



**Subdivision of residential curtilage and erection of a dwelling**  
**at Threeways, Gayton Road, East Winch**

**Planning application**  
**on behalf of Mrs G. Burman**

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For and on behalf of Brown & Co.

*Brown & Co is a leading provider of agency, professional and consultancy services across the whole range of rural, commercial, residential, and agricultural markets.*

Date: November 2021

Our reference: 21/302941

## 1. INTRODUCTION

**1.1** This Planning Statement has been prepared by Brown & Co to support an outline planning application submitted on behalf of Miss G. Burman for the subdivision of residential curtilage and erection of a dwelling at Threeways, Gayton Road, East Winch.

**1.2** The purpose of this statement is to set out the background to the Applicant's proposal and the key planning issues raised by this. The statement is structured as shown below:

- **Section 1:** introduction
- **Section 2:** describes the physical characteristics of the site and its surroundings;
- **Section 3:** outlines the proposed development;
- **Section 4:** sets out the relevant planning history;
- **Section 5:** summarises the relevant national and local planning policy context;
- **Section 6:** provides a planning assessment of the key considerations raised by the proposal; and
- **Section 7:** sets out in brief our overall conclusions on the proposal.

**1.3** This statement should be read in conjunction with the following documents submitted as part of the application:

- Application form;
- Drawing No. 21.032941.001—Site Location Plan;
- Drawing No. 21.032941.002—Existing Site Plan;
- Drawing No. 21.032941.010—Existing north and South Elevations;
- Drawing No. 21.032941.0011—Existing East and West Elevations;
- Drawing No. 21.032941.103—Proposed Site Plan
- Drawing No. 21.032941.106—Proposed Floor Plan; and
- Drawing No. 21.032941.110—Proposed North and South Elevations; and
- Drawing No. 21.032941.011—Proposed East and West Elevations.

## 2. SITE AND SURROUNDINGS

**2.1** The site forms part of the residential curtilage of a large two storey detached dwelling and associated double garage, to the north of Gayton Road. The dwelling is set within a large plot, with private garden space extending to the south and through to the north bounded by hedging, and further land retained beyond this, encapsulating the site to the north, east and west.

**2.2** The site is located immediately north of the junction of Station Road with Gayton Road, and stands as a single dwelling surrounded by an arable field.

**2.3** The main built form of East Winch lays immediately south, along Station Road, and a short distance to the west, along Gayton Road. Additional sporadic development is present along Gayton Road to the east, including an RSPCA wildlife centre and the East Winch Post Office.

**2.4** The village offers a small number of services and facilities, including the aforementioned Post Office which also offers day-to-day convenience goods, Village Hall, Public House, church, and frequent bus services.



Figure 1—Site location highlighted in red (Source: Google Maps)

### 3. PROPOSED DEVELOPMENT

**3.1** It is proposed to subdivide the extensive residential curtilage associated with the dwelling known as Threeways, to the north of Gayton Road, and subsequently erect a single two-storey dwelling.

**3.2** The proposed dwelling would be detached, providing four bedrooms and living space across two storeys. It would be located to the west of the existing dwelling, set back in line with the existing garage to the east.

**3.3** The dwelling would be constructed of brick and pantiles, with a parking and turning area to the south, and a large private garden extending to the north. The existing hedge within the site would be removed, and new hedging planted to mark the site boundaries.

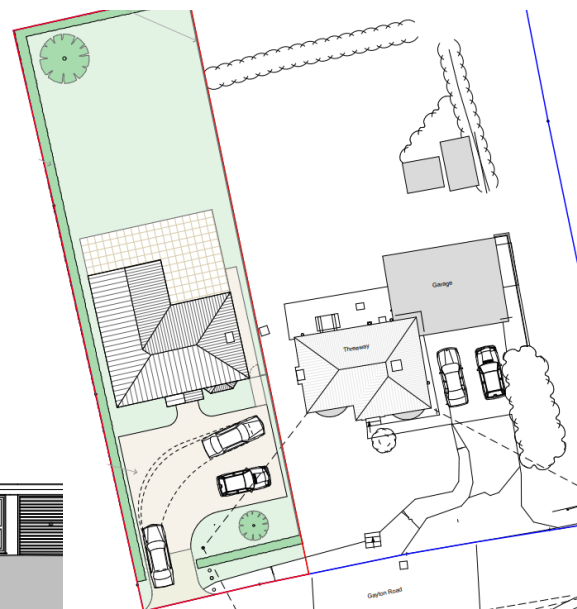


Figure 2—Proposed Site Plan and Elevations

### 4. PLANNING HISTORY

**4.1** Review of the Local Planning Authority planning application search function has not illustrated any relevant planning history for the application site. However, the applicant undertook pre-application engagement with the Council regarding the proposed development in April 2021.

**4.2** The pre-application submission provided three potential options for development; subdividing the existing residential curtilage and erecting either one or two dwellings. The Officer response noted that whilst part of the site is located within the defined settlement boundary for East Winch the indicative options would be situated largely within an area defined as Countryside. As such the principle of development would not be acceptable.

**4.3** The response noted that the location would result in occupants being reliant upon travel by private vehicles, and thus the proposals would not represent sustainable development. It was concluded that provision of a dwelling would erode the open and spacious character and would therefore result in an adverse impact upon the local landscape.

**4.4** The Highways Authority response to the enquiry concluded that any development at the site would need to make provision for a footway across the site frontage, and a crossing point to the other side of the road.

## 5. PLANNING POLICY CONTEXT

**5.1** Planning law requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The development plan is therefore the starting point for the assessment of all planning proposals.

**5.2** The Government's planning policies, as set out in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), are also a significant material consideration in deciding planning applications.

**5.3** The proposals presented here have been developed in the context of relevant local and national planning policies, as outlined below.

### Development plan

**5.4** For the purposes of this application, the Development Plan for Broadland District Council comprises:

- King's Lynn & West Norfolk Borough Council Local Development Framework Core Strategy (2011); and
- King's Lynn & West Norfolk Borough Council Site Allocations and Development Management Policies Plan (2016).

**5.5** Relevant local policies are listed in the inset box to the right.

#### Core Strategy Policies

**CS01: Spatial Strategy**—which states that 90% of residential development will be within areas identified in the settlement hierarchy.

**CS02: The Settlement Hierarchy**—which identifies East Winch as a 'Rural Village' where limited minor development will be permitted.

**CS06: Development in Rural Areas**—which states that the strategy is to promote sustainable communities and patterns of development.

**CS08: Sustainable Development**—which requires all development to be of high quality design, to protect and enhance the environment, and utilise sustainable measures.

**CS09: Housing Distribution**—which states that at least 1,280 new dwellings will be delivered within Rural Villages in the Plan period.

**Policy CS11: Strategic Issues**—which states that development should be designed to reduce the need to travel, and promote sustainable forms of transport.

**Policy CS12: Environmental Assets**—which states that proposals which protect and enhance the landscape and heritage assets will be supported.

**Policy CS13: Community and Culture**—which requires development to be accessible and inclusive.

#### Development Management Policies

**Policy DM1—Presumption in Favour of Sustainable Development**—which states that developments which accord with the plan will be approved without delay.

**Policy DM2: Development Boundaries**—which states that development will be permitted within defined boundaries where it accords with other policies within the Plan, whilst development in the Countryside will be restricted.

**Policy DM12: Strategic Road Network**—which states that new development served by roads off the Strategic Road Network will only be permitted where it would not have a significant adverse impact upon capacity and safety.

**Policy DM15: Environment, Design and Amenity**—which requires development to protect and enhance the amenity of the wider environment.

**Policy DM17: Parking Provision in New Development**—which requires new dwellings to provide parking in line with guidelines.

## Emerging policy

**5.6** King's Lynn and West Norfolk Borough Council are currently undertaking a Local Plan review, in line with Local Plan Policy DM2A. The Regulation 19 Pre-Submission consultation was undertaken between August and September.

**5.7** Of particular relevance to the proposed development is draft Policy LP31, which states that:

*Residential development will be permitted in areas reasonable [sic] related to existing settlements identified in the Settlement Hierarchy Policy LP02 and their development boundaries where it involves:*

- a. *The sensitive infilling of small gaps either wholly or in part, or rounding off the existing development boundary; and,*
- b. *The development is appropriate to the scale and character of the settlement and its surroundings; and,*
- c. *It will not fill a gap which provides a positive contribution to the street scene of views in/out of the locality; and*
- d. *Recognition that the development must conserve or enhance the natural environment and conserve and where appropriate enhance any heritage assets in the locality; and*

- e. *Sitting sympathetically within the wider landscape, preserves or enhances the setting of the nearest settlement; and*
- f. *Where possible the development is located to maximise the use of walking, cycling, and public transport to access services.*

## National Planning Policy

**5.8** The NPPF sets out the Government's planning policies and how these are expected to be applied, and advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Three objectives of sustainable development are identified: economic, social and environmental.

**5.9** The economic objective includes ensuring that sufficient land of the right type is available in the right places and at the right time to support growth. The social objective includes supporting vibrant communities by ensuring that a sufficient number and range of homes can be provided to meet needs. The environmental objective includes protecting and enhancing the natural, built and historic environments, minimising pollution and moving to a low carbon economy.

**5.10** At the heart of the NPPF is a presumption in favour of sustainable development. For decision-taking, the presumption in favour means approving developments that accord with the

development plan without delay, and where there are no relevant development plan policies or the most important policies for determining the application are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole.

**5.11** Other guiding principles set out in the NPPF of particular note include that planning should:

- Significantly boost the supply of housing;
- Give substantial weight to the value of using suitable brownfield land within settlements for homes;
- Enable and support healthy lifestyles;
- Ensure efficient use of land;
- Encourage the development of sites which are well related to existing settlements;
- Take opportunities to promote sustainable transport modes, and safe access for all;
- Seek to secure high quality design and a good standard of amenity for all;
- Support the transition to a low carbon future;
- Contribute to conserving the natural environment; and
- Contribute to conserving the historic

## 6. ASSESSMENT

environment.

### National Planning Practice Guidance

**5.12** The Government's Planning Practice Guidance (NPPG) provides a web-based resource of national planning guidance covering a wide range of topics. Of particular relevance to this application is the guidance relating to design, effective use of land, the natural environment, the historic environment, and climate change.

### Principle of Development

**6.1** The application site is transected by the settlement boundary for East Winch, as defined on the Local Plan Policy Maps. As such the site is positioned equally within and outside of the defined settlement boundary.

**6.2** In accordance with Local Plan Policies CS02 and DM2, the principle of residential development to the eastern half of the site is established and considered acceptable. However, the western half is located within an area designated as Countryside, where local planning policies seek to restrict development.

**6.3** Local Plan Policy DM2 sets out those limited circumstances where development within the countryside will be considered acceptable. The proposed development in this instance would not accord with any of those listed exceptions, nor would development of the site accord with any allocation within the Local Plan.

**6.4** As such the proposed development would conflict partially with Local Plan Policy DM2. However, it is considered that there are a number of material considerations that would justify a departure being made from these policies in this instance, as detailed below.

### Suitability and sustainability of the site for housing

**6.5** Whilst not specifically allocated, the site is located partly within, and partly immediately adjacent, the defined settlement boundary of East Winch. It is located within the main built form of the village, with established residential development immediately adjacent to the south, and a short distance to the east and west. The proposal would not therefore result in an isolated development in the countryside of the sort that paragraph 80 of the NPPF seeks to avoid.

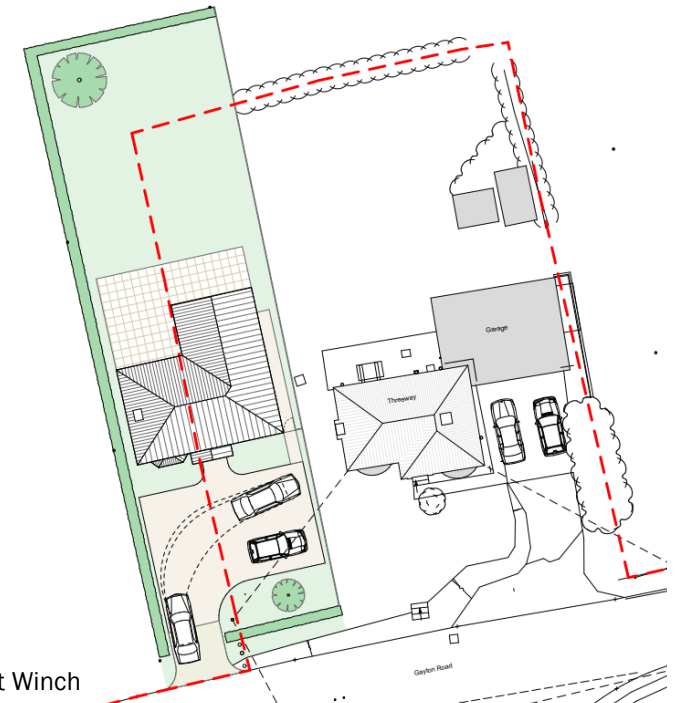


Figure 3—Proposed Site Plan overlaid with defined settlement boundary for East Winch



**6.6** Local Plan Policy CS02 states that in the defined rural villages, of which East Winch is one, limited minor development will be permitted which meets needs and helps to sustain existing services and facilities. Local Plan Policy CS06 goes on to state that in rural areas the strategy for development is to promote sustainable rural communities and patterns of development.

**6.7** The policy indicates that in the rural villages modest levels of development will be supported where it would support local needs and maintain vitality, and can be delivered in a sustainable manner. Such development is intended to facilitate a strong and diverse economy.

**6.8** East Winch benefits from a number of local services, including village hall, church, public house and restaurant, Post Office, RSPCA Wildlife Centre, and regular bus services operating along the A47 providing links to King's Lynn, Peterborough, Swaffham, Dereham, and Norwich .

**6.9** These existing village services would derive support from the development due to increased patronage and the addition to the local economy of the spending power of new residents, albeit of a limited scale. New residents would also contribute generally to the vitality of the community.

**6.10** Whilst the application site is not connected to all of those services by way of continuous footways, the vast majority are accessible by footways which

are located in close proximity to the site.

**6.11** Indeed, the residential development at land to the south of Gayton Road (Policy G33.1) includes provision for a section of footway along the site frontage, terminating circa. 35 metres from the site. A small footway continues on from this, eastwards along Gayton Road, and then southwards along Station Road to the village hall.

**6.12** Although not all day-to-day services are provided within the village, the NPPF and NPPG, as supported by a number of appeal decisions and rulings in the courts, indicate that short car journeys are acceptable in rural settings in order to access services, and that development in one village can help to support services in surrounding villages.

**6.13** Paragraph 85 of the NPPF recognises that in order to meet needs in rural areas, development may need to be found beyond defined settlement boundaries. It goes on to further state that *“the use of [...] sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist”*.

**6.14** Emerging Local Plan Policy LP31 would be entirely consistent with this approach, allowing for small scale residential development in rural areas in order to support the vitality and vibrancy of rural communities. The Local Plan Review has undergone a Regulation 19 Pre-Submission

Consultation and is due to be submitted for Examination soon. As such it is considered that those uncontroversial policies, such as draft Policy LP31, could be afforded some, albeit not full, weight in the decision making process.

**6.15** Whilst not infill development per se, the site is well related to the existing built form and would comprise an attractive rounding off of the development in this location. The proposals are considered to be appropriate to the scale and character of the site and its surroundings.

**6.16** Whilst residential curtilage is not considered to constitute previously developed land, as defined within the NPPF, the site does not currently form a greenfield site and is located within the main built form of East Winch.

**6.17** The explanatory text for a number of Local Plan Policies indicates that new market housing is to be restricted outside of the defined settlement boundaries in order promote sustainable patterns of development and protect the character and beauty of the Countryside. The application site is well related to the main built form of East Winch, a ‘rural village’ which local planning policies recognise are suitable locations for a modest level of development.

**6.18** The site is located both within and outside of the defined settlement boundary for East Winch, it would seem illogical to conclude that development

to the eastern portion would be a sustainable location for development whilst the western side would not.

**6.19** The proposed development is not considered to form an inappropriate or incongruous form of development which encroaches in to the Countryside. The clear delineation between built up area and countryside would be retained. The proposals would make efficient use of a large area of residential curtilage, a proportion of which is currently under-utilised.

**6.20** As such, and in accordance with paragraph 79 of the NPPF which is a material consideration, despite the partial conflict with Local Plan Policy DM2, this particular site, considered on its own merits, is considered to be appropriate for residential development to support the rural community of East Winch.

**6.21** The proposed development would make a positive, albeit modest, contribution to the supply of housing in the village. It would therefore support the social objective of sustainable development and be consistent with national planning policy, which seeks to significantly boost the supply of housing.

**6.22** In terms of delivery, the site is available for development now and the proposed dwelling could be constructed in the short-term. It is in a single land ownership and no further land would be

required in order to secure the proposed development.

**6.23** As such, for the reasons set out above, the application site is considered to be suitable in principle for housing, and the proposed development is considered to represent sustainable development. For these reasons, there would be no significant conflict with the objectives of Local Plan Policy DM2.

**6.24** It is considered, as outline below, that the site could be developed in a manner that would be compatible with the established pattern of development in the area and that would not intrude unduly into open countryside.

**6.25** It is therefore considered that the proposed development would comply with Local Plan Policies CS01, CS02, CS06, CS09, CS11, DM1, and DM2, and Sections 5 and 11 of the NPPF.

#### Local Character and amenity

**6.26** Both local and national planning policies indicate that new development should respond positively to the character of its surroundings, recognising the intrinsic beauty of the countryside. Careful consideration has been given therefore, to the likely effects of the development on its surroundings.

**6.27** As already noted, although not allocated for development, the site is located partly within the

settlement boundary, comprises an area of extensive residential curtilage, and is adjacent to the main built form of East Winch. Consequently, the site has a strong visual association with the surrounding residential dwellings.

**6.28** Indeed, whilst the current dwelling is bound by an agricultural field to the north, east and west, it is experienced within the context of nearby dwellings when travelling in either direction along Gayton Road, and Station Road.

**6.29** Whilst any development in this location would inevitably alter the character of the site and give it a more built up appearance, the effects upon the landscape setting would be limited and localised. The proposed development would be confined to the current residential curtilage and would therefore not appear as an unduly prominent feature or a significant intrusion into the wider open countryside.

**6.30** The proposed development has considered the scale and form of the existing dwelling, garage, and outbuilding, and has sought to emulate and provide symmetry to this. Whilst it would be set back from the current building line it would not extend further northwards than the current building form.

**6.31** The proposed development is considered to be appropriate for the area and would appear cognisant with nearby dwellings, which largely comprise of detached properties in ample sized plots. The development would utilise traditional

vernacular materials and emulate the existing dwelling.

**6.32** Whilst it would be necessary to remove a section of the hedgerow currently in situ through the centre of the site, the proposed development would include the planting of mixed native species to the site boundaries to help assimilate it with the countryside beyond, and provide screening to the dwelling.

**6.33** The proposal would therefore be in keeping with the character and appearance of the area, and would accord with Local Plan Policies CS08, CS12 and DM15, and Section 15 of the NPPF.

**6.34** Good distance of separation could be provided between the existing and proposed dwelling so as to prevent adverse overbearing or overshadowing impacts arising. The proposed dwelling would be positioned and orientated so as to prevent issues of overlooking, accounting for the ground floor window to the western elevation of the existing dwelling.

**6.35** Each dwelling would be provided with suitable private outdoor amenity space commensurate with its size. Suitable boundary treatments would be introduced to delineate each dwelling. As such adverse amenity impacts for current or future residents are not anticipated.

**6.36** No significant impacts upon the amenities of future or neighbouring residents are therefore

anticipated to arise as a result of the proposed development, and it would thus accord with Local Plan Policy DM15.

#### Access

**6.37** The proposed development would be accessed by way of a new access from the north of Gayton Road. In this location Gayton Road is subject to a 30mph speed limit, and there is suitable visibility in either direction along the road.

**6.38** Suitable space for the parking of turning of vehicles, so as to allow them vehicles to access and egress the site in forward gear, would be provided forward of the dwelling.

**6.39** As already discussed, the site is well related and connected to the services and facilities available within East Winch. Whilst there is no footway to the north side of Gayton Road in this location, there is a footway to the southern side which provides connections throughout the village. Development in this location would further the aims of the Local Plan and Government to promote sustainable modes of transport and support the transition to a low carbon economy.

**6.40** Due to the scale of development proposed it is not considered that it would result in a significant increase in associated traffic movements which would have a detrimental impact upon the free flow of traffic or highway

safety within the immediate vicinity, or the wider A47 trunk road network.

**6.41** Accordingly, it is considered that safe and suitable access to the proposed development in accordance with the guidance set out in NPPF paragraph 110, and Local Plan Policies CS11 and DM12.

#### Flood Risk

**6.42** The site is located within Flood Zone 1, as identified on the Environment Agency's Flood Risk maps, and is therefore at low risk of fluvial flooding. None of the site is identified as being at risk from surface water flooding.

**6.43** The proposed development would incorporate suitable sustainable drainage measures, including permeable paving, and rain water collection.

#### Ecology

**6.44** Due to the nature of the site as residential curtilage it is considered that it is of limited ecological value. Whilst it would be necessary to remove a section of hedgerow this is laurel planting of limited value. New mixed native species hedging would be planted to the site boundaries, and bird and bat boxes incorporated into the development.

**6.45** The closest statutorily designated nature conservation site is located around 500 metres to the south east (East Winch Common SSSI). Given

the distance of separation, the presence of intervening development and the A47, and the scale of the proposal, no material effects on the SSSI are anticipated.

## 7. CONCLUSIONS

**7.1** It is proposed to subdivide the residential curtilage associated with the dwelling known as *Threeways* to the north of Gayton Road, East Winch, and subsequently erect a single dwelling.

**7.2** The proposed development seeks to make efficient and effective use of the large residential curtilage, a proportion of which is currently not utilised. The site is located both within and immediately adjacent the settlement boundary for East Winch, and is therefore considered to be a sustainable location.

**7.3** Indeed, local planning policies indicate that East Winch is a suitable location for a modest level of development in order to support local needs and vitality. Footways along Gayton Road and Station Road connect the site with those services and facilities on offer within the village, and the bus services to the wider area.

**7.4** The proposed development would make a positive, albeit small, contribution to the supply of deliverable housing land within the Borough. It would represent the partial infill of a current break in development to the north of Gayton Road, and would not encroach into the open countryside. The proposed dwelling would reflect the scale and appearance of the current dwelling, and would be in keeping with the character of development within East Winch.

**7.5** The proposed dwelling would be carefully designed and orientated so as to be in keeping with the form of development along Gayton road, and to prevent adverse amenity impacts arising as a result of overbearing, overshadowing, or overlooking.

**7.6** It is proposed to create a new access from Gayton Road to serve the dwelling. Suitable visibility could be achieved in either direction along Gayton Road, and suitable space would be providing for parking and turning with the site.

**7.7** The application site is not at risk of flooding, and sustainable drainage methods would be incorporated. The site is considered to be of low ecological value, enhancements could be secured by way of bird and bat boxes, and the planting of mixed native species.

**7.8** For these reasons, and those outlined above, it is considered that the proposed development would comply with both local and national policies, and would amount to sustainable development to which the presumption in favour applies.