

AGENDA ITEM NO. 9/1(a)

Parish:	Burnham Market	
Proposal:	The erection of 12 dwellings with associated landscaping, vehicular access and parking provision	
Location:	Land Opposite 1 To 4 Beacon Hill Burnham Market Norfolk PE31 8ET	
Applicant:	Holkham Estates Company Ltd	
Case No:	23/00496/FM (Full Application - Major Development)	
Case Officer:	Lucy Smith	Date for Determination: 6 July 2023 Extension of Time Expiry Date: 8 December 2023

Reason for Referral to Planning Committee – Officer recommendation is contrary to the views of the Parish Council

Neighbourhood Plan: Yes

Case Summary

Full planning permission is sought for 12 dwellings (including two affordable units) on approximately 0.61 ha of land at a density of just below 20 dwelling per hectare.

The application site comprises agricultural land to the south of allotments in Burnham Market. The site fronts Creake Road to the east and Beacon Hill Road to the west.

The site is within the development boundary and is within the Area of Outstanding Natural Beauty.

Key Issues

Principle of development and planning policy
Impacts on the AONB
Form and character
Impact on neighbour amenity
Highway safety
Affordable Housing
Biodiversity and Ecological Enhancements
Specific comments and issues

Recommendation

A. APPROVE subject to conditions and the satisfactory completion of a S106 Agreement to secure Affordable Housing, Principal Residences and Biodiversity Net Gain.

B. In the event that the S106 Agreement is not completed within 4 months of the date of this Committee meeting, the application shall be **REFUSED** due to the failure to secure Affordable Housing, Principal Residences and Biodiversity Net Gain.

THE SITE AND APPLICATION

The application seeks full planning permission for the construction of 12 new dwellings (including 2 affordable units) on land towards the south of Burnham Market.

The site is within the development boundary and the general principle of residential development on site is therefore acceptable.

The application site is within the Area of Outstanding Natural Beauty (AONB).

The site totals approximately 0.61ha of land which results in a density of just below 20 dwellings per hectare. The site has frontage onto both Creake Road and Beacon Hill Road, dominated in both cases by a mature hedge approximately 2.5m tall.

The proposed dwellings are a mix of semi-detached and detached and both two storey and single storey. The layout of the development is formed by the provision of the access road to Creake Road which runs west towards visitor parking and a turning head adjacent to Beacon Hill Road. No vehicular access is proposed to Beacon Hill for safety reasons however a footpath link will be provided which will allow pedestrians at Beacon Hill Road to cut through the site and use safe footpath provision along Creake Road towards the village centre.

To the north, the site is separated from the allotments by the remains of a post-and-wire fence. The allotment land to the north of the site adjoins the Village Hall.

To the south of the site is the rear gardens of houses and bungalows at Kestrel Close. These gardens vary in depth from 7m to 9m. The boundary with these properties is formed by a variety of fences and hedges to individual properties. The dwellings proposed under this application are a minimum distance of 21m from the rear elevation of these neighbouring dwellings.

The site is covered in rough grass and falls noticeably (around 4.5m) from Beacon Hill Road to Creake Road. The eastern frontage on Creake Road is raised only slightly from the back of pavement, but on Beacon Hill Road there is a substantial level change (around 1.0m) between the road and the site.

The Agent has also provided a statement on biodiversity net gain. Biodiversity enhancements delivered through the proposed development will include new native trees and over 200m of new native species hedge, plus nesting boxes for bees, bats, swifts, and swallows. Hedgehog holes will be included in each garden fence. Off-site mitigation for the loss of grassland habitat will be delivered on other land owned by Holkham in the Parish. An area has been identified for habitat creation to the north-east of the village roughly 0.7km from the site. Overall, these mitigation measures will give a Biodiversity Net Gain of 34% on Habitat Value and 17% on Hedgerow Value. Measures for Biodiversity Net Gain can be controlled alongside Affordable Housing as part of the S106 legal agreement.

The application has been revised since submission to ensure suitable separation distances for properties adjoining Kestrel Close and to balance fenestration.

SUPPORTING CASE

This proposed development of 12 dwellings on land within the settlement boundary of Burnham Market forms part of the Holkham estate's vision to be the UK's most pioneering and sustainable rural estate. One of the five key ambitions within this vision is to help local communities thrive by providing employment, homes and support for local businesses and charities. Holkham is a significant local employer and is keenly aware of the difficulty local people face in finding affordable accommodation in one of the most sought after locations to live and visit in the country. In response to this issue, the estate is investing in the creation of new homes in the area with a focus on the delivery of homes for local people. In this respect the proposal would provide:

- 2 no. dwellings as affordable housing (i.e. 20% in accordance with policy);
- 2 no. dwellings to be retained by Holkham for renting to people working in the local area. Private rent
- dwellings are in critically short supply in the area due to the higher yields possible from holiday lets;
- 8 no. dwellings for sale with a focus on smaller more affordable family homes and 2 bedroom
- bungalows that would be suitable for older people wishing to downsize.

Burnham Market is identified by Core Strategy Policy CS02 as a Key Rural Service Centre which are designated by Policy CS06 to be a focus for growth in the rural areas. The site is located within the settlement boundary of the village where Policy DM2 supports the principle of development and it is not subject to any policies that would protect its current use as agricultural land. We are aware of the Parish Council's objections that claim that the site is used / designated as allotment gardens and we wish to categorically set this matter straight. The overwhelming evidence, including that produced by the Parish Council in their emerging Neighbourhood Plan, demonstrates that the site is not used / designated as allotments:

- Aerial photography shows that the site has not been used as allotments during the past 50 years+
- The site has been leased under farm business tenancies and used for agricultural purposes, including growing farm crops or agricultural storage (see aerial photos).
- The neighbouring allotment site is leased to the Parish Council, but we are not aware that the application site has ever been leased to the Parish Council.
- The emerging Neighbourhood Plan does not identify the site as part of the allotments which are designated as Local Green Space and as a Protected Community Facility (see plan overleaf).

The proposal would deliver a high quality, sustainable development on a site located within the settlement boundary where the principle of development is accepted. Key benefits include the delivery of 12 high-quality sustainable homes designed to reflect the character of the local area and the delivery of 34% Biodiversity Net Gain in the parish. The proposal accords with adopted policy on the principle of development and all other planning policies relevant to the consideration of the application and should be approved without delay.

Please Note – The above supporting statement was accompanied by satellite images from 1999, 2006 and 2020 which show the position of the allotments vs the land. A screenshot of the draft Neighbourhood Plan map (figure 43) was also provided. These images can be views on the online file

PLANNING HISTORY

22/00085/PREAPP: Possibility of Approval: 10/11/22 - PRE-APPLICATION FULL (WITH CONSULTATIONS) AND A MEETING WITH A PLANNING OFFICER: Erection of 15 dwellings - Land Opposite 1 To 4 Beacon Hill

RESPONSE TO CONSULTATION

Parish Council: SUPPORT on condition that a scheme can be agreed with Holkham Estates that will allow the Parish to allocate the affordable Housing to residents of the Parish.

Highways Authority: NO OBJECTION with the following comments:

'The proposal is served from the B1355 Creake Road, which has good wide frontage verges, good levels of emerging and forward visibility and a narrow pedestrian provision which could be widened to cater for the increased footfall.'

The LHA therefore recommend conditions relating to access provision, off-site highway improvement works in regard to the upgrading of the footpath along Creake Road, and standard conditions relating to parking/turning areas.

Housing Enabling Officer: NO OBJECTION subject to S106 agreement to control provision of affordable housing.

Historic Environment Service: NO OBJECTION subject to conditions controlling submission of archaeological written scheme of investigation.

Environmental Health & Housing - Environmental Quality: NO OBJECTION subject to conditions.

Contaminated Land - The site is on land not seen developed for the duration of our records. The submitted Desk Study Report provided recommends further intrusive investigation on site due to potential risks identified. Contamination Conditions are recommended.

Air Quality – Building Regulations Approved Document Part L can sufficiently control impacts of emissions associated with the use. Recommended the imposition of condition controlling EV charging details, in particular for the visitor spaces and the submission of a Construction Environmental Management Plan.

Norfolk Fire and Rescue: NO OBJECTION Compliance with Building Regulations will sufficiently control any adverse impacts.

Natural England: NO OBJECTION Provided comments relating to GiRAMS and the need for an Appropriate Assessment.

Anglian Water: NO OBJECTION provided comments relating to Anglian Water assets in the vicinity, recommended informatives relating to public sewer connections.

Secured By Design – Designing out Crime Officer: NO OBJECTION The Secured By Design Officer provided comments relating to defensible space, landscaping options to allow viewpoints to parking areas and other guidance.

Ecology: NO OBJECTION to additional details

'The BNG plan is fit for purpose and resolves my concerns. Although a plan for the habitat created hasn't been explicitly provided as requested, the location plan included within the document is sufficient given that the entire site will be a single habitat (scrub). There is therefore no further objection from Ecology and the +34% net gain that this application will deliver is very much welcomed.'

CSNN: No response received at time of writing

REPRESENTATIONS

FOURTEEN letters of **OBJECTION**, stating comments summarised as follows:

- Loss of Allotment Land
- Impacts on dwellings and garages at Kestrel Close – overlooking, noise and disturbance
- Loss of hedgerow on Beacon Hill Road
- Security and privacy from footpath provision
- Preference for bungalows to prevent adverse impacts on neighbours
- Impact of noise and disturbance on wildlife
- Concern over footpath link and potential harm to hedgerow
- Impact of Air Source Heat Pumps on neighbour amenity
- Overdevelopment/density at odds with locality
- Design of dwellings and use of materials jars with houses at Kestrel Close
- Houses will not be affordable for local people
- No room on Beaconhill for additional footpaths
- Loss of hedgerows will take years to replace
- Safety of access point and request for a roundabout as speed control measure on Creake Road, or alternatively access should be provided to Beacon Hill.
- No need for new homes which will be used for holiday let purposes
- Anglian Water sewage works already at capacity
- Scheme does not address need for local community
- Concern over Plots 1 and 2 not having ensuites or garages
- Close boarded fencing too urban for the location

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS07 - Development in Coastal 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

DM15 – Environment, Design and Amenity

DM19 - Green Infrastructure/Habitats Monitoring & Mitigation

NEIGHBOURHOOD PLAN POLICIES

Policy 1: Housing Mix

Policy 2: Affordable Housing

Policy 3: 2nd Homes and Furn Hol Lets

Policy 4: Replacement Dwellings

Policy 5: Extn,Outbuildings and Annexes

Policy 6: Design

Policy 7: Residential Parking Standards

Policy 8: Biodiversity and Green Corrido

Policy 9: Local Green Spaces

Policy 10: Prot of Important Local Views

Policy 11: Dark Skies

Policy 12: Surface Water Management

Policy 13: Protection of Comm Facilities

Policy 14: Imple Walk and Cycle Routes

Policy 15: Burnham Market CA

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of development and planning policy
- Impacts on the AONB
- Form and character
- Impact on neighbour amenity
- Highway safety
- Affordable Housing
- Biodiversity and Ecological Enhancements
- Specific comments and issues

Principle of Development and Planning Policy:

Full planning permission is sought for the construction of 12 dwellings to the south of Burnham Market on land between Creak Road and Beacon Hill Road. Kestrel Close, an estate of bungalows approved in the 1980s is immediately to the south.

In terms of the Local Plan, the application site is within the development boundary shown on inset map G17 of the Site Allocations and Development Management Policies Plan (SADMPP) (2016) and the location of the development is therefore considered acceptable in principle in line with Policy DM2 of this plan. This is of course subject to the consideration of other material considerations.

Principal Residences

The Burnham Market Neighbourhood Plan now has full weight in planning decisions.

Alongside policies relating to biodiversity net gain, design etc. The Neighbourhood Plan includes a policy relating to Principal Residency controls (Policy 3). The Agent has confirmed agreement to such a control being imposed on each dwelling via a S106 agreement.

Allotments

The application site is immediately south of existing allotments, which are shown labelled as Local Green Space on figure 24 of the Neighbourhood Plan. The Neighbourhood Plan's Local Green Spaces Assessment outlines the allotments as LGS7 in yellow on a more detailed satellite image. The allotments are protected by virtue of Policy 9 of the Neighbourhood Plan, and the Community Facility policy within the SADMPP (2016).

The application site is immediately south of and shares a boundary with the designated allotments however does not propose the change of use of any part of the allotment land.

In response to comments initially received from the Parish Council, the Agents have provided information within their submission outlining that the application site has not been used as allotment land in the past 50 years and there is no evidence to suggest that this is not the case. The land has previously been leased under farm business tenancies and used for agricultural purposes but not as an allotment that would be protected under community facilities policies.

Policy 9 of the Neighbourhood Plan and Policy DM9 of the SADMPP (2016) therefore do not apply in this instance and the principle of development is acceptable.

Impacts on the AONB

Paragraph 177 of the NPPF (2023) states: When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

For the purposes of paragraphs 176 and 177, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

Whilst long views will be available as a result of the topography of land to the south of the site, the site fills a current undeveloped gap surrounded by existing development and will be viewed in association with the existing settlement from a distance.

A landscape and visual impact assessment has been provided which demonstrates that the proposal would have limited influence on the character of the landscape surrounding Burnham Market or on the composition of views encompassing the site.

Given the site's position within the main built extent of Burnham Market and surrounded on all sides by existing development, the proposal is not considered to comprise major development in the AONB as defined in the NPPF.

The application would not lead to harm to the natural beauty or special qualities of the AONB and overall complies with the NPPF (2023) and Policy CS07 regarding these impacts.

Form and Character:

The proposed dwellings are contemporary in style however with elements of stonework detailing which relates back to the more traditional character of housing across this part of the Borough. The proposed street layout retains the typical character and frontage development of this part of Burnham Market, and the mix of different materials and proportions further relates to the mixed character of the locality.

Houses to the east of Creake Road are two-storey semi-detached dwellings, primarily rendered with hipped roofs. Many of these houses have been extended/altered which has impacted on the consistent spacing between dwellings and adds variation to the street scene. On the west side of Creake Road, houses are more varied with both one and two storey dwellings of a wide mix of characters fronting the street.

Fronting Beacon Hill Road to the east of the site is a group of red brick terraces which are simple in character. These houses are positioned with ridge lines parallel to the road and behind more verdant boundary treatments/hedging.

The bungalows in Kestrel Close to the south have a different character which reflects the traditional characteristics of smaller cottages in the wider locality. These neighbouring

bungalows are constructed with a mix of flint and facing brick and have elements of detailing not typically seen on the houses fronting Beacon Hill or Creake Road.

The proposed dwellings therefore accord with the mixed character of the wider locality. 12 no. homes comprising two no. 2 bedroom bungalows, four no. 2 bedroom houses, four no. 3 bedroom houses and two no. 4 bedroom houses. The houses proposed are a mixture of detached and semi-detached dwellings.

Policy 3 of the Neighbourhood Plan sets out a requirement for 90% of dwellings to be three or less bedrooms. The proposal would deliver 50% 2 bedroom dwellings, including 2 bungalows suitable for the elderly, 33% 3 bedroom houses and 17% 4 bedroom houses. Whilst therefore slightly below the 90% figure stated in the policy, the Policy allows for flexibility where reasoning has been provided or the scheme would otherwise be unviable, and the Agents have provided in depth discussion of Holkham Estate's housing need survey which is considered suitable to enable this flexibility within the figure. The proposal would deliver a suitable mix of housing of various sizes to meet various needs.

Policy 6 of the Neighbourhood Plan applies, with the site noted to be within Character Area CA2. This policy sets out a design code and checklist against which development should be considered. The design code is again referenced in Policy 7 of the neighbourhood plan in relation to parking arrangements.

The houses would be constructed with a mix of traditional stonework and facing brick, and the layout of the development provides dwellings facing onto Creake Road whilst also allowing surveillance of the proposed footpath link which will run inside the hedgerow to the west of the site.

To the east of the site, plots fronting Creake Road are provided with separate driveways with access onto Creake Road which will be created by removing small portions of hedgerow. This Creake Road frontage allows the existing character of the street scene being retained. An area is set aside for visitor parking bays to the north of the access road.

Two bungalows are proposed in the centre of the site. These bungalows are positioned facing/adjoining an area of courtyard space. Plot 5 is positioned facing the access road which allows a sense of arrival after which the road curves and continues west towards Beacon Hill. Further visitor parking spaces are provided to the back of the site.

Plots 1 and 2 are proposed as simple 2 bedroom semi-detached dwellings arranged over two floors with central porch overhangs. The dwellings are proposed entirely in facing brick however with elements of brick detailing including dentil and string courses.

Plot 3 would be a larger 4 bedroom detached dwelling which shares similar characteristics to the previous plots however with additional stonework infill panels on the front (east) and side (north) elevation.

Plot 4 has been amended during the course of this application to relocate bedroom windows to prevent adverse impacts on amenity. This unit would be three bedroom detached and again include stonework on the front (north) and side (west) elevations. A Juliet balcony on the side elevation provides a viewpoint towards the shared courtyard space.

Plots 5 and 6 are two bedroom bungalows, with plot 5 proposed with stonework on the front elevation and plot 6 with facing brick, both units are proposed with similar levels of brick detailing. These dwellings each have porch overhangs with built in seats on the front elevation, providing space to 'sit out' which faces towards the courtyard space.

Plots 7 and 8 are 2 bedroom semis similar in design to Plots 1 and 2, however these dwellings are proposed with stonework on the front elevation.

Plots 9 and 10 are also similar in design to Plots 1 & 2, proposed as a pair of 2 bedroom semi-detached dwellings.

Plot 11 is similar in design to Plot 4, proposed as a three bedroom detached dwelling with an overhang porch centred on the front elevation.

Plot 12 is the second of the largest dwellings, similar in design to Plot 3. This plot is proposed on an angle to the west of the site which allows sightlines towards the footpath link.

Solar Panels are proposed on roof slopes of each dwelling. Footpath links will also be provided/upgraded on both roadside frontages to allow safe access for pedestrians towards the village centre.

Ridge heights across the site vary depending on design, this allows a degree of variation to street scene which is considered suitable for the character of the immediate locality.

Plots 1&2 – 9m ridge 5.2m eaves
Plots 3 – 8.5m ridge. 5.1m eaves
Plot 4 – 8.1m ridge, 5.2m eaves
Plots 5 & 6 – 6m ridge, 3m eaves
Plots 7 & 8 – 9.3m ridge, 5.2m eaves
Plots 9 & 10 – 9m ridge, 5.2m eaves
Plot 11 – 8.1m ridge, 5.2m eaves
Plot 12 – 8.5m ridge, 5.2m eaves

No significant changes are proposed to site levels across the site, which allows the houses to sit within the site without significant concerns over prominence of any plot. Section plans have been provided for both east/west and north/south directions, which show how the houses will sit within the existing ground levels. The north/south section shows the relationship between Plot 5 and No. 12 Kestrel Close, including Plot 5's garage. It is considered that suitable distances are provided to limit the impact of two storey dwellings to the north of the adjoining bungalows.

Plot 12 will be visible from approach on Beacon Hill and the Agents have provided an image to illustrate this. Considering the mixed character of houses in the locality and the substantial hedgerow, which would be retained, the prominence of this plot within the street scene is not considered to warrant refusal.

The mix of materials is considered to comply with the requirements of the explanatory Policy 6 of the Neighbourhood Plan where it discusses the local character and usage of materials. Whilst some details have been provided as part of this application, conditions are recommended to control the provision of a sample panel for the proposed stonework, boundary treatment details across the site and full details of how the shared open spaces will be managed.

Assessment against Neighbourhood Plan Design Code

Section 4.2 of the Design Code document outlines how development in each character area should be considered/how the design code should be applied. As a whole, the proposed design is considered to comply with the aims of the Design Code within the Neighbourhood Plan. The application site is within Character Area 2 – the Southern Cluster.

The pattern of development and built form responds to the requirements of SL01 in relation to continuity without repetition, and street frontages have been softened by planting proposed and no harsh front boundary fencing or similar is proposed.

The layout of the development and provision of a new footpath link complies with the aims of SL02, SP01 and SP04, allowing interrelationships between the development and existing housing in the locality, being well connected to promote active travel and widening the network of walkable areas. Parking is provided in locations and with screening to comply with SP05. Electric Vehicle charging positions details could be provided via condition.

Garages and sheds have been positioned to ensure compliance with the cycle parking details in SP06.

Trees and planting are shown on the proposed plan in compliance with SP08. Further details will be provided via condition.

SP09 refers to external lighting. No external lighting (i.e. street lights) are proposed as part of this development.

The layout of dwellings and size of rear gardens and amenity spaces complies with the built form BF03. The height and roof arrangements comply with BF04 and the front facing arrangement of dwellings and landscaping complies with BF05.

Sufficient space is provided on each plot to ensure bin storage is provided in line with EE04.

The majority of roadside hedges, as well as hedges within the site are retained to comply with EE05, and the proposal demonstrates a 34% net gain to support biodiversity across the Parish area.

Subject to the above conditions, the proposed design is considered acceptable, and the dwellings will accord with the mixed form and character of this part of Burnham Market. The development accords with Para 130 of the NPPF, Policy CS08 of the Core Strategy (2011), Policy DM15 of the SADMPP (2016) and Policy 6 of the Burnham Market Neighbourhood Plan (2016).

Impact on Neighbour Amenity:

Plots 7-12 are two storey dwellings positioned with rear elevations facing towards rear elevations of existing bungalows at Kestrel Close. The distances have been altered during the course of the application to ensure separation distances of 21m between rear elevations. Plots 7&8 are positioned 22.4m north, Plots 9&10 are approx. 21.2m north, and Plot 11 27.8m north.

Plot 12 is positioned at an angle facing southwest rather than directly towards the adjoining dwellings. The window on the first-floor rear elevation of this dwelling is approximately 21m north of the main rear elevation of the nearest bungalow.

Whilst the bungalows towards the west of Kestrel Close have additional conservatories facing the development, it is considered that the distances involved combined with the substantial hedgerows which are to be retained post-development are sufficient to limit any significant adverse impacts in regard to loss of privacy for these adjoining dwellings. The proposed levels, discussed above, will further limit the potential for impacts on adjoining dwellings.

Objections were received from dwellings at Kestrel Close which refer to overshadowing and overbearing impacts. Given the distances discussed above and the position of the site to the north of these dwellings, no significant overbearing or overshadowing impacts are considered likely.

In regard to Parish Council's initial comments on impacts on the allotments, the site will be clearly defined by proposed boundary treatments and the position of the bungalow as the only dwelling north of the access track will limit the potential for overshadowing of any individual allotment as a result of this proposal.

Representations also noted the potential for noise and disturbance impacts. Whilst the construction of houses may lead to noise and disturbance in relation to construction works/timings, the resultant residential use is not considered likely to lead to any significant impact on the amenity of surrounding dwellings. Conditions are recommended to control construction management plans and to provide details of the air source heat pumps shown on the plans.

In regard to residential amenity of the proposed properties, each dwelling is proposed with suitable garden sizes to provide an appropriate level of private amenity space. Distances and positions of dwellings allow privacy for each garden without impacts from overshadowing or overbearing.

Conditions will also be used to ensure all bathroom, ensuite and a secondary window serving a bedroom of Plot 4 are fitted with obscure glazing to ensure residential amenity for both existing and future occupiers is acceptable.

Overall, the impact on neighbours is considered acceptable and the proposed development complies with Para 130 of the NPPF and Policy DM15 of the SADMPP (2016).

Highway Safety:

Parking provision accords with the required standard across the site, with each plot demonstrating parking for at least the required number of vehicles. Additional visitor parking would be provided in a lay by towards the access point and within a rear parking courtyard space to the west of the site.

The Local Highway Authority raised no objections to the plans. The access point can demonstrate acceptable visibility splays and the footpath link provided from Beacon Hill Road to Creak Road through the site will allow safe pedestrian links to the village which are not currently provided due to the narrow nature of Beacon Hill Road, which does not currently have a footpath for parts of its length.

Neighbour representations requested the provision of a roundabout at the access point for speed control and highway safety. Whilst these comments are noted, the Local Highway Authority raise no objection to the junction arrangement proposed and it is not considered necessary to require the provision of a roundabout or other measure as part of this development. Vehicular access to Beacon Hill Road, also requested by representations, would not be suitable to cater for the development due to the road's insufficient width and the resulting increase in conflict between vehicles.

Comments from neighbours regarding the footpath link are noted. The footpath is set within the site on the east of the hedgerow which results in minimal loss of hedgerow and passive surveillance of the footpath by houses within the development site. The new footpath is not therefore considered likely to lead to crime and disorder impacts, and the width of Beacon Hill Road is unaffected.

Conditions will require the upgrading of the footpath at Creake Road as an off-site highway improvement work. The condition will ensure that the footpath can be widened to an appropriate width without impacts on the existing boundary hedgerow.

Parking is provided in accordance with the relevant parking standards and Policy 7 of the Burnham Market Neighbourhood Plan and the aforementioned conditions are considered suitable to further control highway safety impacts. The application complies with the NPPF (2023), Policies CS08, CS11, DM15 and DM17 of the Local Plan and Policy 7 of the Burnham Market Neighbourhood Plan in regards to access, parking and highway safety.

Affordable Housing:

Housing policies are set out primarily in Policy CS09 of the Core Strategy (2011).

At present a 20% provision is required on sites capable of accommodating 5 or more dwellings and/or 0.165ha in Burnham Market. The affordable housing provision is then further split into 70% of the affordable homes being made available for rent and the other 30% for shared ownership or any other intermediate product that meets the intermediate definition within NPPF, meets an identified need in the Borough and is agreed by the Council. In this instance 2 affordable units would be provided as 1 no. 2 bedroom affordable rent home and 1 no. 2 bedroom First Home in accordance with Policy CS09.

The Housing Enabling Officer has confirmed that both Plots 1&2 and 7&8 are policy compliant and either pair could be provided as affordable housing. The affordable units must be transferred to a Registered Provider of Affordable Housing agreed by the Council at a price that requires no form of public subsidy. A S.106 Agreement will be required to secure the affordable housing contribution.

The affordable housing is suitably tenure blind and integrated with the general market housing in compliance with the requirements of Policy CS09.

The information provided as part of this application indicates that Holkham Estates (the applicant) intend to retain 2 additional dwellings for private rental - aimed at providing rental dwellings for local people. Whilst this is noted, there is no policy requirement for this provision and it is not considered reasonable to control provision of affordable units in excess of the policy requirements in this instance.

A s106 is required to ensure that affordable houses are provided in line with Policy CS09 of the Core Strategy (2011) and Policy 2 of the Burnham Market Neighbourhood Plan.

Biodiversity and Ecological Enhancements

Whilst Biodiversity Net Gain delivery at 10% is not yet a requirement within the Environment Act, the NPPF (chapter 15) affords considerable support for protecting and enhancing key landscapes and areas of value in terms of biodiversity. Paragraph 174 states that planning decisions should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity.

Policy 8 of the Burnham Market Neighbourhood Plan also requires a demonstrable 10% Biodiversity Net Gain to be secured for at least 30 years via planning obligations or conservation covenants. This is in line with that which is expected to come into force in 2024.

The proposed development calculates the delivery of a 34% net gain in area units and 17.8% gain in hedgerow units using Metric 3.1. 2.42 units of grassland and 0.02 units of sparsely vegetated land will be lost to development while 0.95 units of urban habitat consisting of developed land; sealed surface, vegetated garden and urban tree will be delivered on-site. An additional 4.44 area units will be delivered off site through creation of 0.48 ha of mixed scrub to achieve a 34% net gain. Two of the three hedgerows on site will be retained but 0.09 units of native hedgerow will be lost in order to provide access to the site. Hedgerows will be compensated for on-site through the creation of an additional 0.13 km of native hedgerow which will deliver 0.28 units and a net gain of 17.8%.

The management of the created habitats is outlined within the Ecological Assessment provided by Hopkins Ecology (March 2023) and additional information provided in the June 2023 version of this document. Further conditions are recommended to ensure on site landscaping details come forward and the development is completed in accordance with those details within a reasonable timeframe.

Original comments from the Parish Council referred to the lack of true benefit where off-site habitat creation is proposed. The Parish Council have since responded supporting the proposal however for the avoidance of doubt, the land proposed to be used for off-site delivery (shown in Figure 1 of the Hopkins Ecology Report) is to the north-east of the village roughly 0.7km from the Site. Whilst off-site, the land is reasonably close to the application site and allows the habitat to be managed and created as a continuation of the existing habitat in the locality, this is of significant benefit overall and will create an improved habitat that would be better than the use of other parcels of land which would not have those connections. As a result of the land for net gain being off-site, a S106 would be required to secure this part of the proposal.

In regard to GiRAMs, the GiRAMS Fee has been paid as part of this application as an agreed approach to mitigate potential impacts from recreational pressure as a result of the site's location in the Zone of Influence for protected sites such as the North Norfolk Coast/the Wash SAC/SPA, Dersingham Bog/Roydon Common RAMSAR etc. An appropriate assessment has taken place separately to assess the suitability of this mitigation measure and it is considered that development can therefore be granted.

Specific comments and issues:

Archaeology - An archaeological evaluation by trial trenching has taken place at the application site. Evidence of possible occupation of Late Anglo-Saxon date was found including a concentration of features, including structural features in the north-east part of the site. There is potential for previously unidentified heritage assets with archaeological interest (buried archaeological remains) to be present within the current application site and that their significance would be affected by the proposed development. Conditions are therefore recommended to ensure a programme of works is submitted prior to commencement of development in order to prevent adverse impacts on buried archaeological remains in line with Para 205 of the NPPF (2023).

Drainage – Drainage details have been agreed in principle by Anglian Water. Anglian Water have confirmed that treatment capacity at the local water recycling centre would be upgraded should the Authority grant permission. Standard foul and surface water drainage conditions are recommended for the avoidance of doubt and to comply with the NPPF in regards to flood risk from surface water flooding.

Crime and Disorder – There are no known crime and disorder impacts. The site is suitably designed to allow passive surveillance of the proposed footpath links and the provision of

appropriate boundary treatments will further control these impacts in line with the requirements of the NPPF and the National Model Design Code.

Contamination – The Environmental Quality Team recommended conditions relating to contamination due to the risks identified within the Desk Study Report submitted to support this application. An intrusive investigation is required to assess the identified risks, and a remediation scheme will subsequently be required to comply with the NPPF (2023) and Policy DM15 in regards to contamination.

The Air Quality Team also recommended conditions to control the submission of an EV charging scheme and a Construction Environmental Management Plan. These conditions will suitably control electric vehicle charging in line with the Neighbourhood Plan and Design Code, and in line with the NPPF (2023), and the CEMP condition which can be combined with the standard Construction Management Plan condition required for highway safety reasons will prevent adverse impacts on neighbours.

Air Source Heat Pumps – Limited detail has been provided in regard to the make and model of proposed Air Source Heat Pump units. In the interests of neighbour amenity, conditions are recommended to ensure details of these units are provided prior to their installation, in order to prevent adverse noise and disturbance impacts.

Response to Parish Council

The Parish Council most recently replied in support of the application in principle, however there is no available planning mechanism to allow the Parish to control who the affordable units on site are allocated to as the Parish has requested and thus the application has been brought to Planning Committee for members to consider.

Response to Neighbour Representations

The majority of concerns and objections raised by neighbours have been addressed within the report.

Neighbour comments stating a preference for bungalows to prevent adverse impacts on adjoining bungalows are noted, however separation distances are sufficient to limit adverse impacts on properties and two storey dwellings are therefore considered suitable for the site and comply with the relevant policies.

A representation noted concern that Plots 1 and 2 do not have en-suites or garages. Plots 9 & 10 are also proposed as two bedroom properties with no en-suite provision and the internal layout of dwellings provides a mix of layouts to suit different needs. Whilst the Applicants have not yet specified which plots would be allocated as affordable housing in the S106, the lack of garages for Plot 1 and 2 would meet the requirements of the registered provider and has not drawn objection from the Housing Team. The scheme as a whole is considered to be sufficiently tenure blind to accord with the require policy, and parking is provided to the front of Plots 1 and 2 in accordance with the required standard. Storage sheds are provided in the rear garden space of this plot.

Comments relating to overdevelopment are also noted, the site proposed a density of just under 20 dwellings per hectare (19.6), and surrounding development at Kestrel Close is approx. 17 dwellings per hectare, dwellings fronting Beacon Hill Road immediately west have a density of around 25 dwellings per hectare, and dwellings fronting Creake Road have a lower density of around 12 dwellings per hectare. The density of the proposed development is not considered to be at odds with the varied density of dwellings in the immediate locality.

Comments on the design of dwellings and use of materials are noted, the design and fenestration of dwellings has been altered throughout the course of this application and is considered acceptable.

CONCLUSION:

The application proposes the construction of 12 dwellings within the development boundary of Burnham Market. The Site is in a sustainable location that is within walking distance of various facilities and services in the village centre. The land is a leftover parcel of land, most recently used for agricultural purposes, which is bordered on three sides by residential development of a mixed character and to the north by existing allotment land.

The site is not within the Conservation Area however is within the AONB. For the reasons outlined above, the proposed development is not considered likely to lead to any adverse impacts on the AONB.

As such the principle of development is considered acceptable.

The design of the dwellings has been amended during the course of this application to better reflect the more traditional character of the wider locality. Window positions have been altered which results in balanced dwellings which fit in well with the local vernacular.

The proposal would deliver 34% biodiversity net gain through securing habitat improvements on Holkham land in the local area. This is greatly over the emerging national requirement for 10% and represents a significant material benefit of the proposed development. Provision in line with the submitted information can be secured as part of a S106 agreement, as can the provision of affordable housing and occupation as principal residences only in line with the policy requirements.

The application is therefore recommended for approval, subject to the completion of a S106 agreement to control provision of Affordable Housing, Principal Residence restrictions and Biodiversity Net Gain.

RECOMMENDATION

A. APPROVE subject to conditions and the satisfactory completion of a S106 Agreement to secure Affordable Housing, Principal Residences and Biodiversity Net Gain.

1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans:

- *9645 001 P00 Location Plan
- *9645 003 P02 Site Plan as Proposed, Block Plan
- *9645 004 P02 Site Plan as Proposed, Roof Plan
- *9645 050 P01 Plot 1 & 2 Floor Plans
- *9645 051 P02 Plot 1 & 2 Elevations

- *9645 052 P02 Plot 3 Floor Plans
- *9645 053 P03 Plot 3 Elevations
- *9645 054 P02 Plot 4 Floor Plans
- *9645 055 P03 Plot 4 Elevations
- *9645 056 P02 Plot 5 Floor Plans
- *9645 057 P03 Plot 5 Elevations
- *9645 058 P02 Plot 6 Floor Plans
- *9645 059 P03 Plot 6 Elevations
- *9645 060 P02 Plot 7 & 8 Floor Plans
- *9645 061 P03 Plot 7 & 8 Elevations
- *9645 062 P02 Plot 9 & 10 Floor Plans
- *9645 063 P03 Plot 9 & 10 Elevations
- *9645 064 P02 Plot 11 Floor Plans
- *9645 065 P03 Plot 11 Elevations
- *9645 066 P02 Plot 12 Floor Plans
- *9645 067 P03 Plot 12 Elevations
- *9645 068 P00 Garages Floor Plans
- *9645 069 P02 Garages Elevations

- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 3 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.
- 4 Condition: Notwithstanding the details shown on the proposed plans, No development shall take place on any external surface of the development hereby permitted until details of the type, colour and texture of all materials to be used for the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF, Policies CS08 and DM15 of the Local Plan and Policy 6 of the Neighbourhood Plan.
- 5 Condition: No development shall commence on any external surface of the development until a sample panel of the materials 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.
- 5 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF, Policies CS08 and DM15 of the Local Plan and Policy 6 of the Neighbourhood Plan.

- 6 Condition: Prior to the first use/occupation of the development hereby permitted, 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, boundary treatments 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.
- 6 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF, Policies CS08 and DM15 of the Local Plan and Policy 6 of the Neighbourhood Plan.
- 7 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.
- 7 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF, Policies CS08 and DM15 of the Local Plan and Policy 6 of the Neighbourhood Plan.
- 8 Condition: Prior to the occupation of any unit, a landscape management plan including long-term design objectives, management responsibilities, management and maintenance schedules and a maintenance scheme for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved. The landscape management plan shall be carried out as approved.
- 8 Reason: To ensure that the landscaping is properly maintained in accordance with the NPPF, Policies CS08 and DM15 of the Local Plan and Policy 6 of the Neighbourhood Plan.
- 9 Condition: No development or other operations shall take place on site until a detailed construction management statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:
- (a) the methods to be used and the measures to be undertaken to control the emission of dust, noise, and vibration from the operation of plant and machinery to be used;
 - (b) the location of any temporary buildings and compound areas;
 - (c) the location of parking areas for construction and other vehicles;
 - (d) the measures to be used to prevent the deposit of mud and other deleterious material on the public highway; and,
 - (e) a scheme for the management and signage of all construction traffic.
- The development shall be carried out in accordance with the approved construction management statement throughout the construction period.
- 9 Reason: For the avoidance of doubt and in the interests of the amenities of the locality in accordance with the NPPF (2021) and Policy DM15 of the SADMP (2016).

- 10 Condition: Notwithstanding the details shown on the approved plans, prior to the installation of any air source heat pump(s), air conditioning units or other external plant, including extraction/ventilation systems, a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the sound power levels of the proposed unit(s)/plant, the siting of the unit/s or plant and distances to boundaries, and provide details of anti-vibration mounts and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.
- 10 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF, Policies CS08 and DM15 of the Local Plan and Policy 6 of the Neighbourhood Plan.
- 11 Condition: Prior to the first occupation of each dwelling, proposed bathroom and ensuite windows and the bedroom window marked OG on dwg No. 9645 054 P02 (Plot 4), shall be fitted with obscured glazing. The window(s) shall be permanently retained in that condition thereafter.
- 11 Reason: In the interests of the amenities and privacy of adjoining dwelling in accordance with Policy DM15 of the SADMPP (2016).
- 12 Condition: Prior to the first occupation of the development hereby permitted the vehicular accesses over the verge/footway shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority in accordance with the highways specification (TRAD 1) and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway.
- 12 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety in accordance with the NPPF (2021) and DM15 of the SADMPP (2016).
- 13 Condition: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved accesses to Creake Road or Beacon Hill Road unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 13 Reason: In the interests of highway safety in accordance with the NPPF (2021) and Policy DM15 of the SADMPP (2016).
- 14 Condition: Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 14 Reason: In the interests of highway safety in accordance with the principles of the NPPF (2023).
- 15 Condition: Prior to the first occupation of the development hereby permitted the proposed access/on-site car and cycle

parking/servicing/loading/unloading/turning/waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

- 15 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with the principles of the NPPF.
- 16 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 (frontage footpath widening) have been submitted to and approved in writing by the Local Planning Authority.
- 16 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 in accordance with the principles of the NPPF (2023) and Policies CS08, CS11 and DM15 of the Local Plan.
- 17 Condition: Prior to the first occupation of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in condition 16 shall be completed to the written satisfaction of the Local Planning Authority
- 17 Reason: To ensure that the highway improvement works are completed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with the principles of the NPPF (2023) and Policies CS08, CS11 and DM15 of the Local Plan.
- 18 Condition: No development shall take place on site until an archaeological written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and
- 1) The programme and methodology of site investigation and recording,
 - 2) The programme for post investigation assessment,
 - 3) Provision to be made for analysis of the site investigation and recording,
 - 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation,
 - 5) Provision to be made for archive deposition of the analysis and records of the site investigation and
 - 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation and
 - 7) any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.
- 18 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 19 Condition: No demolition/development shall take place other than in accordance with the written scheme of investigation approved under condition 18 and any addenda to that WSI covering subsequent phases of mitigation.

19 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.

20 Condition: The development shall not be occupied or put into first use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 19 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

20 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.

21 Condition: Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets,
- woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with the Environment Agency's Land Contamination Risk Management (LCRM).

21 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.

22 Condition: Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

22 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.

23 Condition: The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

23 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

24 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 22, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 23, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 24.

24 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF (2023) and Policy DM15 of the SADMPP (2016).

25 Condition: Prior to the first occupation of any dwelling hereby permitted, full details of an EV charging scheme shall be submitted to and approved in writing by the LPA. The development shall be constructed in accordance with the agreed details prior to the occupation of each unit and retained in accordance with these details thereafter.

25 Reason: To enable charging of plug-in and other ultra-low emission vehicles in safe, accessible, and convenient locations in accordance with the NPPF (2021).

B. In the event that the S106 Agreement is not completed within 4 months of the date of this Committee meeting, the application shall be **REFUSED** due to the failure to secure Affordable Housing, Principal Residences and Biodiversity Net Gain.