

Parish:	Gayton	
Proposal:	Outline Application: Proposed residential development for 1 unit.	
Location:	Willow Dale Winch Road Gayton King's Lynn PE32 1QP	
Applicant:	Mr D Garrard	
Case No:	20/01422/O (Outline Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 22 December 2020 Extension of Time Expiry Date: 15 October 2021

Reason for Referral to Planning Committee – Officer recommendation contrary to Parish Council comments and called in to Planning Committee by Cllr de Whalley.

Neighbourhood Plan: No

Members update

Members will recall that the application was deferred in March 2021. The reason given was- That the application be deferred in order to obtain further information on the drainage issues that had been raised at the site.

The applicant has subsequently submitted full drainage arrangements for the site which have been considered by Anglian Water, the Environment Agency and CSNN. Updated comments are included below in bold.

Case Summary

The application seeks outline planning consent with all matters reserved bar access for one residential unit.

The application site is located to the east of Winch Road, to the west of the village of Gayton. The site is currently garden land to the donor dwelling Willow Dale. Willow Dale is a detached bungalow situated within a substantial plot. The proposed dwelling is on land to the south of the existing dwelling with a new access created to the front of the proposed site off Winch Road.

The application site is located within the development boundary for Gayton. Gayton is categorised as a joint Key Rural Service with Grimston and Pott Row in the Site Allocations and Development Management Policies Plan (SADMPP)(2016).

Key Issues

- Principle of Development
- Form and Character / Residential amenity
- Highways / Access
- * Drainage
- Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application seeks outline planning consent with all matters reserved bar access for one residential unit.

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The application site is located within the development boundary for Gayton. Gayton is categorised as a joint Key Rural Service with Grimston and Pott Row in the Site Allocations and Development Management Policies Plan (SADMPP)(2016).

Initially the application was submitted for an additional three dwellings, with one in the position as proposed and two the rear of the donor dwelling. However the applicant was advised that the proposal represented an overdevelopment of the site and did not respond to the form and character of the locality. The applicant revised the scheme and has therefore submitted an indicative site layout plan to illustrate that the application site is capable of accommodating a detached dwelling with adequate parking and turning to the front of the site, and private garden to the rear.

SUPPORTING CASE

This statement supports the Outline Planning Application for the proposed new dwelling at Willowdale, Winch Road, Gayton, King's Lynn. Only matters of access are committed for consideration at this stage.

The site at present is currently residential curtilage associated with Willowdale, Winch Road, Gayton. The surrounding area is dominated by residential properties.

The proposal will provide a good-sized dwelling for private use within the village assisting in community cohesion. It is designed to have minimal impact on the surrounding properties with no overlooking issues at all. The proposed dwelling will include landscaping and off-road parking to the front of the site with planting to soften the front of the property. The garden will be levelled and seeded with grass and enclosed within 1.8m high timber fencing for privacy to the residents and all neighbouring properties.

The Host property will be left with ample rear and front amenity space along with ample parking.

The existing access point to Willowdale will remain and a new access will be provided to serve the new unit.

The site is located in Flood Zone 1 which further emphasises the proposal as new development should be designated to areas that are not prone to flooding.

PLANNING HISTORY

None

RESPONSE TO CONSULTATION

Parish Council: OBJECTION.

Gayton Parish Council wishes to recommend refusal on the above application on the grounds of overdevelopment of the site and not in keeping as the garden would not be the same as the surrounding properties and any additional property on the site would be better on the back of the site. It was also resolved to ask our Borough Councillor to call the application in.

Local Highways Authority: NO OBJECTION.

Plans now detail that only one unit is to be provided and it offers access and parking that would accord with the adopted standard. As a result the specified conditions should be attached to the consent.

Internal Drainage Board: NO FURTHER COMMENTS.

Environment Agency: NO OBJECTIONS

We have reviewed the above application and it is considered that there are no Agency related issues in respect of this application and therefore we have no comment to make.

Environmental Health & Housing – Environmental Quality: NO OBJECTION

Contaminated Land - Following a review of our records, there appears to have been demolition of three outbuildings/sheds to the rear of the existing dwelling. The screening assessment also indicates the storage of heating oil fuel to the rear of the building. As the site has been amended (to exclude the land to the rear) a condition should be attached to ensure the reporting of any unexpected contamination due to the site history.

Natural England: NO COMMENTS

Anglian Water: NO OBJECTION

Wastewater Treatment - The foul drainage from this development is in the catchment of Grimston Water Recycling Centre that will have available capacity for these flows.

Used Water Network - The sewerage system at present has available capacity for these flows via a gravity fed connection to the public foul water sewer on site. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. We recognise that a number of customers on Winch

Road have been affected by flooding recently. We can confirm that this is due to heavy rainfall and a fault at our pumping station. We have been using tankers. We are still investigating the issue and work is ongoing. The flooding is not caused by lack of hydraulic capacity in the foul system.

Surface Water Disposal - The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented. The applicant has indicated on their application form that their method of surface water drainage is via SUDS.

CSNN: NO OBJECTION

In light of this information I would be prepared for drainage to be conditioned as per the submitted information/scheme. I note that Anglian Water provided a site specific response after my initial comments which should allay public concerns (“We recognise that a number of customers on Winch Road have been affected by flooding recently. We can confirm that this is due to heavy rainfall and a fault at our pumping station. We have been using tankers. We are still investigating the issue and work is ongoing. The flooding is not caused by lack of hydraulic capacity in the foul system.”).

Surface water drainage has been robustly considered and an enlarged soakaway is proposed combined with permeable surfacing to the drive/parking area.

REPRESENTATIONS

10 letters of **OBJECTION** received from neighbouring dwellings. The following issues were raised-

- Development is out of keeping with local area
- Overdevelopment / Inappropriate density in village location
- Insufficient amenity space
- Loss of privacy / overlooking
- Light pollution/ noise / disturbance from additional dwellings
- Overshadowing
- Poor relationship to bungalows on Lansdowne Close
- Design should respond to locality
- Increased pressure on local drainage. Anglian Water has issues at Winch Rd pumping station. Have the existing sewerage and water issues in the locality been taken into account?

- Access and traffic issues – Vehicular and pedestrian movements along Winch Rd. This would increase traffic further at a difficult 'pinch point'. Existing access opposite and parked cars on the road. The footpath also on one side in this location.
- Winch Road is busy with traffic moving too quickly. The new school will increase traffic further.
- Commentary on outbuildings previously to the rear of the site (the buildings have been removed)
- Reference to a clause on land restricting additional residential development
- No ecology studies have been produced. There are snakes, toads etc within neighbouring gardens.
- Request removal of tree at front of application site as it is encroaching on neighbouring land.
- **Concern that granting consent for one dwelling will then lead to an application for two dwellings to the rear.**

Cllr de Whalley raises the following concerns-

With respect to the flooding experienced in Gayton and Grimston Ward this winter along with Anglian Water's written concerns, dated as far back as 2016, I am extremely worried at the ability of the locality's foul water infrastructure to handle any additional development without consequence until significant improvements are made. This is of particular relevance to this application as a number of properties at the top end of Winch Road have experienced sewage contaminated flooding and/or the inability to flush loos etc.

LDF CORE STRATEGY POLICIES

CS11 – Transport

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS02 - The Settlement Hierarchy

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM2 – Development Boundaries

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
 Planning Practice Guidance (PPG)
 National Design Guide 2019

PLANNING CONSIDERATIONS

The key issues in assessing this application are considered to be as follows:

Planning Committee
 11 October 2021

- Principle of Development
- Form and Character / Residential amenity
- Highways / Access
- Drainage
- Other Material Considerations

Principle of Development

The application site lies within the development boundary for Gayton as outlined in the Site Allocations and Development Management Policies Plan (SADMPP)(2016). Policy DM2 (of the SADMPP) allows for new development within development boundaries, providing the scheme is in accordance with other Local Plan policies.

Therefore, the principle of development is considered to be acceptable and in line with the Local Plan policies CS06 and CS08 (Core Strategy) and DM2 (SADMP), subject to accordance with other Local Plan policies.

Form and character / Residential amenity

The proposed site layout and the form of the dwelling proposed is yet to be submitted given this is an outline application with all matters reserved bar access. The applicant has submitted an indicative plan to illustrate that a dwelling can be accommodated within the application site, with adequate private amenity space to the rear and parking and turning to the front.

Initial discussions as part of the application process identified that the form of development along this part of Winch Road is predominantly frontage development. The initial application sought development for three dwellings in total, with two to the rear of the donor dwelling which represented backland development. The applicant was advised this scheme would be contrary to the form and character of the locality as well as an overdevelopment of the site.

The amended application seeks to reflect the established built form by proposing a single new dwelling in line with the donor dwelling to the north. The positioning of the application site is commensurate with the locality and therefore at this stage the form and character is acceptable and in line with Policies CS08 (Core Strategy) and DM15 (SADMPP).

In terms of neighbour amenity, this will be fully assessed as part of the reserved matters application. The site is of an adequate size that a single dwelling could be appropriately designed to sufficiently minimise impacts on neighbouring residential amenity. In terms of noise and disturbance caused by additional traffic to the proposed dwelling, given the nature of Winch Road, it is not considered that one additional dwelling would have a significantly detrimental impact on neighbouring dwellings. The proposal would therefore comply with Policy CS08 of the CS and Policy DM15 of the SADMPP.

Highways / Access

A number of objections have been received regarding highway safety, although most of these were to the initial proposals for three new dwellings on the site. Nevertheless the objections raise concerns about increasing traffic on Winch Road, and increasing the number of stopping/ turning movements opposite an existing access. Neighbours state it is already a busy road with a pinchpoint close to the site access. They state that cars are parked along the road, and pedestrians cross over to use the footpath in this location and that this is alongside the fast moving traffic.

The Local Highway Authority (LHA) does not raise an objection to the proposal. The proposed dwelling will require the creation of a new access, and sufficient parking and turning is possible within the site as shown on the indicative plan. The LHA officer does request conditions are attached to a consent related to the access. The arrangements for the parking and turning area will be determined with the layout as part of the reserved matters application. In summary, the scheme is considered acceptable in terms of the proposed access and the impact on the highway, and is in accordance with policies CS11 (Core Strategy) and DM17 (SADMPP).

Drainage

Objections have been raised regarding drainage in the locality both in terms of the existing capacity of the sewerage system to accommodate additional foul water, and also the disposal of surface water. Instances of flooding within the village are referred to and specifically some foul water flooding on Winch Road.

This is an outline application and initially it was proposed that a condition was attached to the planning consent requesting full details of foul and surface water drainage arrangements to be submitted and agreed by the Local Planning Authority prior to the commencement of the development. However, at Planning Committee on 8 March 2021 the application was deferred until a detailed drainage plan had been submitted and agreed.

The applicant has submitted a detailed drainage plan which identifies that the foul water will drain into the foul sewer maintained by Anglian Water, but that the surface water will drain into soakaways within the site. The applicant has conducted drainage testing including percolation rates and the soakaway proposed is considered acceptable. Anglian Water, the Environment Agency, the IDB, and CSNN have been formally consulted. There are no objections to the proposed drainage arrangements. The LLFA would not normally be consulted on a scheme of this size, however informal (verbal) discussions have been held and the LLFA are also entirely satisfied with the drainage arrangements proposed.

Anglian Water has also confirmed that there is sufficient capacity within the Grimston Water Recycling Centre catchment and the sewerage system to accommodate these flows. They recognise that a number of customers on Winch Road have been affected by flooding recently which is due to heavy rainfall and a fault at our pumping station. The flooding is not caused by lack of hydraulic capacity in the foul system.

It is proposed that the drainage scheme/plans are conditioned. Based on the information submitted, and the consultation responses received, the scheme is in accordance with Policy CS08 (Core Strategy) and DM15 (SADMPP).

Other material considerations

Contamination – To the rear of the site there were previously outbuildings and sheds. As the application site now excludes the land to the rear of the site the Environmental Quality officer has requested a condition is attached related to any unexpected contamination found.

Ecology - Natural England had no comments to make on the application. While the site falls within a SSSI Impact Risk Zone, the site is within the built extent of the village and would have minimal if any impact on the SSSI. An objection to the site queries the lack of ecological studies submitted. However, this is garden land currently laid to lawn within an established residential area and no evidence has been put forward of any protected species

on the site, and therefore it is not considered necessary to request this additional information in this case.

Other - Neighbouring objections received include a request for the removal of a tree on the front boundary of the site, and also refer to clauses on the land to prevent residential development. Any clause on the land is a legal/ civil matter and not for consideration as part of this application. The presence of the tree (and whether this should be retained) will be addressed during the reserved matters application. However, at this stage it is considered the scheme could be designed so as not to be harmful to the tree, should it be retained.

CONCLUSION

The principle of development in this location, for one dwelling, is acceptable and in line with the adopted Local Plan (Core Strategy Policy CS08 and Policy DM2 from the SADMPP). This is an outline application with access only, and the applicant has provided an indicative plan to illustrate that the site is capable of accommodating a single detached dwelling. The site layout, design, scale and landscaping are all to be determined as part of a reserved matters application at a later date. While concerns have been raised about highway safety in this locality, the LHA has no objections to the creation of a new access to serve the proposed dwelling. **Similarly objections refer to the capacity of the drainage systems to accommodate new development. Anglian Water has confirmed that there is sufficient capacity to accommodate the development, and drainage plans have been submitted to the LPA and are considered acceptable.** The application is therefore in accordance with the adopted Local Plan specifically Core Strategy policies CS02, CS06, CS08 and CS11 and SADMPP policies DM2, DM15 and DM17, and therefore is duly recommended for approval.

RECOMMENDATION:

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

- 1 Condition: Approval of the details of the means of 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: The development hereby permitted shall be carried out in accordance with the following approved plan (Drawing No SE-1299 PP1000 E) insofar as access only.
- 5 Reason: For the avoidance of doubt and in the interests of proper planning.
- 6 Condition: Prior to the first occupation of the development hereby permitted the vehicular / pedestrian/ cyclist access footway shall be constructed in accordance with the highways specification TRAD 2 and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.
- 6 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety.
- 7 Condition: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 7 Reason: In the interests of highway safety.
- 8 Condition: Prior to the first occupation/use of the development hereby permitted 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage (and additionally along the flank frontage of the adjacent property as outlined in blue on the submitted details).The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.
- 8 Reason: In the interests of highway safety in accordance with the principles of the NPPF.
- 9 Condition: The development hereby permitted shall be constructed in strict accordance with the drainage details specified on Drawing No. 0118-JCE-00-SI-DR-C-3000 P02 received on 2nd September 2021. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 9 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 10 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.

- 10 Reason: In the interests of protecting the environment and the future occupants of the development in accordance with the NPPF.