

Parish:	Gayton	
Proposal:	RESERVED MATTERS: Residential development of 40 dwellings, associated estate road access onto Back Street and demolition of existing farm buildings	
Location:	Manor Farm, Back Street, Gayton, King's Lynn, Norfolk, PE32 1QR	
Applicant:	D & K Marsham	
Case No:	19/00694/RMM (Reserved Matters Application)	
Case Officer:	Mrs N Osler	Date for Determination: 17 April 2019 EOT Date: 3 July 2020

Reason for Referral to Planning Committee: Officer recommendation is contrary to Parish Council recommendation and referred by Assistant Director

Neighbourhood Plan: **NO**

Reserved Matters (RM) are sought for 40 dwellings following the grant of outline planning permission in August 2016 under reference 15/0188/FM.

The outline consent was for 40 dwellings on the housing allocation site for Gayton (G41.1) in the Site Allocations and Development Management Policies Plan, 2016 (SADMP).

This RM application is for 40 dwellings on a slightly smaller site. A full application, that is also before committee today, covers the remainder of the site and is for six dwellings (19/01831/F).

If permission is granted for both of these applications, it will result in a total of 46 dwellings on the allocated site rather than the currently approved 40.

Members will recall that this application was deferred from the Planning Committee meeting on 1 June, after initial motions to refuse and then approve the application were lost.

Since the deferral the applicant has made the following minor amendments and provided further justification to the scheme that went before Committee:

- **Access to the agricultural land to the north is shown clearer on the plan, has been widened, and trees (as well as the previously proposed 2m high close board fence and a hedge) are proposed in between the adjacent property and the access.**
- **LAP moved to the south-west, rather than the south-east of the pond to allow for the widening of the agricultural access and to allow greater separation**
- **Have amended the affordable units to better integrate them with the open-market housing in response to concerns raised about pepper-potting of the affordable units.**
- **Sought to further explain the lack of garages for the 9 affordable units**
- **Sheds have been provided for cycle storage for the 18 properties without garages (9 affordable units and 9 open market housing units).**

The main report remains largely unaltered and the new elements or changes that have been added to the relevant sections of this report are emboldened for clarity.

Key Issues

Principle of Development
Form and Character
Residential Amenity
Highways Safety
S106 Contributions
Matters Covered by Condition
Crime and Disorder
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

Reserved Matters (layout, scale, appearance and landscaping) are sought for 40 dwellings; access (including a footpath link onto St Nicholas Close) was approved at outline stage.

The dwellings comprise:

Six detached bungalows: 4 x 3-bed (plots 7, 8, 17 and 31) and 2 x 2-bed (plots 5 and 6)

Four x 4-bed detached houses: plots 1, 4, 32 and 33

Twelve pairs of 2-storey dwellings: 2 x 2-bed (**plots 11, 12(A), 39(A) and 40(A)**) and 10 x 3-bed (plots 2, 3, 9(A), **10**, 13, 14, 15, 16, 27, 28, 29, 30, 34, 35, 41, **42(A)**, 43, 44, 45 and 46)

Two x 3-unit terrace properties: 1 x 2-bed (plots 18, **19(A)** and 20(A)) and 1 x 3-bed (plots 36(A), 37(A) and 38)

Eight units are affordable, although if the concurrent full application is approved nine affordable units will be required across both sites. The additional affordable unit is to be provided on this RMM site. The plans show all nine affordable units: **plot 9 (one of a pair of semi-detached 3-bed units), plot 12 (one of a pair of semi-detached 3 -bed units), plots 19 and 20 (two of a terrace of three 2-bed units), plots 36 and 37 (two of a terrace of three 3-bed units), plots 39 and 40 (a pair of semi-detached 2-bed units) and plot 42 (one of a pair of semi-detached 3-bed units).**

Units 21 to 26 inclusive fall within the full application site and not this RM application, but for clarity they comprise: 2 x 4-bed detached dwellings and 2 x 2 pairs of semi-detached 3-bed dwellings.

The palette of materials comprises:

Slate
Pantiles
Red multi brick

Cream brick
Cobbled flint
Chalk colour render
Cedar cladding

Boundary treatments consist of 1.8m high close boarded timber fencing between properties; 1.2m high post and rail fencing in combination with hedging is proposed where the site abuts the countryside an element of walling is proposed at the entrance to the site adjacent to Plot 1 and again adjacent to Plot 4.

This RM site forms the majority of housing allocation G41.1 in the Site Allocations and Development Management Policies Plan, 2016. An extant outline permission exists on the whole site (the area covered by this RM application and the full application) for up to 40 dwellings.

A concurrent Full Application on the remainder of the site (the area not covered by this RM application) is also before committee today. The full application is for six dwellings.

If permission is granted for both then it will result in a total of 46 on the allocated site rather than the currently approved 40.

However, whilst both applications should be considered in unison, this RM application for 40 units would be in full compliance with the outline consent and can be considered in isolation from the concurrent full application.

SUPPORTING CASE

This application is before the Planning Committee following deferral at the 01 June 2020 Planning Committee. Although no formal planning reasons were outlined for that deferral, following discussions with Planning Officers, the applicant has responded to the following areas of concern as raised in debate:

- 1. No garages to affordable units**
- 2. The committee considered the affordable units were not adequately pepper potted**
- 3. Confirmation of the location of the agricultural field access and comments from CSNN**
- 4. Premium by neglect of the remaining agricultural field**
- 5. Secure cycle storage**
- 6. Number of units**
- 7. Electric Vehicle Charging and A rated EPC**

We have considered the points raised and responded in order below:

ITEM 1 – No Garages to affordable units

It should be noted that there are 9 open market dwellings that do not have garages and 9 affordable units that do not have garages. As such, it is considered that the open market and affordable units will be fully integrated without a visual disparity between the units. We have also spoken with Registered Providers regarding garages and they have confirmed that there

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preference is not to have garages, this is reinforced by the scheme behind the Rampant Horse in Gayton by Freebridge Community Housing with the affordable units not having garages.

In addition, we have also consulted further with the Housing Enabling Team and they have confirmed that Registered Providers prefer not to have garages provided with affordable units as they incur extra costs through maintenance and repairs. It may also lead to an increase in rents which could affect affordability. Sheds are provided with affordable units for the tenants to store their bikes and other belongings.

As such, we consider that the mix between open market and affordable units with and without garages will not result in visual disparity between affordable and open market housing. In addition, the proposal is Policy and NPPF compliant, meets the needs of Registered Providers and has the support of the Housing Enabling Team.

ITEM 2 – Affordable units were not adequately pepper potted

Although we would note that the previously considered scheme is fully compliant with national and local planning policy and meets the Borough's guidance on location of affordable units, we have fully considered these comments. We also note the Registered Provider's preference to locate all dwellings in a similar area for management and maintenance reasons.

Policy CS09 is clear that the purpose behind pepper potting is to ensure that the units are tenure blind and as such we have revised the proposed location of the affordable units. The proposed location and mixed tenure with open market, along with the approach outlined in item 1, will ensure that these units are truly tenure blind and that affordable units are receiving the same level of quality and accommodation as open market housing.

We would also note that the affordable units are not all located in one cluster away from the main development, in fact, they are fully integrated into proposal with mixed tenure semi-detached and terrace units. This will ensure that the affordable units are fully integrated into the scheme without visual disparity to the open market housing. We again note that this proposal fully meets local and nation policy, is in accordance with the Borough's own guidance and has no objection from the Housing Enabling team.

ITEM 3 – Access to Agricultural Field

As confirmed during James Burton's speech agricultural access to the field has been retained. However, following the committee further consideration has been given to this and the access location is also reinforced further on the proposed site plan.

As part of this we have located the access further away from plot 33, introduced additional landscaping and post and rail fence to demark the area. The access is to be grasscrete to maintain the green aspect. The LAP has also been relocated as part of our further considerations.

This approach maintains public open space far in excess of policy requirements which will be available to the whole village and this is in addition to the maintained woodland area which will also be for the use of the village.

This approach is policy compliant and the Greenspace Officer and CSNN have commented further on the proposal and confirmed no objections to the proposal.

ITEM 4 - Premium by neglect of the remaining agricultural field

Gayton Estate will continue to farm the parcel of agricultural land to the North of the application site via the proposed access. The estate manages and actively utilises small parcels of agricultural land throughout the village of Gayton successfully and this will continue with this piece of agricultural land. The land will be kept in good order and actively used and maintained as part of the estates operations.

ITEM 5 - Secure cycle storage

Each unit with a garage has an oversized garage capable of cycle and car storage. Each unit without a garage has a shed space provided for secure storage of cycles.

ITEM 6 – Number of Units

The total site has an area of circa. 2.65ha and is C3 residential land with Outline Approval for 40 dwellings. The proposed development density of the site as a whole including the 6 additional dwellings included as part of this application is 17.34 dwellings per hectare which is considered to make efficient use of residential land as required in the NPPF and also respects the form and character as well as the surrounding densities within the area. St Nicholas Close development has a density of circa. 17.86 dwellings per hectare and the Birch Road area, known locally as the Willows has a density of circa. 19.77 dwellings per hectare. The Willows is perhaps most relevant in context terms and is adjacent to this proposal and it should be noted that although we are proposing a total of 46 dwellings this remains 2 dwellings per hectare lower than the Willows.

It should also be noted that the land to the rear of the Rampant Horse in Gayton was approved recently which has a density of 26.17 dwellings per hectare and only just meets the policy required open space. The Rampant Horse was approved with a density of 8.83 dwellings per hectare higher than this proposal.

The increase in numbers allows us to offer the full requirement of affordable housing with the intention of offering additional Build2Rent properties for affordable rent to residents of the village. It should also be noted that the scheme provides far in excess of the minimum policy required open space and is fully compliant with Local and National Planning Policies with no statutory objections.

ITEM 7 - Electric Vehicle Charging and A rated EPC

As noted in James Burton's speech each property will have a charging point for electric vehicles and each and every property, including affordable homes, will strive to achieve an 'A' rated EPC utilising air and ground source heat

pumps and be designed for low water consumption and the installation of solar panels.

In addition to the points raised by the committee the entirety of the supporting statement submitted previously continues to apply fully to this proposal. This concludes that the site is identified for development in the local plan, benefits from an extant approval for 40 dwellings and is in keeping with the form and character of the area, with lower development density than the surrounding housing and recent approvals, without negative impacts on neighbour amenity. The full application for 6 dwellings will ensure best and most efficient use of land and rely on the infrastructure of the 40 dwellings approved under the current Outline Approval, this approach will ensure the deliverability of 40 homes counted as part of the land supply and positively contribute to achieving the required 95% test level of homes built.

The scheme makes efficient use of development land and will not result in harm, fully meeting the requirements of the Local Plan and the NPPF, specifically section 11 and paragraph 78, which seeks to achieve sustainable development and efficient land use. As such, we respectfully request that you support your officers and recommend approval of this scheme with conditions deemed appropriate.

PLANNING HISTORY

19/01831/F: for consideration at this committee meeting with a recommendation of approval: Full application: Construction of 2 detached and 4-semi-detached dwellings

16/00444/OM: Application Refused: 15/09/16 - Outline Major Application: Residential development comprising 40 dwellings to include 8 self-build custom built dwellings and access

15/01888/OM: Application Permitted: 04/08/16 - Outline application: Residential development for 40 dwellings, associated estate road access onto Back Street and demolition of existing farm buildings

RESPONSE TO CONSULTATION

Parish Council: Further comments from the Parish Council are expected in relation to the amended plans. These will be reported under late correspondence.

Previous Representation - OBJECT on the grounds of over-development and not in keeping.

Outline planning permission for this development was granted for 40 houses on the whole site (15/01888/OM; decision August 2016). This application reduces the area of the site, thus increasing the density of the development and changes the fundamental basis of the outline approval. This new layout changes the footprint and green space, the build density makes this not in keeping with houses in the nearest

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vicinity. Parishioners are upset that the central green space within the village is being lost which changes the ethos of our lovely rural village.

The Parish Council welcomes the changes the developer has made since hearing concerns brought to their attention by the Parish Council, but feel that 40 houses on the whole site is much more in keeping and considerably more than the 23 that the Borough Council recommended within the Site Allocations and Development Management Policies Plan, 2016.

Highways Authority: NO OBJECTION the road layout is appropriate and conditions relating to its provision and maintenance are covered on the outline application.

PROW Officer: NO OBJECTION

CSNN: NO OBJECTION – I confirm that the relocation of the LAP and the location of the field access does not raise any concerns as the 2m high close boarded timber fence plus separation distance will limit disturbance [to occupiers of the adjacent dwelling]. I assume the plan will be conditioned?

Previous Representation - NO OBJECTION subject to conditions relating to drainage, lighting, construction management plan, site hours and air source heat pumps.

Environmental Health & Housing – Environmental Quality: NO OBJECTION

Open Space Team: NO OBJECTION – It is our view that this is a more sensible location for the play space, well away from the agricultural access; it also remains overlooked.

Previous Representation - NO OBJECTION

Arboricultural Officer: NO OBJECTION

Housing Team: NO OBJECTION - I've reviewed the amended site plan [1001 Rev.F] and confirm both the siting and mix of the affordable units is adequate and we have no objection.

Regarding the garages for affordable units I can confirm Registered Providers prefer not to have garages provided with affordable units as they incur extra costs through maintenance and repairs. It may also lead to an increase in rents which could affect affordability. Sheds are provided with affordable units for the tenants to store their bikes and other belongings.

Previous Representation - NO OBJECTION

LLFA: Does not wish to comment

Waste and Recycling Team: NO OBJECTION

Natural England: No comments to make

Historic England: Does not wish to comment

Architectural Liaison & Crime Prevention Officer: The revised design is much improved [on the original indicative outline] therefore, no comments or recommendations to make

Norfolk Fire & Rescue: NO OBJECTIONS

REPRESENTATIONS

Eighteen letters of objection, two letters neither objecting nor supporting, but raising issues, and one letter of support have been received. The objections / concerns can be summarised as:

- Back Street won't be able to cope with the traffic associated with this development which will result in highway safety issues
- Contamination hasn't been fully considered
- Drainage hasn't been fully considered
- Questions the validity of the application as it is more than a simple revision to 15/01888/OM
- Is there a footpath link to St Nicholas Close?
- 40 dwellings on the site is overdevelopment and too dense and results in dwellings with gardens that are too small for them
- The development is not in keeping with the dwelling along Back Street
- The area will be overhoused as this will result in 46 dwellings on the site and not in keeping with Gayton's existing buildings
- Loss of green space / wildlife habitat
- Noise
- Strain on drainage system
- Infrastructure and services (schools / doctors) won't be able to cope
- A building as shown at the rear of No.35 Back Street that has never existed; [plot 10] will overlook by bedroom reducing privacy
- Additional demand on already stretched local sewerage pumping station
- The school should be sorted before more houses are approved
- The houses down Church View are struggling to sell; do we really need 40 more houses?
- Access to the rear of houses 36-48 Back Street is already tight; the development might result in the loss of parking to the rear of these properties which would result in parking to the front of these properties
- There is not sufficient parking for the development that will mean people park on Back Street
- Where will emergency vehicles and dust carts turn round?
- There should be a central green space within the development
- The roads [within the proposed development] have no pavements; how does this support walking?
- What landscaping / planting is proposed?

- Close boarded timber fencing is not attractive and does not enable the passage of wildlife such as hedgehogs
- Will the application address the shortfall in affordable housing for people to buy?
- Is a play area being provided?
- The connectivity of the development should be improved
- Negative impact on the value of neighbouring properties
- Loss of views
- Overlooking from Plot 16 to the patio and fully glazed conservatory of Fieldside (the latter of which, along with other extensions to Fieldside are not shown on the plans)
- The visibility splay to the site appears tight
- The internal roads within the development do not appear wide enough
- There are no turning circles for emergency / utility vehicles
- Are there plans for the section of road [adjacent to the full application site] to lead into a further development site?
- Gayton does not need any more housing. They have struggled to sell the houses round the corner for over a year now. People do not want this hence the reason for this application going on for over 5 years
- The school isn't big enough, the green space is getting more and more limited
- The pathways down Back Street aren't good enough, the drainage isn't good enough
- The access down the back of St Nicholas Close will be too tight with the proposed fence, meaning we will be forced to park our cars down the already busy Back Street
- I am concerned that having viewed the most recent plan that 40 has increased to 46 including some of the original layout, again increasing the amount of traffic and the impact on our local amenities, one especially being the School
- The development is not in accordance with the Neighbourhood Plan. In this regard the Neighbourhood Plan Steering Group has made a substantial submission in relation to the compliance of the proposal against the emerging policies in the Plan.

The letter of support can be summarised as:

- Our home borders the proposed development on two sides (west and north), and we share a boundary of over 100 metres in length. It is fair to say that my property will be most affected by future development and is hugely important to me personally, and in terms of property amenity and value. My place of work is also on Back Street and I doubt anyone knows the street or the site better than I do
- Since demolition of the dilapidated roadside cartshed, the rest of the village is now seeing Manor Farm as I have seen it for 20 years – dominated by large, antiquated asbestos cement farm buildings, well past their useful working life and ugly with it. As a neighbour, I will be pleased to see them go along with the storage of diesel, agrochemicals and fertiliser and the noise, dust and disturbance from big agricultural machinery that goes with a working farm

- I'm also pleased that woodland will be retained, enhanced with new planting and made safe for public use and access. Grassland will remain and be open for public access and enjoyment as will the small pond. That pond, which currently dries out in summer, will be cleaned out, opened to sunlight on the south side and fenced off to provide a much better habitat, safely shielded from access by children. The dedicated children's play area is also very welcome
- I understand there will be a loss of farmland but that is more than compensated for by the massively increased diversity from garden trees, plants and hedges
- From the application documents, it appears the density of homes is very low by modern standards and carefully sited to minimise impact on neighbours.

LDF CORE STRATEGY POLICIES

CS01 – Spatial Strategy

CS02 – Settlement Hierarchy

CS06 – Rural Areas

CS08 – Sustainable Development

CS09 – Housing

CS11 – Transportation

CS12 – Environmental Assets

CS14 – Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM8 – Delivering Affordable Housing on Phased Development

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

DM17 – Parking Provision in New Development

G41.1 – Gayton – Land north of Back Street

NEIGHBOURHOOD PLAN POLICIES

N/A

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2019

PLANNING CONSIDERATIONS

The key issues identified in the consideration of this application are as follows:

Principle of Development
Form and Character
Residential Amenity
Highways Safety
S106 Contributions
Matters Covered by Condition
Crime and Disorder
Other Material Considerations

Principle of Development

The principle of residential development of this site has been found acceptable by extant outline permission 15/01888/OM for up to 40 dwellings on the housing allocation site in the SADMP (G41.1).

However, this RM application only comprises part of the outline site / G41.1 (albeit the majority), with the remainder of the site being covered by full application (19/01831/F) for a further six dwellings.

If both applications are approved it would result in a further six dwellings on the site totalling 46 and a doubling of the figure of 23 suggested in the SADMP, 2016. It is important to note however that the figure of 23 was a minimum figure and the extant permission for 40 is the material consideration.

For reasons covered in more detail below and in specific detail under the full application, officers believe the site can accommodate the combined number of 46 proposed by the two applications.

However, this RM application should be considered on its own merits of which it is in compliance with the extant outline permission.

Form and Character

The site lies between pairs of semi-detached single and two storey council / ex council properties to the east (St Nicholas Close) and southeast (Back Street). Two

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more modern bungalows / chalet bungalows lie to the immediate southeast corner of the site, Fieldside (which is identified as Syrusa on the plans) is a chalet bungalow and Creg-ny-baa is a bungalow. Running parallel to the south of the site are older properties fronting Back Street comprising detached and semi-detached dwellings whilst on the opposite side of Back Street terrace units can also be found. To the west are the more modern dwellings of Birch Road (part of the Willows Estate) that are separated from the site by an area of retained woodland.

As such there is a wide variety of dwelling types, ages, scales, masses, materials and densities in the immediate locality of the site although the vast majority are two-storey with the occasional bungalow interspersed.

The mix of detached, semi-detached and terrace dwellings proposed including the mix of single and two-storey units, along with the pallet of materials that includes both traditional and modern, are therefore considered to reflect the diversity of dwellings in the locality of the site.

The layout is that of a comprehensive estate type development that again can be seen throughout the settlement of Gayton.

In terms of accommodating 40 units, the layout does not appear cramped with the amount of open space far exceeding policy requirements (2,054m² proposed : 680m² required) and garden sizes considered to be reflective of the size of units they serve. Likewise, in terms of accommodating 46 units, the layout still does not appear cramped and in officer's opinion makes efficient use of land (as required by paragraphs 117, 122 and 123 of the NPPF). Open space provision still far exceeds policy requirements.

The applicant suggests the density of the development, including the 6 dwellings proposed under the full application, is 17.34 dwellings/ha, which is less than both St Nicholas Close (17.86 dwellings/ha) and Birch Road (19.77 dwellings/ha). This is largely as a result of the large area of open space being provided that would benefit not just this development (although that is its main requirement), but occupiers of neighbouring developments too. This again suggests that the most efficient use of land would be to accommodate 46 units on the allocation rather than 40.

It is therefore considered that the RM application, as a standalone application for 40 units, would not be of detriment to the visual amenity of the locality. Furthermore, it is also considered that, whilst acknowledging it is not a view shared by the Parish Council or the majority of third party representatives, a development comprising of both the RM and full application would not be of detriment to the visual amenity of the locality either.

Integration of Affordable Units with Open Market Units

At the 1 June meeting Committee two distinct issues were debated in relation to this aspect: pepper-potting and the fact that none of the affordable units had garages. As a result the applicant has proposed changes to the scheme.

Notwithstanding the fact that the previous layout was policy compliant and raised no objection on technical grounds from the Housing Team, the

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applicant has sought to further integrate the affordable units with the market dwellings to further ensure ‘tenure blindness’. There is now only one pair of semi-detached units that are wholly affordable. With the other seven units comprising parts of either semi-detached or terrace groups.

As stated by the applicant in their supporting statement, Registered Provider’s prefer to locate all dwellings in a similar area for management and maintenance reasons.

It is important to note that the primary purpose of pepper-potting is to ensure integration of affordable dwellings with open market dwellings. The fact that only one pair of semi-detached dwellings is now wholly affordable could be argued to better show further integration within the site.

In relation to garage provision, notwithstanding confirmation from the Housing Team that Registered Provider’s do not want garages, as was the case with the previous application, an equal number of open market units do not benefit from garages either (plots 10, 11, 18, 34, 35, 38, 41, 44 and 46). As such officers do not consider there to be any disparity between the visual appearance of affordable and market dwellings in relation to this aspect either.

In summary, in relation to integration of affordable units with open market units, officers consider the scheme to be wholly acceptable.

Residential Amenity

The most affected non-associated properties are going to be those that abut the site, with Fieldside (the chalet bungalow to the immediate southeast) being the most affected as it has development proposed to both its northern and western boundaries. However, the property to the immediate north of Fieldside (plot 17) is a single-storey unit, the closest element of which (in terms of the dwelling) is shown to sit c.8.5 metres from the boundary of Fieldside and 12.5m from the northern elevation of Fieldside. Furthermore, Fieldside will be largely screened from the dwelling by its own extended garage and the garage proposed to serve plot 17. The new garage serving plot 17 is shown to be c.2m from the northern boundary of Fieldside and c.6m from its northern elevation. However, the eaves of the garage are 2.4m in height and the ridge 3.8m. The garage would sit adjacent to the driveway of Fieldside; this, coupled with the height of the proposed garage and orientation (to the north), suggests that any overbearing or overshadowing impacts would be limited and acceptable. The position of the garage serving plot 17 also restricts views from Fieldside into the majority of the private amenity space (rear garden) of plot 17. Whilst this would affect the views from Fieldside, there is no right to a public view although outlook is a consideration. In this regard it is considered Fieldside would retain an acceptable outlook due to the single storey nature of plot 17.

Plot 16 lies to the immediate west of both Fieldside and Creg-ny-baa. However, the eastern elevation of Plot 16 is shown to be some 23 metres from the rear elevation of Fieldview’s conservatory; a distance that should ensure there would be no material overshadowing of the conservatory. Whilst some overshadowing to the rear

gardens of both Fieldview and Creg-ny-baa would occur, it would be for limited periods of the day and therefore not sufficient enough to warrant refusal.

The only first-floor window on the eastern elevation serving Plot 16 is shown to serve a bathroom (a non-habitable room). However, given its location, in close proximity to the rear boundaries of Fieldside and Creg-ny-baa, overlooking could occur if the window was not glazed with obscure glass and could be opened. As such a condition would be placed on this window if permission were granted ensuring that it was glazed with obscure glass and is non-opening.

In summary, in relation to the impacts on Fieldside and Creg-ny-baa, whilst there would be some impacts they are not considered to be of a degree to warrant refusal.

The properties in St Nicholas Close are separated from the site by the road serving them. This separation, coupled with the distances between elevations (the closest being 37 metres), means there would be no material overlooking, overshadowing or overbearing impacts to properties in St Nicholas Close.

The properties running along the rear boundaries of the proposed development (those fronting Back Street) are all to the south of the proposed development (meaning there would be no material overshadowing) and are of distances that suggest there would be no material overlooking. The closest relationship being between plot 15 and no.39 Back Street with a distance shown to be c.26.5m between dwellings.

The properties to the west are separated from the site by a considerable distance as well as a large area of retained woodland. There would therefore be no material impacts on these dwellings.

Inter-developmental relationships are considered acceptable with the closest relationships being between units 39 and 40 with 41 and 42. Strategic tree planting is proposed between these properties that will ensure overlooking is not material. Landscaping will be conditioned if permission is granted.

Amended plan PP-1001 Rev.F shows dedicated access to the field to the north by virtue of a grasscrete, 5m wide, agricultural access to the east of the area of open space and to the west of Plot 33.

The access is separated from Plot 33 by a 2m high close boarded timber fence adjacent to Plot 33 softened on its western side by a hedge and tree planting (both of which will fall within the landscaping condition already appended). On the western side of the access there will be a 1.2m high post and rail fence separating the open space from the agricultural access.

The LAP has been moved from the southeast of the pond to the southwest of the pond to increase separation between the LAP and the agricultural access.

Both the Open Space Team and CSNN were consulted on this aspect with neither raising concerns.

Notwithstanding the fact that a suitable access has now been clarified and the applicants have confirmed that they intend to farm the land to the rear of the site, it should be noted that there is no premium on neglect.

In conclusion it is considered that the layout has taken appropriate consideration of the impacts on existing residential properties and there are no impacts that are considered to be of an unacceptable degree.

Highway Safety

Vehicular access onto Back Street (and any off-site highway improvement works) were approved at outline stage as was the provision of the footpath link onto St Nicholas Close. These issues do not need further consideration under the current application. Likewise, the impact of vehicular activity associated with 40 units would also have been fully considered at the outline stage and is not a consideration of this RM application either. However, the increase in vehicular activity of the additional six units is a consideration, but a consideration of the full application, not this RM application.

The internal road layout / types / turning heads are all acceptable to the Local Highway Authority, as is parking provision. Full details of road specifications and their timely provision and future management and maintenance are covered under the outline permission and do not therefore require duplication of condition if permission is granted under this RM application.

However parking provision, that is not covered under the outline permission, will need to be suitably conditioned if permission is granted.

In relation to parking, all proposed garages are oversized to accommodate both cars and cycles. Where garages are not proposed sheds have been provided for secure cycle storage.

S106 Contributions

Contributions that comprise: affordable housing (eight on-site units), open space provision, management and maintenance (at least 17m² per dwelling (680m²)), habitat mitigation fee (£50 / dwelling (£2,000)), contribution towards Gayton Primary School (£3,039 / dwelling (£121,560)), and contribution towards Gaywood Library (£60 / dwelling (£2,400)) are already secured by a S106 Agreement linked to the outline permission. Approval of this RM application will not affect the requirements of the S106 Agreement.

Matters Covered by Condition

The following matters are already covered by condition on the outline consent and do not require duplication if permission is granted on this RM application: road specification(s) and their timely provision and future management and maintenance, provision of visibility splays, off-site highway improvement works, foul and surface water drainage, contamination, protection of existing trees / hedgerows, archaeology, protected species, provision of fire hydrant(s), asbestos and construction management.

Crime and Disorder

There are no specific crime and disorder issues raised by this proposal with the Architectural Liaison & Crime Prevention Officer stating that the revised design is much improved [on the original indicative outline].

Other Material Considerations

CSNN has requested conditions relating to: drainage, lighting, construction management (CMP), site hours and air source heat pumps. Drainage and construction management are already covered under the outline consent. Lighting and air source heat pumps can and should be suitably conditioned if permission is granted. However, site hours do not fall within the parameters of an RM application and cannot therefore be conditioned under any permission granted under this application. Notwithstanding this, it is considered that there is enough scope within the CMP condition already appended to the outline consent to cover this aspect.

In relation to comments raised by third parties, your officer comments as follows:

- Back Street won't be able to cope with the traffic associated with this development which will result in highway safety issues – 40 dwellings accessing the site from Back Street was fully considered at the outline stage and found to be acceptable
- Contamination hasn't been fully considered – this is conditioned on the outline approval
- Drainage hasn't been fully considered - this is conditioned on the outline approval
- Questions the validity of the application as it is more than a simple revision to 15/01888/OM – the application is valid and in accordance with the outline permission
- Is there a footpath link to St Nicholas Close? – yes, as shown on drawing no. 1001 Rev.E it runs between plots 20 (RM site) and 21 (full site). Regardless of whether or not the full application is approved the footpath link to St Nicholas Close has to be provided as per drawing no. 1001 Rev.E as it is a requirement of the allocation as well as the outline scheme
- 40 dwellings on the site is overdevelopment and too dense and results in dwellings with gardens that are too small for them – this is considered to be fully covered in the main body of the report above
- The development is not in keeping with the dwelling along Back Street - this is considered to be fully covered in the main body of the report above
- The area will be overhoused as this will result in 46 dwellings on the site and not in keeping with Gayton's existing buildings – approval of this application will result in 40 dwellings and for the reasons covered in the main body of the report officers do not consider it is overdevelopment of the site
- Loss of green space – the principle of the loss of the site has been established by the outline permission and preceding that it's allocation as a housing site in the SADMP
- Impact on wildlife – protected species are covered by condition on the outline permission

- Noise – there will undoubtedly be noise during the construction period and associated with the finalised development. Noise associated with construction can be controlled by the Construction Management Plan that is a condition on the outline, whilst the noise associated with a residential development, is not considered reason to preclude housing development within a central village location
- A building is shown at the rear of No.35 Back Street that has never existed; [plot 10] will overlook by bedroom reducing privacy – the building shown at the rear of No.35 was not a consideration in the consideration of this application as it could not be seen. In relation to overlooking, the first floor windows of Plot 10 are some 30 metres from the closest rear elevation of No.35, a distance that suggests there would be no material window-to-window overlooking
- Additional demand on already stretched local sewerage pumping station – the ability of the sewerage system to accommodate the development would have been a consideration at the outline stage
- The school should be sorted before more houses are approved – permission is now granted for the school. Furthermore approval of this application would secure an additional £121,560 towards the school
- The houses down Church View are struggling to sell; do we really need 40 more houses? The principle of development is already established
- Access to the rear of houses 36-48 Back Street is already tight; the development might result in the loss of parking to the rear of these properties which would result in parking to the front of these properties. The development does not encroach outside of its site boundaries and it should therefore have no impact in this regard
- There is not sufficient parking for the development that will mean people park on Back Street – parking provision is in accordance with current parking standards. Notwithstanding this, your officers consider it highly unlikely that any overspill parking (which shouldn't occur) would encroach onto Back Street, it is more likely to be contained within the site
- Where will emergency vehicles and dust carts turn round? The Local Highway Authority will have fully considered these aspects and such vehicles will turn at the turning heads as necessary
- There should be a central green space within the development – it is considered the large, multi-functional open space area at the entrance to the site suitably serves both the development and the wider community
- The roads [within the proposed development] have no pavements; how does this support walking? The roads within the development do have pavements
- What landscaping / planting is proposed? Landscaping / planting is as shown on the plans
- Close boarded timber fencing is not attractive and does not enable the passage of wildlife such as hedgehogs – close boarded timber fencing is considered an appropriate form of boundary treatment. Furthermore areas where the site abuts the countryside and the open space have softer boundary treatments.
- Will the application address the shortfall in affordable housing for people to buy? Affordable housing provision is in line with policy requirements
- Is a play area being provided? Yes, a LAP (Local Area of Play) specifically for younger children is being provided as shown on the plans

- Negative impact on the value of neighbouring properties – this is not a material planning consideration
- Loss of views – the loss of a private view is not a material planning consideration
- Overlooking from Plot 16 to the patio and fully glazed conservatory of Fieldside (the latter of which, along with other extensions to Fieldside are not shown on the plans) – the impacts from the proposed development on Fieldside have been covered in depth in the main body of the report
- The visibility splay to the site appear tight – this was approved at the outline stage and considered to comply with standards by the Local Highway Authority
- Are there plans for the section of road [adjacent to the full application site] to lead into a further development site? Any future proposals for residential development of land adjacent to the site will require planning permission; no such planning permission is currently being sought
- The development is not in accordance with the Neighbourhood Plan. In this regard the Neighbourhood Plan Steering Group has made a substantial submission in relation to the compliance of the proposal against the emerging policies in the Plan. However, the Neighbourhood Plan does not carry sufficient weight to be a material consideration in the determination of this application. It is therefore not considered necessary to counter the 13 pages of notes submitted by the Steering Group. It should however be noted that the majority of issues raised by the Steering Group have also been raised by third parties and have therefore been commented on above.

CONCLUSION

Amended plans have been received as a result of the issues raised at the ultimately deferred item at the 1 June 2020 Planning Committee. The applicant has sought to further address the concerns raised at the 01 June meeting in relation to affordable housing integration (pepper-potting and garages), secure cycle storage and access to agricultural land to the north of the site.

Officers consider that the development proposed under this RM application is in accordance with the outline consent, although it would render the northeast corner of the outline site / allocation undeveloped if Members resolve not to approve the concurrent full application before them today.

If Members approve both applications then the entire allocation site would be able to be built-out with a total of 46 dwellings as opposed to the current approval of 40 dwellings.

Officers consider that the wider site could accommodate 46 dwellings without being of detriment to the visual amenity of the locality, highway safety or residential amenity, and that such a figure makes most efficient use of the land as required by the NPPF.

The scale, mass, density, appearance and impacts of / from the proposed dwellings have been shown to be acceptable.

No objections have been received from statutory consultees on technical grounds.

It is therefore recommended that this application be approved subject to the following conditions.

RECOMMENDATION

APPROVE subject to the following conditions:

1C. Condition: Other than in relation to phasing, the development hereby permitted shall be carried out in accordance with the following approved plans / drawing nos:

SE-1126 PP-1001 Rev.F
SE-1126 PP-1101 Rev.C
SE-1126 PP-1102 Rev.C
SE-1126 PP-1103 Rev.C
SE-1126 PP-1104 Rev.C
SE-1126 PP-1105 Rev.C
SE-1126 PP-1106 Rev.E
SE-1126 PP-1107 Rev.E
SE-1126 PP-1108 Rev.B
SE-1126 PP-1109 Rev.A
SE-1126 PP-1110 Rev.A
SE-1126 PP-1111 Rev.A
SE-1126 PP-1112
SE-1126 PP-1113

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

2C. Condition: In relation to phasing, the development shall be phased as shown on approved drawing **SE-1126 PP-1001 Rev.F** unless otherwise agreed in writing by the Local Planning Authority.

2R. Reason: For the avoidance of doubt, in the interests of proper planning and to enable some flexibility if required.

3C. Condition: Prior to the installation of any outdoor lighting, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of any lighting columns, the extent / levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with the approved scheme prior to the first occupation of any dwelling hereby permitted, or in accordance with a rolling programme of provision, and shall thereafter be maintained and retained as agreed.

- 3R. Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF and Development Plan.
- 4C. Condition: Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries with neighbouring dwellings, plus provide details of anti-vibration mounts, and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.
- 4R. Reason: To ensure that the amenities of both existing and future occupants are safeguarded in accordance with the NPPF and Development Plan.
- 5C. Condition: Prior to the first occupation of each dwelling hereby permitted the proposed on-site car parking and turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 5R. Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with the NPPF and Development Plan.
- 6C. 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.
- 6R. Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF and Development Plan.
- 7C. Condition: The first floor window on the eastern elevation of Plot 16 shown on the approved plans to serve the bathroom, shall be glazed with obscure glass and shall be non-opening and shall thereafter be retained in that condition.
- 7R. Reason: In the interests of the amenities of occupiers of neighbouring properties in accordance with the NPPF and Development Plan.