vehicles to pass within the access enabling the highway to remain clear of waiting traffic.

As the access is in third party ownership, onto a non-classified road and the application is for all matters to be reserved, highways conditions will be reserved for the reserved matters application.

Environment Agency: NO OBJECTION Conditions are recommended regarding flood risk mitigation measures.

Internal Drainage Board: NO OBJECTION The application site is within the Board's district and subject to byelaws. The application has indicated that they intend to dispose of surface water via infiltration but if this is not possible and they need to dispose of it via a watercourse permission will be required under Byelaw 3.

The application has not indicated how foul drainage is to be dealt with. If it involves discharge to a watercourse then land drainage consent will be required under Byelaw 3.

I note a riparian drain adjacent to the application site. Should plans be proposed which will affect the riparian drain then consent will be required under Byelaw 4.

Environmental Health & Housing - Environmental Quality: NO OBJECTION The screening assessment makes reference to local knowledge and historical mapping. The land is reported currently to be garden land and historically agricultural. No sources of contamination are identified but there is some rubble from a demolished extension. As there has been some development previously and due to the rubble on site, I would recommend a condition and informative.

Emergency Planning: NO OBJECTION Due to the location in an area at risk of flooding the occupants are advised to prepare a flood evacuation plan and sign up to the EA Flood Warning system.

REPRESENTATIONS

No third party representations received.

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

National Design Guide 2019

PLANNING CONSIDERATIONS

The main issues to consider when determining this application are as follows:

- Principle of Development
- Form and Character
- Neighbour Amenity
- Highways Issues
- Flood Risk
- Other material considerations
- Crime and Disorder

Principle of Development

The application site is located within the development boundary as identified within Inset G120 (West Walton / Walton Highway) of the Site Allocations and Development Policies Plan (SADMPP) 2016. As such a new dwelling in this location is acceptable in principle in accordance with the principles of the NPPF, Policy CS02 of the Core Strategy and Policy DM2 of the Site Allocations and Development Management Policies Plan (SADMPP).

Form and Character

Trafford Estate comprises former local authority residential development which is characterised by well-spaced, semi-detached dwellings to the southern side of the road and less spaced out semi-detached dwellings on the northern side of the road. The dwellings are fairly uniform in appearance but there are differences with the dwellings to the northern side having hipped roofs.

The application site is immediately adjacent to No.5 Trafford Estate which is a semi-detached dwelling set within a generous plot with a relatively large side garden which forms the application site.

Whilst a dwelling in this location would introduce a dwelling which is closer to the donor dwelling than other dwellings on the southern side of the road, what is of note is that planning permission was granted on land east of the application site in July 2019 (17/01592/F) for a further 8 dwellings (3x pairs of semi-detached dwellings and 2 detached dwellings).

This 2019 consent introduces built form further south-east off an ancillary road joining Trafford Estate, and the indicative site plan submitted as part of the current application demonstrates that the proposed dwelling could bridge the gap between the existing built form fronting Trafford Estate Road and the 2019 development to the east. The indicative layout and street scene demonstrates that it would be possible to provide a dwelling which would not look cramped or out of character with the locality.

The Parish Council object on the grounds that it is overdevelopment of the plot and area, however it is considered that whilst it would result in a form of development which is closer to the existing dwelling, when viewed in context with the approved development immediately to

the east it would not be out of character. The plot width and size is also not out of character with the existing form of development on the northern side of the road.

The proposal is therefore considered to comply with the principles of the NPPF, Policy CS02 and CS08 of the Core Strategy and Policy DM2 and DM15 of the SADMPP.

Neighbour Amenity

The outline application is for all matters to be reserved and therefore the final design of the dwelling is unknown. However, it is considered possible to site a dwelling in the position indicated without having any amenity issues with regard to the donor dwelling to the west or the plot immediately adjacent to site on the east.

The donor dwelling has extant planning permission (18/01041/F) for a two-storey extension to the rear of the property, a porch and some alterations to the existing dwelling. If reserved matters were submitted with a similar layout to that indicated it would be possible to construct a two-storey dwelling which would not have any material impact upon no.5 with regard to loss of light, being overbearing or overshadowing.

If the extension is not constructed as approved, then whilst the indicative plans show the proposed dwelling to be set back within the plot it would be possible to construct a dwelling without having a detrimental impact upon the amenity of no.5.

The impact upon plot 8 of 17/01592/F has also been assessed. The indicative layout would not have a material impact upon this neighbour with regard to overshadowing or being overbearing. Whilst full plans have not been submitted it would be possible to site a dwelling which would have no material impact with regard to overlooking.

The proposal therefore complies with Section 12 of the NPPF, Policy CS08 of the Core Strategy 2011 and Policy DM15 of the SADMPP.

Highways Issues

The access to the existing dwelling is currently where the proposed access is indicated on the plan. At the current time this access is an unmade track and was formally in the ownership of BCKLWN. This land has since changed hands and it is proposed to formalise the existing access off the new access road into the development approved by permission 17/01592/F.

Comments have been received by the Highways officer that for two dwellings to share this access the access point for the first 10m from the adopted highway (Trafford Estate) should be widened so two cars can pass. This part of the access is in the ownership and control of a third party (who owns the land approved under permission 17/01592/F) and it is proposed to widen the access in accordance with this permission. Certificate B has been served on the third party landowner for the avoidance of doubt.

The applicant however does not have consent to widen this section of the access himself as he only has vehicular right of way over this land. Should the neighbouring development not be carried out it would be better if this widening still took place, however as it is to serve one additional dwelling and it is a private access onto a non-classified, low trafficked road the Highways Officer has no objections to the proposal. Highways conditions are not recommended at this stage as they are a matter to be reserved.

There are objections to the proposal from the Parish Council who have said that the access is overcrowded. Whilst the access is shared with the donor dwelling the indicative plan

shows two separate parking areas and a turning space and whilst the space is tight, there are no objections from the Highways Officer.

The proposal complies with para 109 of the NPPF, Policy CS11 of the Core Strategy and Policies DM15 and DM17 of the SADMPP.

Flood Risk

The application site is located in Flood Zone 3 of the SFRA 2018 and as such it is the responsibility of the LPA to ensure that the Sequential Test is passed and that it could not be located in an area at a lower flood risk. Whilst there are some pockets within West Walton (and indeed neighbouring Walton Highway) that are in Flood Zone 1, there are no comparable sites with extant planning permission where a similar development could be sited. The majority of the Parish, outside of this small pocket of flood zone 1 is within Flood Zone 3. The Sequential Test is therefore passed.

The application is for a 'more vulnerable' form of development, as identified by Table 2 'Flood risk vulnerability classification' and as such the Exception Test must also be passed. For the Exception Test to be passed the application must demonstrate, with a site-specific flood risk assessment, that the development will be safe for its lifetime and in addition that it would provide wider sustainability benefits to the community.

Whilst the submitted FRA is dated June 2018, the Environment Agency have confirmed that this report and its proposed mitigation is acceptable and that there is no objection to the proposal. Therefore, it can be demonstrated that the proposal would be safe for its lifetime. The benefit of providing an additional dwelling in this sustainable location is considered to provide a wider sustainability benefit to the community and therefore the proposal passes the Exception Test.

It is proposed to dispose of surface water drainage to soakaway which is acceptable, and it is currently unknown what the method of foul drainage will be, therefore a pre-commencement condition is proposed (agreed by agent in email dated 20.10.20).

The proposal complies with para 155 of the NPPF, Policy CS08 of the Core Strategy and Policy DM15 of the SADMPP.

Other material considerations

The application site is garden land but there is evidence on site of a demolished building (possible outbuilding) and therefore the Environmental Quality officer has requested a condition relating to the reporting of unexpected contamination should it be encountered during the build process.

The IDB have no objections to the proposal but do make comment regarding the fact that if surface water cannot be disposed of via infiltration then the Board's consent will be required to discharge surface water to a drain.

Due to the location of the site in an area at risk of flooding the Emergency Planner has recommended the occupants sign up to the EA Flood Warning Direct Service and prepare a Flood Evacuation Plan. This advice will be placed on any decision notice.

Crime and Disorder

The application does not give rise to any issues related to the crime and disorder.

CONCLUSION

The proposed dwelling represents sustainable development within the development boundary and would be acceptable with regard to the form and character of the locality, flood risk, highways issues and it is possible to site a dwelling that would not have a detrimental impact upon neighbouring amenity. As such the proposal complies with the principles of the NPPF, Policies CS02, CS06, CS08, CS09 and CS11 of the Core Strategy and Policies DM2, DM15 and DM17 of the SADMPP. As such it is recommended for approval.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition: Approval of the details of the means of access, layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition: Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition: The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition: No development shall commence until full details of the foul water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 5 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 6 Condition: The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment by Geoff Beel Consultancy (GCB/Anglian Building Consultants) dated June 2018;
 - Finished floor levels will be set no lower than 300mm above existing ground level.

- Flood resistant and resilient measures will be incorporated up to 300mm above finished floor levels.
 - There will be no ground floor sleeping accommodation.
- 6 Reason: In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 7 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with current best practice, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

- 7 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.