



Planning Committee
Monday, 1st April, 2019 at 10.15 am
in the Assembly Room - Town Hall, Saturday Market
Place, King's Lynn PE30 5DQ

Reports marked to follow on the Agenda and/or Supplementary Documents

1. **Decisions on Applications** (Pages 2 - 26)

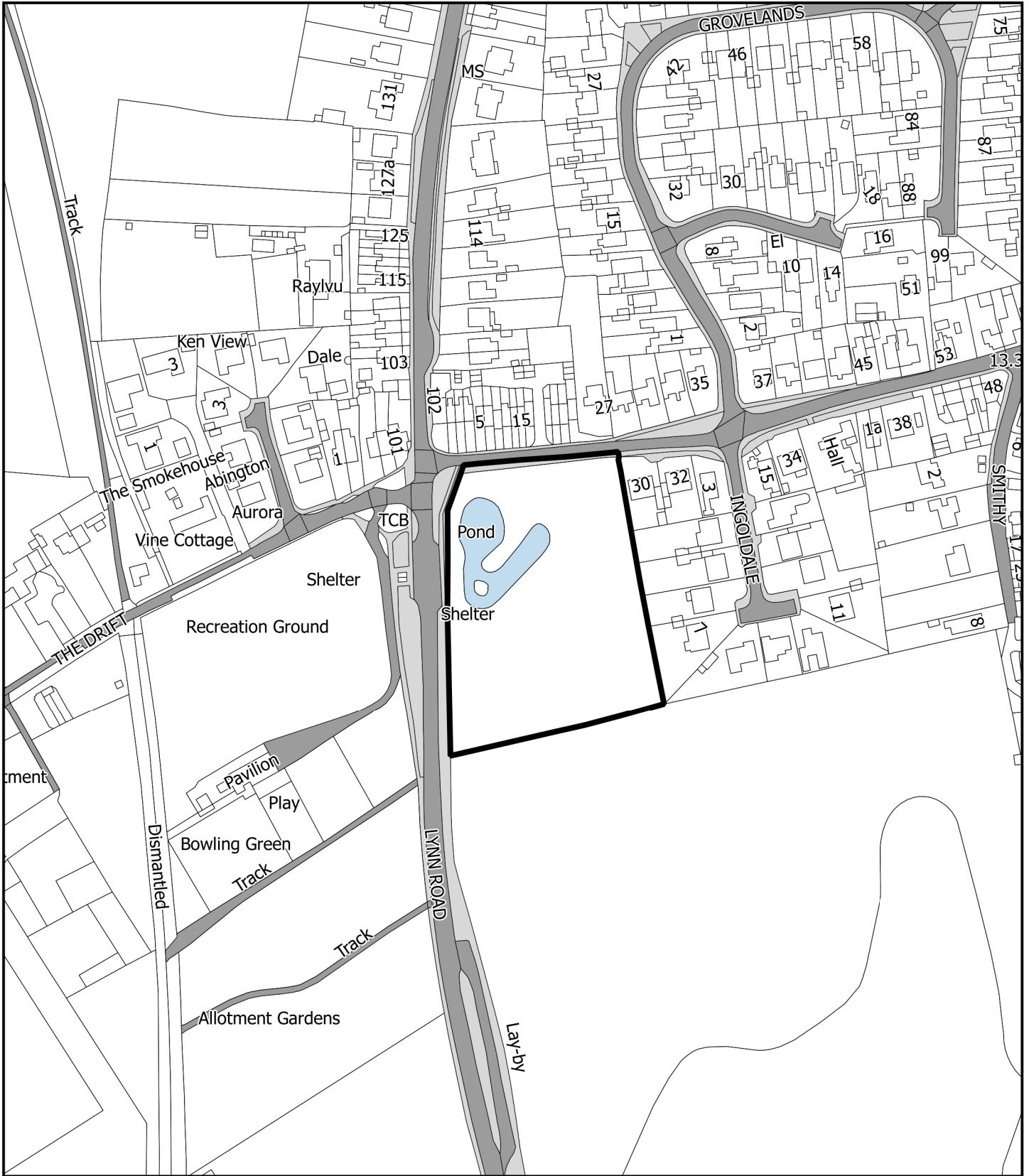
To consider and determine the attached Schedule of Planning Applications submitted by the Executive Director.

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18/02200/RMM

Land around Pond and West of 30 Hill Road Lynn Road Ingoldisthorpe



AGENDA ITEM NO: 8/1(b)

Parish:	Ingoldisthorpe	
Proposal:	Reserved Major application: Residential development and new public amenity area	
Location:	Land Around Pond And W of 30 Hill Road Lynn Road Ingoldisthorpe Norfolk	
Applicant:	Mr Ben Marten	
Case No:	18/02200/RMM (Reserved Matters - Major Development)	
Case Officer:	Mrs K Lawty	Date for Determination: 18 March 2019

Reason for Referral to Planning Committee – The views of the Parish Council are contrary to the Officer recommendation.

Neighbourhood Plan: No

Case Summary

The site is located on the south-west edge of the village of Ingoldisthorpe, at the crossroads of the main Lynn Road (B1440) running north south and Hill Road running east west. Hill Road runs along the northern boundary of the site whilst the main B1440 defines the western boundary.

To the east of the site boundary are existing, detached, residential properties and to the north, on the opposite side of the road, is a series of two storey, predominantly terraced properties.

To the west, on the opposite side of the road, is walled, formal recreational land with marked pitches and to the south are grass fields with a tree-lined boundary. An existing naturally-occurring pond is located in the north-west corner of the site.

Currently the site is grassed, open land used for grazing. A low post and wire fence defines the north and west boundaries.

Outline planning permission was approved on appeal in 2016 for residential development on the site (lpa ref: 15/00854/OM) and the full appeal decision is attached at the end of this report. Access was the only matter for consideration at that stage with appearance, landscaping, layout and scale being matters reserved for future consideration. This reserved matters application therefore seeks consent for these outstanding matters.

Whilst this application is for 12 dwellings on the site it is of particular note that the proposal is for a Custom Self-Build development. 10 of the homes would be self or custom build homes and the remaining 2 plots will be affordable housing.

The key issues with this self-build scheme are that the site would be constructed in phases and that each plot would ultimately be designed by the plot owner. This application therefore

seeks a degree of flexibility in the final detailed design of the external appearance of each self-build dwelling.

Key Issues

The key principle issues to be addressed in this instance are: -

Principle of Development
Principle of Development
Design, Character and Appearance
Impact upon Residential Amenity
Affordable Housing;
Access Issues
Landscaping
Drainage
Ecology and Open Space
Archaeology

Recommendation

APPROVE

THE APPLICATION

This is a reserved matters application for 12 dwellings. Outline planning permission for residential development and the creation of a new public amenity area was approved under planning application reference 15/00854/OM on appeal.

10 of the homes are proposed to be self or custom build homes built specifically for or by the families who will occupy them. The remaining 2 plots are proposed to be delivered by a registered affordable housing provider and provide affordable housing.

The proposed housing mix is 7 no. 4 bed homes, 3 no. 3 bed homes and 2 no. 2 bed homes (affordable housing).

The scheme also includes an area of new public open space, set around the pond in the north-western corner of the site, and new footpaths across the western and northern site frontages.

The development proposes two new vehicular access points; one to the north (Hill Road) and another to the west (Lynn Road).

A private management company is proposed to be set up to maintain the private roads and associated sustainable drainage systems, as well as the new areas of public open space including the pond.

Given that the proposal is for a self-build scheme, the application seeks a degree of flexibility in the detailed design and appearance of each of the units. In this case this application proposes a detailed site layout and allocates a specific house type (including setting the location and orientation on plot) to each of the plots but includes on the elevation drawings a number of design options (ranging from window size and location to material choice).

The elevations for each plot are therefore required not to be fixed but to allow some discretion in the external materials to be used and the size and design of certain windows.

The design approach and the manner in which it is proposed to control the design is through the use of a detailed design code which offers a range of permissible variations to the final elevations of each plot.

The development is proposed to be delivered in informal phases: phase 1 comprising the installation infrastructure and accesses, and delineation of the plots according to the approved site plan. On completion of this work, the plots will then be built out by each of the plot purchasers (or people working on their behalf), with each plot effectively being a new phase of the development.

The application has been supported by an Arboricultural Survey & Method Statement, a Biodiversity Management Plan, a Design and Access Statement, a Design Code, a Landscape Scheme, outline drainage infrastructure and drainage strategy and an Archaeology report.

SUPPORTING CASE

The applicant has submitted the following supporting text:

Reserved Major application: Residential development and new public amenity area
Outline planning consent was granted - May 2016 (reference: APP/V2653/W/15/3138461)
All matters were reserved - except for Access.
Current reserved matters application to determine: Appearance, Layout, Scale and Landscaping.

This application proposes a high-quality architect designed custom-build scheme. The proposal will help to create a greater sense of central focus to the village, and will provide much-needed plots to people wishing to build their own homes in this part of the borough.

Why Custom Build? Basically, because it leads to better housing and more cohesive communities.

The end-user has a say in how their house will be laid out and what it will look like. This leads to homeowners who are more committed to an area than speculative housing and so help build stronger communities (research has shown self-builders move once every 25 years compared with once every 6 for developer housing). How will it work? Control is set with a Design Code: a key component of Custom Build is choice and the proposed code sets the strict parameters of customisation that are allowed, whilst also protecting the overall look of the scheme and amenity of neighbours. This allows subtle variation that is the hallmark of traditional villages.

Stage 1 - Landscaping - install the new access roads, services and landscape the grounds.
Stage 2 - Sales: the serviced-plots are sold directly by landowner to homebuyers.
Stage 3 - Construction: specialist manufacturers often build the frame off-site, speeding the build and reducing inconvenience for neighbours.

Design: the scheme is a contemporary take on traditional vernacular architecture of the local area. Whilst we have been careful not to allow the proposal to be pastiche, it is important that it remains of its time and place. Design influences from traditional West Norfolk buildings include the materials (clay pantiles, red brick and carrstone), simple and varied pitched roof forms, raised parapet gables with brick tumbling details and substantial brick chimneys (as featured on many local buildings like the Village Hall and Old Hall Farm House). Public Open

Space and the Pond: at least 50% of the site will be retained for public use, and will be maintained by the homeowners for the benefit of all.

Process: The project team have collectively worked very closely with the planning department both through an extensive pre-application process and again during the application process, responding to concerns that they or the Parish Council have raised. All the technical and policy concerns raised by the planning department and its consultees have also been met/satisfied, rendering the application fully policy compliant. To summarise some of these issues:

- Surface water drainage and flooding precautions: we aim to use soak-aways but the measure we finally adopt will depend on our over-winter monitoring tests which we are currently conducting and will be assessed by the Local Lead Flood Authority.
- Affordable Housing - We will provide 1 affordable rent and 1 shared-equity home (as per LPA approval)
- House heights: the heights were lowered to be in line with the Hill Road neighbours.
- Carrstone: every front elevation has a minimum amount of Carrstone (this can be increased according to the design code).

Local Policy: In the face of National Policy and growing demand for self-build properties, the Borough Council has published a new Self-Build & Custom House Building Action Plan, November 2018 (the Action Plan). This has then been developed into a set of draft policies within the 2019 Emerging Local Plan which is currently under review. This emerging plan strongly supports enabled self and custom building as described through these points:

4.1.39 The Borough Council recognises the importance that custom and self-build housing can play in contributing not only to housing supply but also to completions. Given this, and that it allows people to create a home which they ultimately want, the Council is supportive of custom and self-build housing....

4.1.40 The purpose of the Action Plan is to positively influence or help secure development opportunities where we can support individuals or organisations in our local communities to deliver high quality self-build or custom house building to meet demand in the borough.

4.1.41 The Local Plan review seeks to create a policy environment which supports and encourages custom and self-build opportunities.

To emphasise this support, new policy LP26 will actively encourage Custom Build by giving additional weight to such schemes adjacent to settlement boundaries.

With the principle of residential development at the site established in May 2016, the provision of enabled self-build homes through a well-designed coherent scheme would help to fulfil the Council's vision and objectives as set out in the 2018 Action Plan and Emerging Local Plan, delivering a flagship scheme for the Borough. We commend it to you for your support.

PLANNING HISTORY

15/00854/OM - Outline Application: residential development on Land at Lynn Road, Ingoldisthorpe – Allowed on appeal (attached to this report).

RESPONSE TO CONSULTATION

Parish Council: OBJECT - Thank you for your support in asking the Planning Inspectorate to uphold the decision to object to the houses in 2016. Although saddened by the above decision, along with over 40% of the Households in the Village (5% of households in support), the wish now is for the Council to ensure that the development is appropriate to its setting - in the existing centre of the Village. (Map of Ingoldisthorpe attached as the developer appears to be confused as to the outline of the Village).

Feedback from Parishioners received at the Parish Council meeting on 2nd January along with discussion between the Councillors was unanimous in that the proposal will have an adverse impact on the character and residential amenity of Ingoldisthorpe for the reasons given in this letter.

In addition I have been asked to strongly object to the naming of the development as 'The Green'. Ingoldisthorpe's Village Green is the Recreation Ground across from the development site. I attach the relevant legal documents regarding the Recreation Ground's Village Green status in the appendices.

Main Issues

1. Visual Amenity: The development applied for is unacceptable in terms of its visual impact and subsequent effect on the character of Ingoldisthorpe.

1.1. Planning Inspectorate Appeal Decision (APP/V2635/W/15/3138461)

a) Paragraph 10 noted there was

- no reason to assume that, as part of the Reserved Matters application, the Council would not secure housing that was of a suitable design for this location.

b) And paragraph 59 that:

- I share the Council's view that a condition requiring the development to accord with the principles of the Design and Access Statement... would be open for the Council to draw upon... in its consideration of the Reserved Matters submissions.

1.2. Design & Access Statement

a) It is stated that Individual buildings and forms have been developed to reflect both the wider Norfolk vernacular and the local distinctiveness particular to Ingoldisthorpe. The Parish Council disagree. The current 'Local Character' page does not accurately reflect the overall look of Ingoldisthorpe and rural Norfolk Villages as a whole. It has instead chosen to identify minor pieces from the odd building to attempt to justify huge (taller than the landmark building of the Village) currently 'trendy' clad sheds. The Council is concerned that this current trend for cladding as a finishing material may date quickly.

b) The applicant wishes to develop a historic field in the centre of the Village. The development should be reflective of this and there are numerous historic buildings in the vicinity of the pond field to help inform the design. The Design and Access Statement produced by Rural Solutions back in 2015 (in the Outline Planning Application 15/00854/OM) highlighted these and gave significant regard to harmonising with the traditional characteristics of the locality: red brick, pantiles and carrstone.

1.3. The National Planning Policy Framework (2018)

a) The NPPF is in accordance with the Parish Council issue that the development must protect and enhance the amenity of the wider environment including its heritage and cultural value.

Although not an AONB, the negative impact of the development on the landscape should be taken into account.

- Section 12. Paragraph 125 (pg 38): Design policies should be developed... and grounded in an understanding and evaluation of each area's defining characteristics.
- Section 16. Paragraph 185 (pg54): Plans should set out a positive strategy for the conservation and enjoyment of the historic environment... this strategy should take into account opportunities to draw on the contribution made by the historic environment to the character of a place.

2. Bulk and Massing

2.1. The indicative site layout put forward in the Outline planning application had 12 houses, the majority being semi-detached and thus the overall visual effect was for 8 large masses with small garages set-back from view.

2.2. This development plan has just one set of semi-detached houses giving an overall of 11 bulky buildings which are significantly taller than even the two storey buildings in vicinity of the development.

2.3. The scale of the development with regard to bulk and massing is at least 50% more (when taking into account the increased height of the proposed buildings). This represents a significant increase, over-development of the site and is a material ground for objection.

2.4. King's Lynn and West Norfolk Local Plan - Site Allocations & Development Management Policies (SADMP) from hereon in referred to as The Local Plan supports the issues around Bulk and Massing as follows:

- a) Policy DM15 (pg53): the scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.
- b) The houses in this proposal are over-bearing, two being over 10m in height - which is taller than the Landmark building in the centre of the Village. The development proposal is not to scale with regard to this fact but even more so when being sited next to bungalows on the adjacent street. This proposal would see houses built that are three times the height of their neighbours on Ingoldale! Average ridgelines of the two storey houses on Hill Road are 7m.

3. Residential Amenity

3.1. The enjoyment of views of the pond and the wildlife from the rear of the Ingoldale properties are an important part of their residential amenity. The loss of view, privacy and being overlooked due to the proposed houses has an adverse impact on the residential amenity of Ingoldale.

3.2. C.16.1 of the Local Plan (pg 52) states that: Development proposals should aim to create a high quality environment without detrimental impact on the amenity of new and existing residents. Factors that could have a significant negative impact on the amenity of

residents include...visual impact. It is also important to consider issues of ...privacy and overlooking when creating new development.

3.3. Loss of light and overshadowing on the current residents of Ingoldale will also occur if this development style proceeds due to their disproportionate scale.

4. Affordable Housing in the context of Planning Inspectorate Appeal (APP/V2635/W/15/3138461)

4.1. Paragraph 30 reported the issue of 2 houses (out of 12) only making up 16.6% of the Affordable Housing target. The Inspector commented that this should be resolved at the Reserved Matters stage. If affordable housing is to account for 'no less than 20% provision of housing units' this development needs to feature at least 3 houses to meet that target. Paragraph 63 of the above report reiterates this issue.

4.2. There is a concern over the purchasers of any developed properties being from individuals outside the area that do not wish to be resident here but rather purchase them as second homes along with the issues that come with empty properties for much of the year.

5. Parking Provision

Policy DM 17 of the Local Plan states that 2/3 bedroomed units should have 2 spaces per dwelling and 4 or more bedroomed units 3. The overall layout plan does not show enough spaces per dwelling and the Parish Council wish to know where the additional cars would park, not to mention visitor cars. Could an amended layout be provided with the realistic number of cars shown?

6. Highway Safety

Whilst the Parish Council understand Highways will make their own comments, the application is in an area of Ingoldisthorpe which is already dangerous for those not travelling by car. Part of the new road to the development proposes an exit to the North on a busy section of Hill Road where a contra-flow exists due to parked cars.

7. Drainage

What assurances can the Council be given if the sustainable urban drainage system (SUDS) implemented does not meet the needs of managing surface water with the network at capacity once the development is complete? Can conditions be added to any planning consent?

8. Traffic

Over 30 additional entrances and exits by vehicles each day poses a threat to the safety of pedestrians and cyclists crossing Hill Road and Lynn Road.

9. Landscaping

The Design and Access Statement shows the area is still fenced. If this is to be the opening up of a new public space why is the fence still shown?

10. Conservation

The visual shows removal of the blackberry bush on the corner of Hill Road / Lynn Road. This houses a substantial number of house sparrows which are on the red list and protected under the Wildlife and Countryside Act 1981.

11. Local Facilities

The infrastructure for additional residents does not exist.

11.1. The Headteacher of Ingoldisthorpe Primary School informed the Council only a few months ago that they are at capacity. Section 8. Paragraph 94 (pg27) of the NPPF states: It is important that a sufficient choice of school places is available to meet the needs of existing and new communities.

11.2. New residents find it difficult to access services such as dentists who are full in the surrounding villages and there are now no shops, with the loss of the small Post Office.

12. The Local Plan

Although the Planning Inspectorate in his assessment of the Outline Planning application on this site disregarded Policy 4/20 (Built Environment Areas Type A & B) of the 1998 Local Plan, this planning objection would be incomplete in not mentioning his failure to grasp that this was a non-designated Heritage Asset; a grazing field, which had been used since the 1700s, right next to the pond, Village green and Landmark building - the quintessential picture of an English Village and a rare scene, even in the local rural area.

He has not only set precedent to build on non-preferred options and non-designated Heritage Assets but his decision has resulted in the loss of part of Ingoldisthorpe's historic environment. It is understood that the above mentioned policy has now been replaced by the Local Plan which was adopted between the

Outline Planning and this Reserved Matter application. However the adopted plan still includes data which begs the question why such policies exist:

In the 'Distribution of Housing between settlements in the Rural Area' table of the adopted Local Plan (pg 461), the allocated number of houses is 10, shown against the guide number based on Ingoldisthorpe's population of 8 and how this represents a 125% increase. The actual number of dwellings being built is now 27 dwellings through the 2 major developments, a 238% increase against the calculated figure, the third highest increase when compared to the other rural Villages of West Norfolk and all with no explanation. What is the point of having such allocations if planning policy is to ignore them?

I conclude that if you have any view other than refusing this planning application, the decision must go to the planning committee for discussion.

Highways Authority: NO OBJECTION - conditionally

Norfolk Wildlife Trust: NO OBJECTION - conditionally

Environmental Health & Housing - Environmental Quality: NO OBJECTION – re: contaminated land or air quality.

Environmental Health & Housing - CSNN: NO OBJECTION – conditionally. Comments re: drainage and

Lead Local Flood Authority: NO OBJECTION - conditionally

Natural England: NO OBJECTION

Public Open Space Officer: NO OBJECTION – but made comments

Arboricultural Officer: NO OBJECTION - conditionally

Housing Enabling Officer: NO OBJECTION - conditionally

Cadent Gas: NO OBJECTION – recommend informative re: working in proximity of gas apparatus.

Environment Agency: NO COMMENT

Anglian Water: NO OBJECTION – recommend an informative re: connection to sewer

REPRESENTATIONS

19 objections and 1 neutral comment received referring to the following:-

- Design of the houses is not in keeping and will detract from the public enjoyment of the area
- Unsympathetic homes on common land
- As a group (12 houses) the beauty of these types of houses (oversized chimneys, windows etc.) is lost
- Will this look like a development of Council houses in years to come?
- The reference buildings used by the applicant are substantial buildings set in their own grounds
- There are not enough car parking spaces in the proposal
- Take real issue with the name, 'the green' because Ingoldisthorpe already has a Village Green across the road from the proposed development
- The houses are too tall in relation to those they will sit next to.
- Do not support building on the grazing paddock as is a rare village feature that should be retained
- Why not build on the next field along?
- Will endure building site and the noise inherent to building sites for the next few years
- Loss of wildlife
- Drainage for the site; I would want reassurances that if our house is adversely affected by the additional water that can no longer be soaked up by the field then all remedial action will be paid for
- This is a highly sensitive subject and whatever is approved MUST be right for the Village
- To suggest that twelve houses with the odd square of flint will be a shot in the arm for local craftsmen and materials is an overstatement.
- To suggest that there is anything unfortunate about the bungalows is to ignore the quiet pace of life there
- Hedging would be a simpler and far more attractive prospect if the view needed improvement given the wildlife that congregates there.
- The designs will quickly become dated
- The drawings appear to demonstrate a red brick version of soviet style utilitarianism which can't be said to provide a sympathetic counterpoint to rural Norfolk.

- I wouldn't say that these designs present an opportunity for brave development and why would "bravery" be an attractive prospect for a village that looks homely and nice as it is?
- I believe the person who owns property at the top of the hill has diverted the stream that used to feed the pond thereby allowing it to dry out; perhaps this is why they are now seeking planning permission for homes.
- Apparently the existing bungalow which sits behind the proposed site has had major work done to its walls because of subsidence and I just don't understand why planning permission should be given for more dwellings on the site.
- The pond field is the perfect flood plain and there will be a much reduced area to absorb flooding; to build on a flood plain is somewhat ridiculous when there is far more suitable land passed for planning in the village currently.
- Leave our pond field alone
- there is not enough space to make a further road/traffic junction onto the field twist the pond and bungalow
- Residents mainly use the road outside Village Farm Cottages to park in, including residents from Lancaster Terrace and other addresses who have no parking off-road, restricting it to single carriage road.
- Risk of accidents from narrow road and road safety to pedestrians, cyclists and car drivers alike.
- Concern roof space to Plot 6 will in time be used as extra bedroom therefore creating more overlooking of our property.
- Lots of dark cladding, glass in abundance with grey or black slate roof tiles & Juliet balconies; Not much about the use of local materials to help them blend in.
- The plans show this development to be a monstrosity.
- We believe that our bungalow will be overlooked and overshadowed.
- There should be a provision for the new properties behind Ingoldale to have suitable trees planted in their rear gardens.
- We would expect that the amenity area will have a plan in place so it will be maintained, including the pond
- These houses are going to be unaffordable for local people and will either be a building site for many unnecessary years or be holiday homes
- There are places all over Norfolk that are more suitable for the 'housing crisis' this site is definitely not one of them.
- The plan to sell individual sites will also inevitably prolong the building project as the plots could sell or not sell. This would have a long term effect on the village and local community.
- This is not just another piece of land to be built on but the very essence of this village
- So many revisions to the plans it is getting annoying
- When I moved into my property overlooking the site I was advised by my solicitor that the land in question can never be built on
- Application submitted just before Christmas when people are busy
- Land sold illegally at some time in the past and fenced off and is common land so should not be built on
- Weeds have been growing due to the new hedge planted close to the boundary and this causes me extra work
- should have bungalows along boundary with Ingoldale
- Plot 4 is stated as being 16.2m away which we feel is still too close especially with the proposed building being 13.7m high
- Concern over sky light windows which will overlook
- Concern over construction traffic using narrow road and disruption
- Horses cross Drift Road and are permitted to be ridden through the village along the main road and beyond as they have for generations; concern over pinch point of

fence on the crossroad by the Hill Road sign where horses, traffic and farm machinery meet

- Where will the entrance to the open space be?
 - The New Zealand Pygmy weed should be removed immediately
 - Management of open space has changed from private residents to public
 - Some houses have rooms on three levels
-
- 7 supporting comments referring to the following:
 - Looking to relocate to area.
 - This proposed development will be a great improvement especially with the new village green it provides
 - The design makes good use of local building materials and will fit in really well.
 - Welcome the more modern approach to design
 - Will set a great example of how small developments should be done.
 - The crossroads at Ingoldsthorpe is a sad sight today. There is no sense of place. The development of what looks like high quality houses centred around a pond will lift the feeling of the centre of the village. Furthermore, it will screen out some of the more unfortunate developments approved decades ago.
 - The nature of this proposal promotes self-build which will have a very positive effect economically within the locality
 - The council should support this application as a shot in the arm for the local economy.
 - it is clear that significant effort has been expended in the design and architecture of the buildings
 - Not all new development should be a cheap pastiche of the older buildings. New versions of old buildings simply cheapen the setting of the original and would be far more detrimental to the build environment than a well-considered contemporary development.
 - There is a huge market for people wanting to live in contemporary homes and feeling that there is nothing in our area for them.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

PLANNING CONSIDERATIONS

The key principle issues to be addressed in this instance are: -

- Principle of development;
- Design, character and appearance;
- Impact upon residential amenity;
- Affordable housing;
- Access issues;
- Landscaping;
- Drainage;
- Ecology and open space;
- Archaeology

Principle of Development

The principle of residential development on this site has been established through application 15/00854/OM. Condition 2 requires reserved matters details to be submitted before 6 May 2019.

This reserved matters application is for a Custom Self-Build development of 12 dwellings. Self-build and custom housebuilding are defined in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) as:

“...the building or completion by— (a) individuals, (b) associations of individuals, or (c) persons working with or for individuals or associations of individuals of houses to be occupied as homes by those individuals.”

These custom build homes are proposed to be secured through the developer who then makes the serviced plots available to individuals to help deliver their own home.

Other examples of custom or self-build schemes around the country have been approved through a two stage process. Generally outline consent is approved along, with a plot passport approach which sets out the parameters for the development for each plot. The plot owner would then apply for the details of each individual unit by the reserved matters process.

In this case, however, the applicant is seeking to retro-fit the freedom of custom build design at the reserved matters stage. Given the constraints of the site, being a prominent site in the centre of the village, adjacent to existing residential properties, there is only limited option to offer discretion in the approved details. Accordingly the level of customisation is restricted

only to the position and design of windows and doors, solar panels and external building materials.

Through the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) LPAs are under a duty (by 1st April 2016) to keep a register of individuals and associations who have expressed an interest in acquiring serviced plots for self and custom build (to build houses for those individuals to occupy as homes).

The Council holds a register in accordance with the above and since 1st April 2016, 153 individuals have joined the register. However, it should be noted that the Custom Build Register is by no means a definitive measure of custom and self-build demand as it relies on individuals being aware of and choosing to join the register.

The 2015 Act (as amended by the Housing and Planning Act 2016), then places a further duty upon LPAs to grant suitable development permission in respect of enough serviced plots of land to match demand on their self-build and custom build register. Local authorities are expected to promote such sites through the local plan, building on their own land, encouraging landowners to facilitate self-build and custom schemes and should work to increase the number of planning permissions which are suitable for self-build and custom housebuilding and through working with custom build developers to maximise opportunities for self-build and custom housebuilding. The Council has granted sufficient suitable permissions to meet these obligations. However, there is no guarantee that these permissions will be developed by custom and self-builders.

In order to gain a more robust insight into the demand and need for custom and self-build serviced plots, the Council has commissioned a Custom and Self-Build Demand Assessment Framework. However, work on this is currently ongoing and the report is yet to be published.

In response to the requirements of the 2015 Act (as amended by the Housing and Planning Act 2016), however, the Borough Council has published a new Self-Build & Custom House Building Action Plan, November 2018 (the Action Plan). This has then been developed into a set of draft policies within the 2019 Emerging Local Plan which is currently under review. Accordingly the principle of self and custom build is to be encouraged and is supported by both local and national policy.

Design, character and appearance

In the appeal decision for application ref: 15/00854/OM the Inspector stated that he would 'have no reason to assume that, as part of a Reserved Matters application, the Council would not secure housing that was of a suitable design for this location' (para 10).

Further, the decision secured the provision of 50% of the site as public open space (including the pond area but excluding any roads, parking areas or private gardens), (Condition 5).

The application shows 12 units across the site with a significant area of open space and pond to the north west corner of the site. From the information provided the submitted layout would secure the 50% public open space required by condition 5.

The 12 dwellings are shown to be sited to the east and southern part of the site, in an 'L' shaped layout overlooking the pond and open space. Access to the dwellings is shown to be by two separate, independent accesses; one to the north off Hill Road serving Plots 1 – 5 and a second off Lynn Road serving Plots 6 – 12.

The 10 market dwellings are each shown to be detached properties and the two affordable units (Plots 2 and 3) are semi-detached. Each plot has the required amount of parking spaces according to the adopted parking standards.

The DAS sets out the concepts behind the final design and layout of the proposed scheme having reviewed various layouts and arrangements. The DAS refers to two principles; the first that the proposed houses should respect the form of traditional house types and the Norfolk vernacular and the second that the houses should be of their time and not mimic or imitate an arbitrary choice of historic style.

In terms of design, therefore, the group of dwellings takes reference from historic forms of house styles with simple roof forms and chimneys, but introduces more contemporary elements in terms of window styles and the way the external materials are used.

To the north of the site there are two storey terraced properties and to the east are single storey, detached dwellings. Initially the proposed development showed detached dwellings with very steep, pitched roofs and concern was raised regarding the scale and bulk of these proposed units. In response to this concern amended plans have since been submitted which have reduced the pitch of these units.

Parish Council and third party objection has been made to the overall height of some of the proposed units which are taller than the local 'landmark' building which is the property on the corner of Lynn Road and The Drift. Also to the fact that certain plots contain properties of three storeys. However, since these comments were received the overall height of the taller units has been reduced by 0.75m. The DAS also explains that two largest houses (Type C1 and C2) are located in the south east corner of the site. These will be seen in context against a backdrop of trees from certain viewpoints and the change in roof heights adds variation to the proposed scheme.

In terms of visual appearance the design of the dwellings steers away from traditional elements and forms and the development has a deliberate contemporary style. The elevations, for example, show asymmetric fenestration that is not typical of existing development within the village, and prominent chimneys and long sloping roofs that are not prevalent in the houses surrounding the site. That said the scale and massing of the development retains a significant degree of open space around the properties that will not dominate the site or setting of this edge of village site.

In terms of materials the DAS and Design Code refer to a palette of materials with a mix of red brick, carstone, red or black clay pantile roofs and natural timber or black stained timber. Brick and carstone are traditional, local materials found within the village of Ingoldisthorpe and surrounding areas. Timber on buildings within the village is more typically used for ancillary buildings or small areas of walling rather than whole houses or principal elevations so is less prevalent locally, although is a natural material.

Policy DM 15 refers to the need for development to respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials, and is particularly relevant in this regard. At a national level paragraph 127 of the NPPF refers that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Additionally para 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

In their objection the Parish Council referred to paras 125 and 185 of the NPPF, however, these relate to advice on how to word policies relating to design and to strategies for protecting heritage assets. Neither of these paragraphs are directly relevant to this proposal.

The custom build element introduces a new concept in terms of consideration of the elevational plans. A hallmark of custom build is the choice it offers the homeowner and for this reason the application proposes options for certain design elements. In this case the applicant is seeking that the final design of some of the window positions and designs and the external building materials for certain elevations on certain plots are not fixed but that options are given for the final plot purchaser to decide which option to choose.

Hence the elevation plans submitted may not show what final materials and window arrangement will actually be constructed on site. Accordingly the applicant has submitted a 'Design Code' document that allows some flexibility for the customisation of each plot, but within carefully controlled parameters. Customisation is only proposed for exterior material selection, window and door arrangements and solar panels to the roof and the Design Code document has a dedicated page for each of these options and for each customisable house type.

In detail, the 'Fenestration Code' shows the various window options. These are proposed to be based on 4 different criteria and are colour coded in the Design Code document for clarity: bathroom /utility options, roof level window options, alternatives between related house types (i.e. A1 and A2) and cost-saving options.

The proposed 'Material Code' shows the options for the external finishes which include:
Roof: Clay Pantiles as per local vernacular – homeowners to choose between Red or Black clay.
Exterior Walls: Timber (natural or stained black), Carstone (must feature on every front facade) and red brick - arranged in a series of zones that wrap around the facade with the options outlined on the respective 'material code' pages.

The intention is that if homeowners comply with this Design Code there would be no further requirement for the submission of additional details. However, changes beyond those shown would require a formal application.

This Design Code approach would be a first for the Borough and it has taken much pre-application discussion to arrive at a scheme that could be controlled through this manner. It is considered that by restricting the customisation elements to external materials and fenestration it provides the balance between offering flexibility and individual expression for buyers but within carefully controlled parameters.

Whilst the resulting effects of the Fenestration Code and the varying position and style of fenestration would have some impact on the visual appearance of the dwellings, the Material Code would have much more effect on the overall appearance of the development. As presented the Material Code means that other than the use of carstone, which would be mandatory on certain areas of the principal elevation of each dwelling, the amount of each other material would not be known until each unit is purchased by the ultimate owner. It would not be known, for example, whether the house would be predominantly of brick

construction or timber clad or whether the roof would be red or black. Members will need to consider how important the control of this detail might be for this site and the overall impact upon the village setting.

Government guidance refers that in the spirit of encouraging self-builders, it is important that LPA's are flexible on the design parameters to allow for individual variety as well as custom housebuilders house types and designs. To this extent, both members and officers do need to appreciate that the resulting developments will have more variety in the design approach taken. Whilst the NPPF refers to 'not preventing or discouraging appropriate innovation or change', it is recognised that any development should respond sensitively and sympathetically to its local setting and maintain a strong sense of place.

In this case, following the submission of amended plans it is considered that the appearance, layout and scale of the proposal will offer an innovative and contemporary scheme which will also maintain the overall pattern of surrounding development. Accordingly it is recommended that this Design Code approach be supported through the imposition of appropriately worded planning conditions.

Impact upon Residential Amenity

The relationship between the development proposed and neighbouring properties has been examined and the impact upon the amenity of the occupants of these properties has been assessed. Consideration has been given to overlooking, overshadowing and whether the proposed development is overbearing.

Whilst the scheme proposes a Design Code approach where the final dimension and position of the windows for each of the custom build units is to be determined by the house builder, there are parameters shown on the elevation plans of the general positions the windows will be located.

The impact upon the residential amenity of the occupants of existing neighbouring properties, as well as future occupants of the development, has therefore been assessed based on the information given in the fenestration code. Some of the windows will be fixed and others may alter in terms of size or shape, but the degree of overlooking can generally be assessed. Given the position of the windows and distance to neighbouring properties, it is not considered there will be a significantly detrimental impact upon the amenity of the occupants of these neighbouring dwellings in terms of overlooking from the 10 detached custom homes.

Concern was initially raised regarding the relationship of the two affordable housing units on Plots 2 and 3 with No. 30 Hill Road, which has a large ground floor side window facing the site, where officers were concerned about the overlooking of this window from the two new units proposed. However, the principle of this was previously considered by the Planning Inspector at outline stage who noted that "the room served by that window also appears to have another facing down the property's garden and so [again] any effect on living conditions of those residents would not be unacceptable."

Notwithstanding the Inspector's decision on this issue, amended plans have been provided which show these windows to be partially fixed with obscure glazing to the upper part of the window. Cross sections have been submitted which demonstrate that views across to No. 30 Hill Road will be restricted from the upper windows of these proposed new properties. Views from the ground floor windows can be mitigated through boundary treatment. Given that this is a secondary window to the room of the neighbouring property, and that views from the windows of the proposed new properties can be mitigated, any concerns have been suitably overcome.

The proposed layout shows rear gardens adjacent to the boundary with existing properties on Ingoldale to the east. The properties to the north are separated from the proposed development by Hill Road and grass verges. Due to the amount of spacing between properties the proposal will not result in a significant degree of overshadowing or the dwellings being over bearing.

Affordable housing

The site is of a size where it needs to provide 20% affordable housing in accordance with Core Strategy Policy CS09. Policy CS09 also states that the preferred tenure split for the delivery of affordable housing is; 70% affordable rent and 30% shared ownership.

The applicant seeks consent for 12 dwellings which means that based on this number 2 affordable dwellings are required. The two affordable units proposed in line with the outline consent are the pair of semi-detached units at plots 2 and 3.

The Parish Council has objected to the low number of affordable units and refers to Paragraph 30 of the Appeal Inspector's Report which comments on this issue. At outline stage the applicant suggested a condition that affordable housing would account for 'not less than 20% provision of housing units' but 2 houses (out of 12) would only make 16.6%. However, the Inspector noted that the Council accepted this number and commented that the finer points should be resolved at the Reserved Matters stage.

Accordingly, Condition 7 of the outline consent imposed by the Inspector does not include the phrase 'not less than 20%' but does require a scheme for the provision of affordable housing to be submitted prior to the commencement of development. This scheme should include the numbers of units, type, tenure, location, timing, transfer details, arrangements to ensure the housing is affordable and occupancy criteria.

The applicant has provided details of Heads of Terms which set out the number of affordable homes (2); identifies the tenure split (1affordable rent, 1 shared equity) and proposes handing over two serviced plots and additional financial contribution to a registered provider. The trigger for land transfer is proposed at the point of completion of phase 1 ('Infrastructure') works, thus ensuring the registered provider is in a position to commence building at the earliest possible stage in the project.

Whilst this information sets out the intentions of the applicant it will be necessary to secure these details in a more precise and formal arrangement as part of the requirements of condition 7 of the appeal decision.

Access Issues

At outline stage all matters were reserved except for access. Planning conditions on the outline application refer to highways matters.

During the course of the application an amended layout has been submitted which pick up the initial comments from the Highways Authority.

The Highways Authority now raises no objection as their initial comments have been addressed and all other matters can be secured by planning condition.

Parish Council and third party objection has been raised regarding the impact on highway safety from additional traffic along the narrow Hill Road and lack of parking spaces. However, the principle of residential development on this site has already been established

and the Inspector considered the impact on the local roads at outline stage. He concluded the development would not have an adverse effect on highway safety.

The proposed scheme provides adequate parking facilities and accords with parking standards and planning policy in this respect.

Landscaping

The application has been supported by a landscaping scheme, Arboricultural Survey, Method Statement and Tree Protection Plan. Out of 15 individual trees and 6 groups of trees, 4 trees will need to be felled to facilitate the excavation of a trench for a water pipe and four trees require pruning.

The Arboricultural Officer has no objection subject to conditions to ensure appropriate tree protection.

Drainage

Condition 8 of the outline consent states that the development shall not begin until drainage details have been submitted to and approved in writing by the LPA. The application has been supported by outline drainage infrastructure and a drainage strategy.

An initial objection to the application was received from the LLFA who consider that a positive SuDS based drainage strategy can be implemented at the site, removing the need for a pumped drainage system.

However, this objection has since been dropped following assurances that a SuDS based system will be fully explored during the detailed design stage when the applicant submits a discharge of conditions application. Accordingly condition 8 of the outline planning permission remains in place.

Ecology and open space

The outline planning permission was approved with 11 planning conditions. Conditions 4 – 6 refer to the area of open space, relating specifically to the amount of open space, matters of ecology and management and maintenance of the public open space.

This application is supported by an ecological report which identifies key areas of ecological sensitivity (primarily the pond and buffer zones along the southern and eastern site boundaries, which are identified as areas potentially used by foraging bats). In addition to this information concerning bats, the appraisal sets out a schedule of works for eradication of New Zealand Pigmyweed from the pond (an invasive species) and specific habitat creation measures for Oystercatchers, to be delivered on undeveloped land adjacent to the site and within the control of the applicant. A timescale for implementation of these works is specified in the document (and can be conditioned).

Condition 6 refers to the need to submit details of the creation, management and maintenance of the public open space prior to commencement of development. The applicant proposes that these functions are transferred to a management company which will be owned in common by each of the plot purchasers (including the registered provider responsible for delivering and managing the affordable housing). In preparation for the development a suitable company has been established (IGT Development Ltd). Initially, the original site owner (and applicant in this reserved matters application) will also be a shareholder, continuing until such time as all the development plots have been sold.

The management company will have the power and responsibility to set service charges for each of the plot owners in advance and from time to time as required, to ensure effective maintenance of the public and shared private areas.

The Parish Council has commented that the open space is fenced off and inaccessible, but no fencing is proposed, although there are posts to prevent cars driving on the area.

Archaeology

An archaeological report has been submitted with this application. The report summarises the findings of field work at the site, including trial trenching, and concludes that, with no artefacts uncovered during the evaluation, no further survey work is required.

However, at the time of writing this report the Historic Environment Service had not seen the final report and are not yet able to advise that no further work is required. Accordingly condition 9 of application 15/01584/OM cannot yet be fully discharged and will require a separate discharge of condition application.

Other matters

The custom build nature of the proposed scheme means that the houses will not likely be constructed at the same time. It is therefore recommended that any relevant conditions are worded to ensure that they apply to each plot and, where relevant, do not prevent the discharge of planning condition until the whole site is complete.

The Parish Council and third parties have raised objections which have largely been addressed above. However, in response to other matters:

Concern that these will be second homes: The LPA has no control over tenure of a dwellinghouse and there is no Neighbourhood Plan in place dealing with this issue.

Objection to the naming of the development as 'The Green': The LPA has no control over the ultimate naming of a development site. However, the applicant has commented that the name 'The Green' is a working title, and if there is significant local objection they would be happy to consider alternative suggestions.

Loss of view of pond and wildlife from Ingoldale: This matter was considered at outline stage when the Planning Inspector said in his decision "The open view enjoyed by the occupiers of those properties would be lost or reduced, but that in itself is not a reason to refuse planning permission." [para 43].

Impact of the proposal on the village infrastructure, including schools and doctors, which it is claimed are at full capacity. These matters are outside the remit of the LPA and the lack of GP's or schools are not reasons for the refusal of the application. Schools and relevant NHS bodies can bid for CIL monies in the future for projects, however, it is noted that self-build schemes are CIL exempt.

Concern for removal of the blackberry bush on the corner of Hill Road / Lynn Road: the applicant confirms that this bush can be retained if necessary. The applicant is aware that works may potentially affect bird nesting areas and this is addressed in their submitted Biodiversity Management Plan, which is the subject of a planning condition.

Concern that this number of houses are over and above the number of houses considered necessary for the village and allocated through the Local Plan: The site already benefits from

outline planning consent and the principle has already been established. This application only considers the detail of the residential development that has already been approved.

Concern about potential harm to surrounding properties during construction: This would be a civil matter between landowners and is not a material planning consideration.

Concern regarding multiple changes to the proposed scheme: The scheme has evolved in response to concerns and issues raised during the consultation process and the changes have been re-advertised to ensure that interested parties are aware of the changes.

Several supporting comments have been received and these are noted.

CONCLUSION

The site has the benefit of outline planning permission for residential development and the relevant planning conditions are set out in the appeal decision for application 15/00854/OM.

Access was the only matter for consideration at outline stage with appearance, landscaping, layout and scale for consideration under this reserved matters application.

This proposal is for a Custom Self-Build development of 12 dwellings. Through the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) LPAs are under a duty to keep a register of individuals and associations who have expressed an interest in acquiring serviced plots for self and custom build, as well as provide and promote such sites.

The Borough Council has published a new Self-Build & Custom House Building Action Plan, November 2018 and draft policies are contained within the 2019 Emerging Local Plan. Accordingly the principle of self and custom build is to be encouraged and is supported by both local and national policy.

In terms of appearance the design of this residential development shows a contemporary take on the traditional vernacular architecture of the local area, which responds to, and takes reference from, surrounding development. It does not try to mimic or replicate; rather the design seeks to be relevant to its time. It is considered that the appearance of the proposal is appropriate in context.

Being largely detached properties, the proposal is sensitive to the pattern of adjacent streets and spaces between them, in accordance with Policy DM15. The number of dwellings fits on the site without being overbearing. The layout and scale of the residential scheme is therefore considered appropriate for this site.

The proposed layout retains the 50% amount of public open space required by the outline consent and details of the management and maintenance of these areas has been provided. Mitigation measures for ecology can be secured through planning condition.

The required amount of affordable housing units are incorporated into the scheme and details of the delivery of this will need to be provided separately as per planning condition 7 of application 15/00854/OM.

Sufficient information has now been submitted to show that the scheme can be adequately drained, although details of a SuDS based system will still be required to be submitted in order to discharge condition 8 of the outline planning permission.

The findings of the archaeology trial trenching will still need to be submitted in order to fully discharge condition 9 of the outline planning permission.

The variation in external appearance of the custom build units to be approved through the Design Code allows the degree of flexibility sought by the applicant but is limited enough to ensure that the scheme will fit into the area in terms of visual appearance.

Accordingly it is considered that the proposal accords with the requirements of the outline consent as well as the provisions of the NPPF and local plan referred to above. For this reason it is recommended the application to be approved, subject to the following appropriate planning conditions.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be carried out in accordance with the following approved plans and the Design Code for each relevant plot:
 - P001 Site Location Plan
 - P100 Rev H Ground Floor Site Plan Proposed
 - P101 Rev F First Floor Site Plan Proposed
 - P102 Rev F Second Floor Site Plan Proposed
 - P103 Rev F Roof Site Plan Proposed
 - P110 Rev D Site Boundary Plan
 - P111 Rev - Area Developed Plan
 - P120 Rev C Site Sections
 - P121 Rev - Site Sections Max Carstone + Brick
 - P122 Rev - Site Sections Max Timber
 - P200 Rev F House Type A1 Floor Plans
 - P201 Rev F House Type A1 Elevations
 - P202 Rev D House Type A2 Floor Plans
 - P203 Rev D House Type A2 Elevations
 - P210 Rev E House Type B1 Floor Plans
 - P211 Rev E House Type B1 Elevations
 - P212 Rev E House Type B2 Floor Plans
 - P213 Rev D House Type B2 Elevations
 - P220 Rev E House Type C1 Floor Plans
 - P221 Rev E House Type C1 Floor Plans
 - P222 Rev E House Type C1 Elevations
 - P223 Rev E House Type C2 Floor Plans
 - P224 Rev E House Type C2 Elevations
 - P225 Rev E House Type C3 Floor Plans
 - P226 Rev E House Type C3 Elevations
 - P230 Rev E House Type D Floor Plans
 - P231 Rev G House Type D Elevations
 - P235 Rev C House Type Sections
 - P-219_100 Rev C Landscape GA Plan
 - P-219_200 Rev - Site Sections

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

- 2 Condition Notwithstanding the details of the approved plans hereby permitted the style and position of the fenestration, doors and solar panels shall follow the parameters shown within the approved Design Code for each individual plot.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Notwithstanding the details of the approved plans hereby permitted the external materials for each dwelling shall follow the parameters shown within the approved Design Code for each individual plot.
- 3 Reason For the avoidance of doubt and in the interests of proper planning.
- 4 Condition No development or other operations on Phase 1 of the infrastructure shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with the tree protection measures contained within the Arboricultural Survey and Method Statement by Quants, Dated November 2018. 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. On completion of the infrastructure the fencing shall be retained intact for the full duration of the construction of each plot until all equipment, materials and surplus materials have been removed from that plot 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.
- 4 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.
- 5 Condition Prior to first occupation of the dwellings hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation of the plot to which the boundary treatment relates or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 5 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 6 Condition No development shall commence on any external surface of the development until a sample panel of the carstone to be used for the external surfaces of the building(s) and/or extension(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 6 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 7 Condition Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and

approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.

- 7 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 8 Condition All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 8 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 9 Condition Prior to the first occupation of the development hereby permitted the proposed access/on-site car parking/turning shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 9 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 10 Condition The development shall be implemented in accordance with the Construction Management Plan, Rev B and shall continue to operate in accordance with all relevant management terms set out for all phases until the site is complete.
- 10 Reason To ensure adequate off-street parking during construction in the interests of highway safety. This needs to be a pre-commencement condition as it deals with the construction period of the development.
- 11 Condition Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works as indicated on Drawing No. 1801-P100 Rev H have been submitted to and approved in writing by the Local Planning Authority.
- 11 Reason To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.
- 12 Condition Prior to the first occupation/use of the development hereby permitted the off-site highway improvement works referred to in condition 12 shall be completed to the written satisfaction of the Local Planning Authority.
- 12 Reason To ensure that the highway network is adequate to cater for the development proposed.

- 13 Condition The recommendations, mitigation and enhancement measures identified in the Biodiversity Management Plan by Quants Environmental, Dated November 2018, relating to the New Zealand Pigmyweed Eradication Strategy, artificial lighting details, Oystercatcher Habitat Management and General Nesting Bird Protection Measures shall be implemented in accordance with the Timetable for Implementation unless otherwise agreed in writing by the Local Planning Authority.
- 13 Reason To ensure that the development takes place substantially in accordance with the principles and parameters of the Biodiversity Management Plan.
- 14 Condition Notwithstanding the details on the approved plans, the obscure glazing to the first floor rear windows of Plots 2 and 3 shown on Drawing No P231 Rev G shall be installed and thereafter permanently retained in that condition.
- 14 Reason To protect the residential amenities of the occupiers of nearby property.