

**NORTH LINCOLNSHIRE COUNCIL**

**PLANNING COMMITTEE**

**RESIDENTIAL DEVELOPMENT IN GOXHILL**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To update the Planning Committee on issues relating to the granting of new planning permissions for residential development within Goxhill as a result of a temporary moratorium being placed on new development due to sewerage and drainage issues.

**2. BACKGROUND INFORMATION**

- 2.1 Members will recall that I reported to the meeting of this committee held on 30 January 2008 about sewerage and drainage issues following the flooding of June/July 2007.
- 2.2 After considering the report at the January meeting the committee resolved that it was 'inappropriate to grant further residential permissions which could exacerbate the existing drainage and flooding issues within the settlement.' This resolution was for a temporary basis only until such time as Anglian Water had investigated and reported upon the issues surrounding sewerage capacity within the settlement.
- 2.3 As a result of the above resolution, discussions and meetings have been held with Anglian Water to ascertain the extent of the problems within the village and what works need to be undertaken to improve the sewerage and drainage capacity.
- 2.4 As a result of the committee's decision in January, a moratorium has been maintained on new residential development. Following a meeting with Anglian Water on 22 April 2008 it appears that a number of schemes have now been identified in order to ensure that the sewerage capacity within the village is improved and that the capacity of the remainder of the network is maintained. Anglian Water have confirmed that the identified schemes are not at present in their capital programme and will obviously have to be costed out in benefit terms and detailed design work drawn up before any approved schemes can be implemented.
- 2.5 It would appear that there are six locations within the village where drainage is a particular problem:

- Horsegate Field Road
- Thornton Road
- Ferry Road
- Thorn Lane
- Willow Lane
- Mill Lane

2.6 Of the above locations Mill Lane appears to be as a direct result of highway drainage issues rather than sewerage capacity and it is the first five locations that Anglian Water are now investigating in more detail.

2.7 Following the identification of the locations by Anglian Water where there may well be sewerage capacity problems, an assessment has been carried out to determine whether or not the moratorium on new residential development should remain.

2.8 Even though Anglian Water have identified five locations where new infrastructure work is required there is of course no guarantee that any or all of the schemes will be implemented in the short term because none of the schemes are currently identified within their capital scheme list. Furthermore, even if identified there is no precise time frame within which the works will actually be undertaken. Consideration therefore needs to be given as to whether, in the short term, alternative arrangements can be made for assessing planning applications to ensure that there is no increased likelihood of sewerage or flooding problems as a result of new development within the village.

### **3. OPTIONS FOR CONSIDERATION**

3.1 In view of the moratorium on residential development which was initially imposed on a temporary basis only, it is necessary to consider whether or not now is an appropriate time to lift the moratorium in respect of the determination of new planning applications for residential development.

3.2 The first option is to maintain the moratorium until such time as Anglian Water have confirmed that the five schemes in respect of new infrastructure work are definitely to be carried out within the village. The five possible schemes are at such an early stage of consideration that it could be some considerable time before any firm decision is taken with respect to their inclusion within Anglian Water's capital scheme list.

3.3 The second option available is to withdraw the moratorium on new residential development and to process planning applications with the benefit of greater technical assessment of the sewerage and surface

water disposal implications before any decision is taken on each individual application.

#### **4. ANALYSIS OF OPTIONS**

- 4.1 Looking at the two alternatives, it can be confirmed that some expertise exists within the Highways and Planning Service to provide advice to the planning service as to the likely implications of residential development relating to foul and surface water disposal. In this connection applicants are being advised now to provide a detailed assessment of how and where surface and foul water will be disposed of from new residential development, including single building plots. This information then forms part of the planning application and technical officers within Highways and Planning can give an opinion as to whether or not the location of the site, together with the method of disposal, is likely to aggravate surface and foul water issues within the village. It should be stressed that this only relates to small infill development. However, the existing development boundary for Goxhill does not make provision for any major residential sites. Bearing in mind that Goxhill is a minimum growth settlement as defined under policy ST2 of the North Lincolnshire Local Plan, no further applications for development sites in excess of three dwellings can be considered favourably anyway.
- 4.2 It is suggested that as the parts of the village that are prone to flooding from either surface or foul water have now been identified and that more is now known of where problems of capacity exist in the drainage and sewerage systems it would be inappropriate to maintain the moratorium. In future planning applications should be carefully assessed by officers of Highways and Planning to confirm the acceptability of the technical requirements for foul and surface water. Where appropriate, Anglian Water should be consulted direct if there is any suggestion that a drainage issue could arise as a result of a favourable decision being given on a planning application.

#### **5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)**

##### **5.1 Financial**

5.1.1 The only potential financial implication of determining planning applications in accordance with either option is that if an application is refused planning permission on the grounds of inadequate foul or surface water drainage this could be challenged at appeal. Any such appeal would have to be defended which may incur legal and professional costs.

##### **5.2 Staffing**

5.2.1 There are no staffing implications.

**5.3 Property**

5.3.1 None.

**5.4 IT**

5.4.1 None.

**6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 – CRIME AND DISORDER, RISK AND OTHER)**

**6.1 Statutory**

6.1.1 All reasons for refusal of planning applications have to be properly justified and defended in accordance with the provisions of the Town and Country Planning legislation. Refusal of planning permission has to be justified on the basis that the application decision can be defended at appeal. Officers of North Lincolnshire Council, and Anglian Water if necessary, would have to properly defend any such decision at a public inquiry or local hearing, or through the written representations procedure.

**6.2 Environmental**

6.2.1 None.

**6.3 Diversity**

6.3.1 None.

**6.4 Section 17 – Crime and Disorder**

6.4.1 None.

**6.5 Risk**

6.5.1 To pursue option one to maintain the moratorium on planning permission being granted for residential development could be challenged through the planning process. To follow option two has no direct risk implications.

**6.6 Other**

6.6.1 None.

**7. RECOMMENDATIONS**

7.1 That North Lincolnshire Council, in determining planning applications within Goxhill, should, in future, seek technical advice as to the implications of granting residential development where there may be foul and surface water drainage issues. Furthermore, Anglian Water

should be consulted if there are any indications that the particular site could exacerbate such drainage problems within any part of the village.

- 7.2 That Anglian Water and Goxhill Parish Council be advised of this policy change and that the moratorium on new residential development be removed.

## **HEAD OF PLANNING**

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### **Background Papers used in the preparation of this report**

Letter from Anglian Water dated 20 December 2007