

AGENDA ITEM NO. 9/1(j)

Parish:	Watlington	
Proposal:	Outline Application: New Dwelling	
Location:	Ananda 63 Station Road Watlington King's Lynn	
Applicant:	Mr & Mrs E Horrell	
Case No:	22/01498/O (Outline Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 17 October 2022 Extension of Time Expiry Date: 8 September 2023

Reason for Referral to Planning Committee – Recommendation is contrary to Parish Council comments.

Neighbourhood Plan: No

Case Summary

This is an outline application with all matters reserved for the construction of a new dwelling on land to the rear of no. 63 Station Road, Watlington. The plot is 0.03ha in size and comprises of garden land. The application includes an indicative plan showing a detached single storey dwelling with access via John Davis Way.

Watlington is designated as a Key Rural Service Centre in the adopted Site Allocations and Development Management Policies Plan.

The site lies within the development boundary for Watlington, and while it lies within Flood Zone 1, it is within the tidal hazard zone in the Strategic Flood Risk Assessment.

Key Issues

Principle of Development
Access/ Highways
Form and Character
Neighbour Amenity
Flood Risk
Other material considerations

Recommendation

APPROVE

THE APPLICATION

This is an outline application with all matters reserved for the construction of a new dwelling on land to the rear of no. 63 Station Road, Watlington. The plot is 0.03ha in size and comprises of garden land. The application includes an indicative plan showing a single storey detached dwelling with access via John Davis Way. The width of the proposed access is 3m, with the plot approximately 12m in width (comparable to plot widths of 8m to the south of the site), and with a depth of 29m maximum (plots to the south of the site have a plot depth of approximately 31m). Therefore, the plot size proposed is comparable with others within the locality.

Watlington is designated as a Key Rural Service Centre in the adopted Site Allocations and Development Management Policies Plan.

The site lies within the development boundary for Watlington, and while it lies within Flood Zone 1 it is within the area of potential tidal breach in the Strategic Flood Risk Assessment.

SUPPORTING CASE

NONE submitted.

PLANNING HISTORY

NONE.

RESPONSE TO CONSULTATION

Parish Council: OBJECTION

The Parish Council objects to this application for the following reasons:

The proposal, by virtue of its location beyond the established pattern of residential development, results in a 'backland development' would have an adverse impact upon the street scene caused by additional parking at the front of the site.

John Davis Way is close to the Railway Station, has no parking restrictions and is continually occupied from the early hours to late evening. Also, there have been, and still are, several cases of cars being left parked in John Davis Way by commuters for up to four or six weeks, with no return. Additionally, John Davis Way is the only access/egress point to the whole estate and adding a further driveway to this highway may cause people to park on both sides of the road, which would not only impact the residents, but emergency vehicle access and other large vehicles. The proposal therefore fails to accord with advice contained within the National Planning Policy Framework for Delivering Sustainable Development.

Parking for delivery and construction vehicles will be an issue for this build - there are no available areas to park, other than to double park, which would result in inadequate visibility splays on John Davis Way and cause danger and inconvenience to users of the highway.

The development would appear to result in the loss of a mature tree, which has a value in terms of visual amenity and sustainable environment within the area and must be retained.

Local Highway Authority: NO OBJECTION

At this all matters reserved stage access and parking are not to be considered. The realistic expectation is that visibility splays would not be blocked as the area is maintained by the Borough Council. Also, ultimately an applicant would need to resolve the issue of ownership at a reserved matters stage as they simply could not access the site without doing so, at which point they could then demonstrate access and parking to accord with standard.

Environment Agency: NO OBJECTION subject to conditions

We remove our objection to this planning application.

We have no objection to the proposed development, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) (22_01498_O-ELLINGHAM_CONSULTING_LTD_RESPONSE-5395478.pdf) are adhered to. In particular, the FRA recommends that:

- Finished floor levels will be set no lower than 0.5m above existing ground levels.

We strongly recommend that you consult your Emergency Planner on the above issues.

We have reviewed the submitted FRA with regard to tidal and main river flood risk sources only. The Internal Drainage Board should be consulted with regard to flood risk associated with their watercourses and surface water drainage proposals.

Environmental Health & Housing - Environmental Quality: NO OBJECTION

The applicant has provided a screening assessment stating no known contamination. The site is on land that has not been developed for the duration of our records and is currently used as a residential garden. The surrounding landscape is largely residential. No potential sources of contamination are identified in our records, or in the information provided by the applicant. We have no objection regarding contaminated land.

Emergency Planning Officer: NO OBJECTION

Now there is a suitable FRA and updated details of the flood risk I remove my objection of the 29th Sep 2022.

Because of its location in an area at risk of flooding from a breach I would suggest that the occupiers:

1. Should sign up to the Environment Agency flood warning system (0345 988 1188 or www.gov.uk/flood)
2. A flood evacuation plan should be prepared (more details at www.gov.uk/flood):
 - This will include actions to take on receipt of the different warning levels.
 - Evacuation procedures e.g. isolating services and taking valuables etc
 - Evacuation routes

Internal Drainage Board: NO COMMENTS

CSNN: NO OBJECTION subject to conditions

There are no objections, however we note the concerns with respect to construction traffic access and parking in this location and it would be our strong recommendation that the garden for the host dwelling is utilised for construction related vehicles, and storage of plant and materials etc, including workers' vehicles (as it will be amended due to the proposal anyway). Therefore, please attach a condition re on-site parking/storage.

Development shall not commence until a scheme detailing provision for on-site parking (which could include use of the host dwelling plot) for construction workers and storage of plant and materials etc for the duration of the construction period has been submitted to, and approved in writing by, the LPA. The scheme shall be implemented until the development is completed. To prevent any adverse impacts on residential amenity, please condition working hours for the development.

It is worth highlighting that the plot is nearly 50% dwelling, and the appropriate space should be made available to locate the required surface water soakaways within the site.

Arboricultural Officer: (Informal) NO OBJECTION

REPRESENTATIONS

ONE OBJECTION received:

Raises concerns on the impact upon the road. This is a continuous parking area, the proposed build would encourage vehicle parking on both sides of the road. This road is the only access road for the whole estate, the width of the road, with double parking would cause risks to emergency and service vehicles having access to the estate. This would also be exacerbated during the construction period. It would negate this parking issue if at least one of the sides of the road was double-yellow lined. Also, due to the parking, it would be difficult to have a clear view of access and egress to the proposed dwelling. The adjacent property already has issues and it would transfer the issue nearer to the station road junction.

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM17 - Parking Provision in New Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

22/01498/O

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2021

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of Development
- Access/ Highways
- Form and Character
- Neighbour Amenity
- Flood Risk
- Other material considerations

Principle of Development

Watlington is categorised as a Key Rural Service Centre (KRSC) in the Site Allocations and Development Management Policies Plan (SADMPP). The application site lies within the development boundary for Watlington and as such Policy DM2 of the SADMPP states that 'development will be permitted within the development boundaries of settlements shown on the Policies Map provided it is in accordance with the other policies in the Local Plan.' Therefore, in terms of the principle of development the proposal is considered acceptable and in accordance with the NPPF, policies CS06 and DM2 of the adopted Local Plan.

Access/Highways

The application seeks outline consent with all matters reserved, and therefore access, layout and parking are not to be determined as part of this application. That said the applicant has shown an indicative access to the site via John Davis Way. The Local Highway Authority has considered the proposal in principle. The officer states that the realistic expectation is that visibility splays would not be blocked as the verge area (although ownership is unknown) is maintained by the Borough Council. Also, as the applicant would need to resolve the issue of ownership at a reserved matters stage the applicant simply could not access the site without doing so, at which point they could then demonstrate access and parking to accord with the required standard.

The Parish Council objects to the application for a number of reasons, one of which is the impact on parking within the locality. Given the location of the site, close to the railway station, John Davis Way is used for parking by commuters. This route is also the only access into this residential estate. The Parish Council are concerned that adding another driveway onto John Davis Way may exacerbate existing parking issues, particularly if people start to park on both sides of the road. An objection to the scheme cites similar concerns, stating that given the parking it may be difficult for residents to exit their driveway. It is also suggested that the road here should have double yellow lines along one side of it. Finally, concerns are raised that parking for delivery and construction vehicles will be an issue as there are no available areas to park, and these vehicles would impact existing visibility on John Davis Way and cause danger and inconvenience to users of the highway.

The Local Highway Authority has considered the proposal in principle and not raised any objections. However, access is not to be fully considered as part of this application. While

22/01498/O

John Davis Way may be used for parking for commuters for the railway station, the proposal seeks to create only a single access point alongside the existing access at no.6 John Davis Way. As such the addition of a single driveway access is not considered so significant as to make a notable difference to parking/ traffic levels within the locality. If anything it would only displace parking slightly further into John Davis Way. The indicative plan shows the site is capable of providing off road parking and turning in association with the proposed dwelling.

In terms of parking for construction vehicles, CSNN has suggested a condition is attached to ensure a scheme for construction parking is submitted and agreed in writing prior to the commencement of development on site.

In summary, while access is not included for consideration within the outline application, the Local Highway Authority does not object and as such it is not considered that the proposal is contrary to the NPPF and policies CS11, DM15 and DM17 of the Local Plan.

Form and Character

Given this is an application with all matters reserved the layout, scale, appearance and landscaping of the scheme is not for consideration. That said in terms of the plot size and point of access, the site is not dissimilar to those on John Davis Way. As stated above, the width and depth of the plot is comparable with neighbouring plots to the south. To the west of the road dwellings are modest semi-detached two storey dwellings, and to the east are detached/ semi-detached bungalows. The indicative plans show a single storey dwelling, and this type of dwelling is acceptable in form and character given there are existing single storey dwellings opposite.

The Parish Council argues that 'the proposal, by virtue of its location beyond the established pattern of residential development, results in a 'backland development' which would have an adverse impact upon the street scene caused by additional parking at the front of the site.' While this may be the case if the plot was considered solely in relation to Station Road, which predominantly consists of larger detached dwellings within large plots fronting onto Station Road. However, the site would not read as part of Station Road but rather as part of John Davis Way. John Davis Way consists of smaller dwellings within smaller plots. All of which face onto John Davis Way with off-road parking provided to the front of the dwellings. Broadly speaking the indicative layout provided reflects the form and character of the locality.

While layout, scale, appearance and landscaping are not for consideration as part of this application, it is considered that as part of a reserved matters application the site could be designed and developed to reflect the form and character of the locality on John Davis Way. As such the application is in accordance with the NPPF, and policies CS08 and DM15.

Neighbour Amenity

The impact of the development on neighbour amenity cannot be fully considered based on the information available as part of this application. However, it is considered that a single storey dwelling with an appropriate design could be constructed with minimal impact on the existing neighbouring dwellings. Given the relationship to the donor dwelling, no. 63 Station Road, it is suggested that the proposed dwelling would be no more than single storey in height to restrict any overlooking issues between the two and also into the garden of no.65. This would also prevent any overshadowing to the garden of no.63.

CSNN has requested conditions should be attached to a consent to seek information on the proposed onsite parking and storage arrangements during construction to be submitted and agreed in writing. To ensure that, if necessary, storage of materials and parking of vehicles

22/01498/O

could be provided offsite or would utilise the adjacent donor dwelling. Also, that construction working hours are conditioned given the site is in a residential area.

Based on the information submitted to date, it is recommended the proposal could come forward with minimal impacts on neighbour amenity. The recommended conditions are attached, but the issues would be considered in full as part of a reserved matters application. The proposal would therefore comply with the NPPF, Policy CS08 of the Core Strategy and Policy DM15 of the Site Allocations and Development Management Policies Plan.

Flood Risk

The application site lies within Flood Zone 1 but within the tidal flood zone and as such a Flood Risk Assessment was required. The applicant has submitted a Flood Risk Assessment and the EA have subsequently withdrawn objections to the scheme subject to a condition ensuring any development adheres to the mitigation measures specified within the FRA. The mitigation proposed is to raise the finished floor levels 0.5m above ground level. Based upon a ground level of +2.6m OD, the finished floor level will be at +3.1m OD. This is at or above the estimated flood level. The raised finished floor levels would have minimal impact on the street scene or neighbour amenity given it is a single storey dwelling proposed. Consideration should however be given to the placement of windows and boundary treatments at the reserved matters stage.

It is the responsibility of the Local Planning Authority to steer development to areas with the lowest probability of flooding. The western half of the village is within Flood Zone 1 but within the tidal breach area. The current proposal is for a single dwelling and therefore sites which could accommodate a similar scale development have been considered when applying the Sequential Test. No comparable sites at a lower flood risk were identified as being available in the village and therefore the proposal passes the Sequential Test.

As the proposal is in the tidal hazard zone then the Exception Test needs to be passed as well as the Sequential Test. Para 164 of the NPPF states that it should be demonstrated that a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development will be safe for its lifetime taking into account the vulnerability of its users, without increasing flood risk elsewhere, and where possible reducing flood risk overall. Both of these elements need to be satisfied for the development to pass the Exception Test.

The Environment Agency are satisfied that the site-specific flood risk assessment demonstrates that the development will be safe for its lifetime provided the mitigation measures within the FRA are secured by condition. In addition, the proposal is considered to be in a sustainable location which could help maintain the vitality of the village and its rural services. Therefore, the benefit of providing sustainable housing is a benefit which would outweigh the flood risk and therefore both elements are passed in accordance with para 165 of the NPPF.

The EA also requested that the IDB and Emergency Planner were consulted. The IDB have not provided any comments on the application, however the scheme is not adjacent, nor impacts directly on any IDB drains. The Emergency Planner has stated that the applicant sign up to the Environment Agency flood warning system and a flood evacuation plan should be prepared.

The proposed development complies with the NPPF and policy CS08 of the adopted Local Plan.

Other Material Considerations

Drainage – The application form indicates that drainage would be via soakaways. The CSNN officer has stated that the indicative plan shows that the plot is nearly 50% dwelling and reminds the applicant that the appropriate space should be made available to locate the required surface water soakaways within the site. Drainage arrangements (for surface and foul water) will be conditioned and therefore the applicant will be required to design a satisfactory drainage scheme prior to the commencement of development.

Existing tree – There is an existing tree immediately adjacent to the proposed access into the site. The Parish Council object to the application on the basis that the development would appear to result in the loss of a mature tree, which has a value in terms of visual amenity and sustainable environment within the area and must be retained. While the tree is positioned on the highway verge and ownership is not clear, this land is currently maintained by the Borough Council. The site is not in a conservation area and the tree itself does not warrant protection in its own right. That said the applicant does not intend to remove the tree and the Local Highway Authority officer does not require the removal of the tree for access. Therefore, based on the information available the proposed development would not result in the loss of this tree. In addition, landscaping would be considered as part of the reserved matters application for the site.

Contamination – There are no potential sources of contamination on the site and as such there are no objections/ conditions required.

Ecology – The application site falls within Brecklands, Norfolk Valley Fens and North Coast Zones of Influence (Zoi). The GiRAMS Fee is required to be paid in order to mitigate against potential impacts from recreational pressure as a result of the site's location in the Zone of Influence for protected sites. However, the site is some distance away from these sensitive sites and is of a nature and scale that there are no significant additional implications. An appropriate assessment has taken place separately to assess the suitability of this mitigation measure and it is considered that development can be granted subject to the GIRAMS fee (£210.84) which would be paid in full by the applicant at the reserved matters stage.

Land ownership – It became clear during the application process that there is an area of land, which reads as a highway verge, positioned between the site itself and the public highway. Given we were unable to establish the ownership of the site the applicant was required to serve a Certificate D on the site and place a public notice in the press in accordance with the Regulations (Town and Country Planning (Development Management Procedure) (England) Order 2015). The correct land ownership certificates have therefore been served.

CONCLUSION

The application seeks outline planning consent with all matters reserved for the construction of a single dwelling. In terms of the principle of development the site lies within the development boundary for Watlington, and therefore the proposal accords with the provisions of the development plan.

In terms of highways/ access, while this does form part of the application, consideration has been given in broad terms to the indicative access submitted. The Parish Council raises concerns regarding parking provision within the locality of the site and the potential impact on highway safety as a result of the development. However, the indicative layout shows off-road parking and turning could be provided on the site. The Local Highway Authority has no objections to the proposal. The proposal is not contrary to the NPPF or the Local Plan 22/01498/O

however, these details will be considered and agreed as part of a reserved matters application.

The form and character of the application can only be very broadly considered, and in terms of general street pattern the proposal would not be contrary to the locality as suggested by the Parish Council.

Details regarding the scale, layout, appearance, landscaping and access would all form part of a reserved matters application. While the applicant has indicated the dwelling would be single storey, and this will be conditioned, at this stage more detailed consideration cannot be given to the design of the proposal, impacts on neighbour amenity, highways implications, and the landscaping proposed for the development etc.

The application in its current form is in accordance with the NPPF, policies CS02, CS06, CS08 and CS11 of the Core Strategy and policies DM2, DM15 and DM17 of the Site Allocations and Development Management Policies Plan, and Members are therefore duly recommended to approve the proposal.

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 and surface 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.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

- 6 Condition: The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment ECL1028/MATT STURGEON LTD (dated May 2023) and the following mitigation measure detailed within the FRA:

* Finished floor levels will be set no lower than 0.5m above existing ground levels.

- 6 Reason: To reduce the risk of flooding to the development and future occupants in extreme circumstances.

- 7 Condition: Development shall not commence until a scheme detailing provision for on-site parking (which could include use of the host dwelling plot) for construction workers and storage of plant and materials etc. for the duration of the construction period has been submitted to, and approved in writing by, the LPA. The scheme shall be implemented until the development is completed.

- 7 Reason: In the interests of the amenities of the locality in accordance with the NPPF.

- 8 Condition: Construction or development work on site, along with collections and deliveries of waste products, material and equipment, shall only be carried out between the hours of 0800 and 1800 weekdays, and 0900-1300 on Saturdays, with no work allowed on Sundays and Bank/Public Holidays.

- 8 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.

- 9 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans Drawing No- 1575-01B.

- 9 Reason: For the avoidance of doubt and in the interests of proper planning.

- 10 Condition: The development hereby approved shall be single storey only.

- 10 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.