

AGENDA ITEM NO: 9/2(g)

Parish:	West Winch	
Proposal:	Construction of 2 no. dwellings complete with garages and associated works	
Location:	Main Roads/Chequers Lane West Winch King's Lynn Norfolk PE33 0NY	
Applicant:	A.S.K. Builders (King's Lynn) Ltd	
Case No:	23/00972/O (Outline Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 21 July 2023 Extension of Time Expiry Date: 15 December 2023

Reason for Referral to Planning Committee – Officer recommendation contrary to Parish Council comments.

Neighbourhood Plan: Yes

Case Summary

The application seeks outline planning consent with access only for the construction of two dwellings with garages and associated works. The scale, layout, appearance and landscaping will be determined as part of a later reserved matters application.

The application site is 0.134 ha in area and is currently not utilised but agricultural in form. Land to the rear of the site is used for agriculture, there are existing residential dwellings either side of the site. To the front of the site is an area of common land utilised as green space with a village sign, bench, landscaping and a bus stop is within close proximity.

The application site lies predominantly within the development boundary for West Winch as identified on Local Plan Inset Map No E2. However, the private drive to the rear of the site, required for access to the site, is within the wider land area designated in the adopted Plan as E2.1 (West Winch Growth Area Strategic Policy). While the application site fronts onto Main Road/ the A10, access is proposed via a private drive off Chequers Lane (no access will be provided via the A10).

Key Issues

Principle of Development
Form and Character
Highways/ Access
Other material considerations

Recommendation:

APPROVE

THE APPLICATION

The application seeks outline planning consent with access only for the construction of two dwellings with garages and associated works. The scale, layout, appearance and landscaping will be determined as part of a later reserved matters application.

The application site is 0.134ha in area, and the density of the scheme would be approx. 15 dwellings per hectare. The site is currently not utilised but agricultural in form, with the land to the rear of the site used for agriculture. There are existing residential dwellings either side of the site. To the front of the site is an area of common land, a public green space with a village sign, bench, and landscaping. There is also a bus stop within close proximity.

The application site lies predominantly within the development boundary for West Winch as identified on Local Plan Inset Map No E2. However, the private drive to the rear of the site, required for access to the site, is within the wider land area designated in the adopted Plan as E2.1 (West Winch Growth Area Strategic Policy). While the application site fronts onto Main Road/ the A10, access is proposed via a private drive off Chequers Lane (no access will be provided via the A10).

The application has been amended several times throughout the application process. The application was originally a full application for two detached dwellings with access via Chequers Lane. The scheme was then amended with access proposed directly off the A10. The scheme was then amended again to an outline application with access via Chequers Lane. Consultations were carried out for each amendment and so the third party representations detailed within the report do vary in response to each iteration.

SUPPORTING CASE

The following summary has been prepared by Sequence (UK) Ltd in support of application 23/00972, which seeks outline planning permission for 2 new homes on a natural infill plot on the eastern side of Main Road, West Winch. The proposal would see the delivery of 2 new family homes. We understand this summary will form part of the committee papers for the meeting of 08 April 2024, and hereafter set out our compelling case as to why outline planning permission should be granted.

The application is brought before planning committee as a result of collaborative working with planning officers and Norfolk County Council as local highway authority. The applicants are pleased to see the application is recommended for approval, reflecting that the proposal is in accordance with both the Local Plan and Neighbourhood Plan and are grateful to the case officer in particular for their work on this application. We are similarly grateful to members of the planning committee for their consideration of this summary.

The site proposed for development lies within the settlement boundary and therefore the principle of residential development is acceptable. The site is an obvious infill fronting Main Road with residential properties to the north and south and the indicative layout submitted for the outline planning application demonstrates the 2 new homes will be in keeping with the character and appearance of the area with no wider visual impact. The new homes will benefit from a good level of residential amenity and will not see any detrimental impact to neighbouring properties.

Further to pre-application discussions with Norfolk County Council Highways, it was agreed that access would be taken from the rear of the site across wider land within the applicant's control, to Chequers Lane. Accordingly, the development would benefit from the existing infrastructure to access to and from the A10 and would not see the need for a new access to

be provided directly onto the A10. This is seen as preferable by the local highway authority with the Chequers Lane access onto the A10 being formed of a bell mouth construction, and is conspicuous, signed and lined, as summarised in their consultation response. Therefore, there is no objection to the development of the site from the local highway authority.

Indeed, it is important to clarify that there is no objection to development of the site from any of the statutory technical consultees.

Access onto Chequers Lane will cross the applicant's land that falls within the wider masterplan area for West Winch. However, this has been carefully designed so that only a small slither of land along the western boundary is used for the 4.5m width access that will not prejudice the delivery of the masterplan or see any loss of capacity. Planning officers are in agreement that this is acceptable.

The proposed access will upgrade an existing field access from Chequers Lane with very limited visual impact and no requirement to remove any trees or hedging.

The applicants have provided indicative drawings of potential future development of the masterplan area within their control to demonstrate that this application will not prejudice that wider delivery. This work has shown that approval of this application would still allow development of the wider masterplan area at the target density and with appropriate provision of open space.

The applicant is committed to working pro-actively with the Council on the future development of the masterplan. In this context the access provision proposed under this application could benefit the masterplan, such as a secondary point of access for emergency vehicles or a walking/cycling link for example that would work well with a downgraded A10 and Chequers Lane. It should also be noted that the area to be provided for the access equates to approximately only 0.00013% of the total masterplan area.

PLANNING HISTORY

None.

RESPONSE TO CONSULTATION

Parish Council: OBJECTION

West Winch Parish Council OBJECTS to the planning application 23/00972/F. This is premature development and cannot be approved before the relief road is built and operational. Chequers Lane is a single-track road with poor visibility. Once the relief road is built Chequers Lane will be blocked off stopping through traffic making it much safer.

The North Runcton and West Winch Neighbourhood Plan adopted 2017 states Policy WA01 (Protecting sites of local value) covers the entrance to this site "A8 - The 'rural' sections and features of Rectory Lane, Common Lane, the 'Twisty Twiney', Setch Road and Watering Lane, where mature trees, roadside hedgerows and grass verges are important to local landscape character. Identified in consultation" The entrance would be over part of this policy area.

No drainage strategy has accompanied the application. Policy WA045 (Providing sustainable drainage) covers this. The dyke between the proposed dwellings and the Village Sign (A10) is overgrown and additional drainage to this dyke may cause flooding issues. There is

already flooding opposite the proposed entrance during wet conditions due to dykes not being cleaned out. When this land was previously owned by Manor Farm there were drainage issues making the farmer harvest early due to the existing wetness in the soil. Further, the water course drains from North Runcton (West) which is on a high ground down to the East hence this piece of land is the last till the A10 road. West Winch already has surface water and drainage problems, this planning application would add to its issues.

Policy WA09 (Enhancing the A10 road corridor) states that "Development proposals within the A10 shall provide or help to provide the following improvements to that road corridor" The junction of Chequers Lane and the A10 is of poor design and almost impossible for vehicles leaving Chequers Lane to turn right towards King's Lynn.

Highways Authority: NO OBJECTION subject to conditions.

With reference to the submitted plan 'Revised indicative block plan V6' and our previous correspondence in relation to this application considering access only at this stage, on balance we would not recommend an objection to the application on the basis the specified conditions.

This application site would take direct access from Chequers Lane which experiences low traffic flows. Chequers Lane joins the A10 just 50m to the west. Given the proximity to the A10 it is assessed that that this highway junction and route would be utilised principally by the development.

An observation of our records finds that there have been no recorded accidents at the A10/Chequers Lane Junction in the past 5 years. This junction is conspicuous, signed and lined for motorists on the A10. The junction has a bell mouth arrangement that would accord with the principles of the current guidance for the level of traffic utilising it. It is noted that this application is for a low level of development at two dwellings only and passing of cars can ultimately be achieved, if necessary, on the short approach to the site from the A10. It is also evident that the applicant has control of lands to achieve a private access onto Chequers Lane to accord with our adopted guidance.

(For information: Direct access from the A10 is not considered to be acceptable at this time as such would ultimately create an additional point of conflict in the form of slowing, stopping, waiting and turning on this part of the Principle Road Network . Our two authority's position on this has been tested at length under numerous planning appeals along this A10 section in the past years and our records indicate that all similar planning appeals have been dismissed by the planning inspectorate.

Chequers Lane is acceptable because the development would initially take direct access from a formal Highway Junction and not a private point of access. These differ for the motorists expectations travelling on the A10, as the junction is more conspicuous due to its scale, its signed and lined, it's of a formal arrangement and motorists would be anticipating the junctions use.)

Internal Drainage Board: NO OBJECTION

Environmental Health & Housing - Environmental Quality: NO OBJECTION

The applicant has provided a screening assessment indicating that there is no known contamination and the sites current use is as a field and paddock for horses. We have reviewed our files and the site is on land not seen developed for the duration of our records. The surrounding landscape is largely residential and agricultural. 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.

Natural England: NO OBJECTION subject to GIRAMS payment

Habitats Regulations Assessment - Recreational Impacts on European Sites

It has been identified that this development falls within the 'Zone of Influence' (ZoI) for one or more of the European designated sites scoped into the Norfolk Green Infrastructure and Recreational disturbance Avoidance and Mitigation Strategy ('GIRAMS'). It is anticipated that certain types of new development (including new tourist accommodation) in this area is 'likely to have a significant effect' on the sensitive interest features of these European designated sites, through increased recreational pressure when considered either alone or 'in combination' with other plans and projects.

The GIRAMS has been put in place to ensure that this additional recreational pressure does not lead to an adverse effect on European designated sites in Norfolk. We advise that a suitable contribution to the Norfolk GIRAMS should be sought from this development to ensure that the delivery of the GIRAMS remains viable.

Natural England's advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, will need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

Site of Special Scientific Interest (SSSI)- Providing appropriate mitigation is secured to avoid impacts upon the European site(s) occurring there should be no additional impacts upon the SSSI interest features.

Cadent Gas: NO COMMENTS

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Health and Safety Executive: NO OBJECTION

The Health and Safety Executive does not advise on safety grounds, against the granting of planning permission in this case.

Community Safety and Neighbour Nuisance: NO OBJECTION subject to condition

CSNN have no objections to this application subject to a condition being applied to any permission to secure a scheme to protect the dwelling proposed from road traffic noise.

Given that this is an outline permission it is recommended that when full permission is sought a noise survey is completed in compliance with the recommended condition that relates specifically to road traffic noise in order to provide a suitable noise mitigation scheme.

No other conditions or comments are recommended by CSNN.

Arboricultural Officer: NO OBJECTION subject to conditions

No objection in principle. To date the applicant has not fully considered the potential for harm to trees. If consent is granted, conditions should be included for protection of existing trees and for new landscaping to match the revisions, to try and make sure the proposal integrates as much as possible into the local landscape.

REPRESENTATIONS

FOUR OBJECTIONS and **ONE NEUTRAL** comment (to the previously proposed scheme with access via A10) received and summarised below –

- Would the access contravene the existing rights of use for the two cottages currently sited on the green?
- Access to the A10 from the green is already problematic, the addition of any further traffic at the site can only further exacerbate an already precarious situation.
- The scheme as submitted previously functions acceptably, using access from Chequers Lane. This is the correct and safe way to access this land.
- Development should not be developed contrary to wider allocation site. Access should tie in.
- Existing farm access from applicant's site onto the village green has not been used for many years and even when used would have been for minor agricultural access.
- The planners need to consider further whether incremental increase in numbers of houses either side of the A10 should progress without the bypass onto the A47. The continued ratcheting up of the numbers of houses without building the bypass as this will continue to stress the current use of the A10. The only way the council can apply any pressure to progressing the new road is an absolute ban on further development till the bypass is opened to force this overdue issue.
- With the existing planning permission for the large number of houses to be built, should consider passing points on Chequers Lane.
- Drainage is an issue; any additional road surface water can only add to the existing problems of gullies at full capacity and not currently maintained. An access across this land would need to bridge over the dyke.
- Objection is made on the use of soakaways on this site as the water table is at ground level with ponding on the site in times of heavy rain in the area around the site of the two proposed dwellings. The dyke referred to above between the site and the green fills with water during heavy rain. The dyke needs to be cleaned out and kept clear to reinstate its full capacity and provide any drainage to the field.
- The area of green space to the front of the site is Common Land forming part of village green which is a public amenity at the entry of the village, on which are located the village sign, bench and trees. Building a road across the green will seriously spoil the use, appearance and safety of the green.

- The design of the two new dwellings is devoid of any architectural merit, sense of the necessary proportion and balance. The dwellings display no vernacular style or use of local materials such as Carstone.
- The air source heat pumps proposed may cause a noise nuisance to existing neighbours. If they are as quiet as claimed, then siting them between the two new dwellings should not be an issue.
- The proposed access needs to be constructed of a surface that does not create additional noise, (gravel) the road needs to have drainage as the field currently flows into neighbouring garden.
- The border of the properties needs to be walled or fenced to prevent any light pollution through the hedge.
- Window overlooks neighbour.

LDF CORE STRATEGY POLICIES

CS03 - King's Lynn Area

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM12 - Strategic Road Network

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

Policy E2.1 - West Winch Growth Area Strategic Policy

Policy E2.2 - Development within existing built-up areas of West Winch

NEIGHBOURHOOD PLAN POLICIES

Policy WA09 - Enhancing the A10 Road Corridor

Policy WA01 - Protecting Sites of Local Value

Policy WA03 - Protecting and Replacing Natural Features

Policy WA04 - Providing Sustainable Drainage

Policy WA07 - Design to Protect and Enhance Local Character

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of Development
- Form and Character
- Highways/ Access
- Other material considerations

Principle of Development:

The application site lies primarily within the existing development boundary as illustrated on Inset Map E2 (page 119 of the Site Allocations and Development Management Policies Plan), with the private access/ driveway located within land designated as the West Winch Growth Area.

In terms of the land within the development boundary; Policy E2.2 of the Plan 'Development within existing built-up areas of West Winch' is relevant. This part of the site is approximately 0.08ha in area.

A development boundary for West Winch is shown on the policies map. (This is distinct from the strategic Growth Area identified in Policy E2.1) Within this development boundary the general Development Boundaries Policy DM2 will apply with the following provisos:

1. Along the existing A10:

a. no development resulting in significant new traffic or accesses onto to the A10(excepting that provided under growth area Policy E2.1) will be permitted in advance of the new West Winch link road opening. Significance in this instance refers to effect on the capacity and free flow of traffic on the A10 and its ability to accommodate the existing traffic and that arising from the growth area, and both individual and cumulative potential impacts will be considered;

b. new development should generally be set back from the road and provide for significant areas of planting adjacent to the road in order to avoid extending the continuous developed edge to the A10;

2. Special care will be taken in the vicinity of the Countryside Buffer indicated on the Policies Map to maintain a soft edge to the countryside beyond and avoid a hard and prominent edge to the developed area when viewed from the West;

3. Areas to the east of the A10 will preferably be associated with the growth area and accessed through the growth area rather than directly onto the existing A10 road.

Policy DM2 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.’

The application proposes access will be taken via Chequers Lane and not directly onto Main Road/ the A10, and the levels of traffic proposed for two dwellings would be considered modest. The applicant has demonstrated how in the longer term this development could be linked to the development of the wider allocation. The Local Highway Authority has considered the effect on the flow of traffic (which is discussed in detail below) and does not object to the proposal. The nature of the site is that it is already set back from the road behind an established grass verge. The site is not located as part of or adjacent to the countryside buffer.

Therefore, in terms of the principle of development the construction of two dwellings on land within the development boundary is broadly acceptable, subject to compliance with development plan policies.

In terms of the area of land which falls outside of the development boundary (which equates to approximately 0.06 ha), policy E2.1 applies. Policy E2.1 of the Site Allocations and Development Management Policies Plan deals with the ‘West Winch Growth Area Strategic Policy’. This allocation covers an area of approximately 192 ha in total. The policy seeks to secure at least 1,600 new dwellings, together with associated facilities and infrastructure, and around 1ha of employment land. The scheme should provide a mix of housing, a new road linking A10 and A47 serving the new development, and enhancement and traffic calming measures along the A10. It should also include the provision of public transport, a network of cycle and pedestrian routes, the creation of three new distinct neighbourhoods to the east of the A10 with a neighbourhood centre, green areas for recreation, nature conservation, agriculture, landscaping, and foot/cycle/bridle paths, and incorporation of suitable sustainable drainage arrangements.

The policy goes on to identify the process for the delivery of this area. It states ‘proposals for development within the Growth Area will need to:

a. Demonstrate how the proposals for development of the individual application area(s) contribute to the implementation of the each of the outcomes listed above and their indicative distribution shown on the Strategic Diagram....’

The policy (in sections b. to e.) require applicants to contribute to and participate in an Infrastructure Delivery Plan, timetable/ phasing of construction, strategic transport plan, ecological assessment, green infrastructure, heritage assessment, flood risk assessment, an assessment of the potential for extracting any viable reserve of silica sand on the site and provide financial contributions towards the provision of infrastructure.

The applicant has submitted information in the form of indicative plans to seek to demonstrate how this site could be delivered without compromising the delivery of the wider allocation, and the necessary infrastructure required to be delivered as part of this.

It is important to point out that the applicant owns approximately 0.9ha of land which is located to the rear of this application site (identified in blue on the block plan) and all falls within the allocation. The Council will be having further discussions with the landowner with regard to signing up to a landowner collaboration agreement to bring forward this land as part of the delivery of the wider allocation.

In terms of the progress of the delivery of the allocation to date, a framework masterplan for this area has been adopted and this shows the small area of land forming part of the

application site is likely to be utilised for public open space and residential development. There is no detailed information available at this stage within the masterplan as it shows land uses rather than a site layout, and therefore it is considered the applicant, in submitting indicative block plans, has gone some way to meet the requirements of policy E2.1. Discussion has been held internally and the view is that at this stage and in these specific circumstances, it is not considered that the development proposed would prejudice the delivery of the wider allocation. The information provided by the applicant is proportionate.

The application is in accordance with policy E2.2 and has gone some way to meet the requirements of policy E2.1, via the submission of the indicative plans and by starting discussions with the Council to collaboratively develop the rest of the blue land as part of the allocation. Therefore, on balance, it is recommended that the principle of development in this location is broadly acceptable.

Form and Character:

The application site is situated between existing dwellings to the north and to the south which front onto Main Road/ the A10. It is also allocated for residential development on land to the rear of the site. This is an outline application only with site layout, scale, appearance, landscaping etc all yet to be submitted. At this stage it is recommended that the principle of two residential units on site is acceptable in terms of the form and character of the locality, and is in accordance with CS06, CS08 and DM15, as well as Neighbourhood Plan policy WA07.

Highways/ Access:

Policies E2.1 and E2.2 stress the importance of a suitable access for the delivery of any new development on/ adjacent to the A10, and as detailed above, require consideration is given to both the access, the capacity and free flow of traffic on the A10, and how this application would fit into the longer term plans for development within the locality. Initial growth area plans suggest that as part of the development of the growth area, Chequers Lane would be restricted to through traffic only, providing a safer access solution.

The Parish Council refers to Neighbourhood Plan policy WA09 which states that 'development proposals within the A10 shall provide or help to provide ...improvements to that road corridor..'. The Parish Council consider that the junction of Chequers Lane and the A10 is of poor design and that this would be premature development which should not be approved prior to the construction of the relief road. Neighbouring residents also raise issues regarding the potential traffic/ access issues of the scheme as proposed.

The Local Highway Authority has clarified that direct access off A10 would not be supported. However, that Chequers Lane experiences low traffic flows. There have been no recorded accidents at this junction in the past 5 years. The junction is clear, signed and lined for motorists, and is in line with current guidance for the levels of traffic utilising it. While Chequers Lane is a single lane route, the close proximity of the access to the wide junction would mean that passing cars can be achieved given the low number of movements. The development is not anticipated to give rise to significant traffic impacts that would warrant the interventions specified within policy WA09. The Local Highway Authority would be unable to substantiate an objection to the proposal on highway safety grounds.

The development proposed, for two dwellings only via the creation of a private drive off Chequers Lane would not be contrary to the Local Highway Authority and is considered consistent with the NPPF and policies CS11 and DM15 of the Local Plan. In terms of the Neighbourhood Plan policy WA09, the delivery of improvements to the A10 would come

forward as part of the development of the wider site, and this proposal is not contrary to or prejudice the delivery of this policy.

Other matters requiring consideration prior to the determination of this application:

Neighbour Amenity – This application seeks consent for residential development and given the size of the site, the scale of development proposed and the neighbouring existing residential development it is considered a suitable scheme could be designed which would not give rise to neighbour amenity issues. CSNN have no objections to this application subject to a condition being applied to secure a scheme to protect the dwellings proposed from road traffic noise. This should be informed by a noise survey submitted as part of the reserved matters application. Therefore, based on the information available at the current time the scheme is not contrary to policies CS08 or DM15 of the adopted Local Plan.

Drainage – Across the front of the site, between the application site and the area of public green space is an existing drainage dyke which is outside of the application site. However, the Parish Council and neighbour comments raise concerns about drainage on the application site. Firstly, that the dyke is not currently maintained sufficiently and that the use of soakaways may not be appropriate on the site. The Parish Council refers to Neighbourhood Plan policy WA04 which requires new development to have regard to sustainable drainage design which would not adversely affect surface water drainage for properties and land. Given the application is outline with access only, the site layout details are yet to be proposed and drainage details have not been provided at this stage. Drainage arrangements could be conditioned as part of a planning consent.

Landscaping – Details of the landscaping proposed should be submitted and considered as part of the reserved matters planning application on the site. The landscaping should respect and enhance the importance of the valuable area of green space along the site frontage. This is in accordance with policies CS08, DM15 and Neighbourhood Plan policies WA01 WA02 and WA07. In consideration of the Masterplan for the growth area, the private access/driveway proposed would be cutting across land broadly identified as an area of open space to serve the wider allocation. This is the case because the area cannot be built upon for housing due to the Health and Safety Exclusion zone (for the gas pipeline). The driveway as proposed would abut an existing access and garden to a single neighbouring dwelling and is only 5.5m in width. It would have a minimal impact on the wider allocation itself given the scale proposed.

Trees – There are a number of existing well established trees to the front of the site, and adjacent to the proposed private access. The Arboricultural Officer has requested that conditions are attached to any consent to require tree protection and the establishment of a landscaping scheme as part of the reserved matters application in accordance with Policy CS12.

Ecology - Natural England identified that the application site was within the zone of influence for European designated sites. Norfolk Green Infrastructure and Recreational disturbance Avoidance and Mitigation Strategy ('GIRAMS') provides a mechanism for mitigation for new residential development within this ZOI which is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development.

A shadow Habitats Regulations Assessment has been submitted by the applicant which concludes subject to the mitigation measures (the GIRAMS payment) being secured, there are no adverse effects of the development proposal on the integrity of internationally designated wildlife sites in relation to recreation. The proposed development is of a nature

and scale that there are no additional recreation implications beyond those being mitigated by the Norfolk GIRAMS. The applicant has paid the GIRAMS fee of £371.86.

Gas Pipeline Exclusion Zone – a Health and Safety Executive Exclusion Zone is in place due to the presence of an existing gas pipeline which runs across the proposed private access/ driveway. Cadent Gas have advised that no works should commence on site until the applicant has received authorisation and guidance. The Health and Safety Executive does not advise on safety grounds, against the granting of planning permission. This zone would also inform the reserved matters application in terms of site layout.

CONCLUSION:

The planning application seeks outline consent (with access) for the construction of two dwellings (with associated works) which would be accessed via Chequers Lane. The application site lies predominantly within the development boundary for West Winch, and the scheme as proposed is in accordance with policy E2.2 of the Site Allocations and Development Management Policies Plan.

The proposed private access/ driveway lies outside of the development boundary within the area allocated for West Winch Growth Area Strategic Policy. The applicant has sought to address the requirements for policy E2.1 through the submission of indicative block plans. Given the scale of the allocation, the complexities of the delivery plan and in this case specifically the very small area of land, the positioning of this land and the relationship to the land within the development boundary it is considered on balance that the proposal does not conflict with policy E2.1.

The form and character of the locality is such the development of two dwellings would be entirely acceptable. Similarly, the development would not have a detrimental impact on the existing landscaping and green space along the A10. The details of the development including drainage, site layout, tree protection and landscaping could all come forward as part of the reserved matters application. There are no issues identified at this stage which would warrant refusal of the application.

For the reasons detailed above, it is recommended the application is in accordance with the NPPF, policies CS03, CS06, CS08, CS09, CS11, CS12 of the Core Strategy, policies DM2, DM12, DM15, E2.1, E2.2 of the Site Allocations and Development Management Policies Plan and policies WA01, WA03, WA04, WA07 and WA09 of the North Runcton and West Winch Neighbourhood Plan.

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 plans -

Revised Indicative Block Plan V6 - Ref 23/631/30 received 14 March 2024 in so far 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 / crossing over the verge shall be constructed in accordance with the highways specification TRAD 5 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 in accordance with the principles of the NPPF.
- 8 Condition Prior to the first use of the development hereby permitted a visibility splay measuring 2.4 metres x 43 metres shall be provided to the east side of the access where it meets the nearside carriageway edge. 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 Notwithstanding the submitted details unless otherwise agreed in writing by the Local Planning Authority the proposed private drive shall be maintained in perpetuity at a minimum width of 4.5 metres for its complete length.
- 9 Reason In the interests of highway safety and traffic movement in accordance with the NPPF.
- 10 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking, turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 10 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 11 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.
- 11 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.

- 12 Condition No development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 12 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.
- 13 Condition No existing trees, shrubs or hedges within the site that are shown as being retained on the approved plans shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees, shrubs or hedges removed without such approval or that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.
- 13 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.

- 14 Condition No development above foundation level shall take place on site until a scheme to protect the dwellings from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before any of the dwellings are occupied.
- 14 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.