

AGENDA ITEM NO. 9/1(a)

Parish:	Gayton	
Proposal:	OUTLINE APPLICATION WITH SOME MATTERS RESERVED FOR: Phased Residential Development of 15 units comprising First Homes, Custom/Self Build Units and Affordable Housing.	
Location:	Land E572430 N319560 And N of Howards Way Gayton Norfolk	
Applicant:	KMH Builders Ltd	
Case No:	24/00168/OM (Outline Application - Major Development)	
Case Officer:	Mrs N Osler	Date for Determination: 2 May 2024 Extension of Time Expiry Date: 5 July 2024

Reason for Referral to Planning Committee – *Called in by Cllr Anota and Officer Recommendation is Contrary to Parish Council Recommendation*

Neighbourhood Plan: Yes

Case Summary

Outline consent with all matters, except access, reserved for future consideration is sought for residential development of the site with 15no. dwellings (5no. affordable and 10no. custom / self-build units.)

Access is proposed via the existing residential development currently under construction to the south of the site and will be in the form of an extended private road off the existing hammer head.

The site lies outside of the development boundary for Gayton as depicted on inset G41 of the Site Allocations and Development Management Policies Plan, 2016 (SADMP) and Policy Map 1 of Gayton and Gayton Thorpe Neighbourhood Plan and is therefore classified as countryside in planning terms.

Together with Grimston and Pott Row, Gayton is classified as a Joint Key Rural Service Centre in the Settlement Hierarchy of the Development Plan.

The site has existing and proposed (under construction) built form to its immediate east, south and west, and is separated from open countryside to the north by an existing hedgerow. The site is currently being used as temporary storage area serving the neighbouring permitted developments.

The site lies within Flood Zone 1 and a public right of way (PROW) Gayton FP2 runs along the eastern boundary of the site.

Key Issues

Principle of Development
Form and Character
Highway Issues

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Residential Amenity
Drainage
Trees and Hedgerows
Ecology, Biodiversity and Protected Sites S106 Considerations
Crime and Disorder
Other Material Considerations

Recommendation

A) APPROVE subject to the completion of S106 within 4 months of the date of this resolution to approve.

B) REFUSE if S106 is not completed within 4 months of the date of this resolution to approve.

THE APPLICATION

Outline consent with all matters, except access, reserved for future consideration is sought for residential development of the site with 15no. dwellings (5no. affordable and 10no. custom / self-build units.)

The indicative plan shows four single storey dwellings, two of which would be affordable and two of which would be custom / self-build, the remaining 11no are indicatively stated to be two-storey. It is suggested that the dwellings will range in size between 2 and 5-bed units.

The indicative plan also shows a suds drainage pond which accords with the submitted drainage strategy, retention of the northern hedgerow and provision of a post and rail fence and native hedge between the proposed development and the development under construction to the south.

Access is proposed via the existing residential development currently under development to the south of the site. No pedestrian / cycle access is proposed to the existing PROW which runs to the east of the site (Gayton FP2.)

Given the outline nature of the application all plans are indicative other than where they show access to the site from the south and have been provided to show one way in which the site could potentially accommodate up to 15 dwellings.

SUPPORTING CASE

The application site comprises approximately 0.8 Ha of former paddock land, located northeast of Howards Way. Currently the site is being used as storage compounds for the previously approved phases of residential development that are being built out (planning references: 19/01325/RMM and 17/02355/RM) and this application proposal seeks approval for Phase 4 which would be the final phase.

The proposal seeks outline planning permission with only access to be considered at this stage, to establish the principle for 15 no. dwellings that would comprise 10 no. custom / self-build serviced plots, 3 no. policy compliant affordable dwellings plus a further 2 no. affordable units in the form of 'First Homes'. A Section 106 legal agreement will be completed to secure the policy compliant affordable housing provision, additional 2 no. First Homes plus the custom / self-build housing.

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The proposals will allow prospective homeowners to customise and assist in designing their future homes and the provision of additional First Homes beyond the Borough Council affordable housing policy requirement would provide an opportunity for local people to get on the property ladder.

Although the application site lies outside the current development boundary for the Gayton, it lies immediately adjacent to it; is flanked by existing residential development on 3 sides; and is located centrally within the village in easy walking distance of the existing services and facilities of this key rural service centre. These factors, together with the limited constraints of the site, make it an ideal and sustainable location for additional much needed homes that will complete the Howards Way development without having any detrimental impact on highway safety, residential amenity, or the established form and character of the area.

Although only access is to be considered at this outline stage and the site layout is only indicative, the application proposes property types that are in keeping with the surrounding built form in terms of their size and scale. The scheme would offer a mix of bungalows and two-storey dwellings aimed at people of all ages, including young couples and families.

The proposal has been subject to input from relevant technical consultees and care has been taken to ensure that any concerns raised have been adequately addressed. Consequently, there are no objections from these parties in respect of technical matters.

Should outline planning permission be approved, the intention is for a reserved matters (RM) application to be submitted in respect of the form, layout and individual access arrangements for the provision of the serviced plots for custom / self-build, together with full details of the proposed affordable housing units.

Notwithstanding the fact that this application is not subject to mandatory biodiversity net gain (BNG), the applicant has confirmed their agreement for the proposed development to provide 10% BNG, to be secured by condition with details provided at RM stage.

To conclude, the proposed development would provide good quality, much needed affordable homes and custom and self-build plots on a sustainable site located centrally within the village. These are significant benefits of the scheme which are considered to weigh heavily in the planning balance in favour of the proposal, particularly given the unmet demand for self-build and custom housebuilding plots in the Borough.

Although the site lies just outside the Gayton development boundary, the proposal complies with all other relevant planning policies within both the Neighbourhood Plan, Core Strategy and Site Allocations and Development Management Policies Plan. Additionally, the proposal fully complies with the provisions of the recently updated NPPF and National Planning Practice Guidance.

It is therefore respectfully requested that Members grant outline planning permission subject to conditions and the completion of a S106 agreement in accordance with the Officer recommendation.

PLANNING HISTORY

There is no specific planning history relating to the site itself, but the following permissions relate to land in the immediate vicinity of the site.

19/01325/RMM: Application Permitted: 20/04/21 - Major reserved matters: Construction of 19 dwellings (phase 3)

15/01776/VAR1A: Application Permitted: 05/09/18 - Modification of Planning Obligation, reference LC/S106/16/58 relating to Planning Application reference 15/01776/OM.

15/01776/OM: Application Permitted: 03/08/16 - OUTLINE APPLICATION WITH SOME MATTERS RESERVED: Residential development.

RESPONSE TO CONSULTATION

Parish Council: Gayton Parish Council accept the principle of development in view of the contributions of the dwellings to provide first homes, affordable housing and self-build plots, but **OBJECT** in the strongest possible terms to the statement that there is capacity in the sewage and water infrastructure.

Gayton Parish Council would also like to draw attention to the fact that this land is outside of the development boundary and does not align with policies set out in the adopted Gayton Neighbourhood Plan.

Highways Authority (NCC): NO OBJECTION The site takes access through Howards Way. A 5m wide road with 1.5m wide footways through the site would be acceptable to accommodate the proposed 15 dwellings.

It is noted layout is not marked for consideration at this time, however we would advise in instances where the entrance to a dwelling is 45m+ from the estate road a size 3 turning head would be required. Based on the indicative layout (720D/23-401-RevB) the shared private drive serving plots 6-13 would require a size 3 turning head. This should be addressed in the reserved matters application.

Should your Planning Committee be minded to approve the application we would recommend conditions relating to details of roads, footways, street lighting and foul and surface water drainage thereof and binder course surfacing before first occupation are appended to the decision notice.

PROW (NCC): NO OBJECTION Gayton FP2 is in close proximity to the site (along its eastern boundary.) Details of the full legal extent of the footpath will need to be submitted as part of the reserved matters application and development must not encroach onto the PROW which must remain clear and unobstructed both during and after construction.

Planning Policy Team (BCKLWN): NO OBJECTION The provision of affordable housing and custom / self-build housing should be balanced against the fact that the development lies outside of the development boundary and is therefore contrary to the Development Plan including the Neighbourhood Plan.

Housing Team (BCKLWN): NO OBJECTION subject to securing affordable housing (in this instance 3 units would be required, 2 for affordable rent and 1 for First Homes) by S106 Agreement.

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However, I note the applicant has also proposed 2 additional units as First Homes, taking the total number of affordable units to 5. I can confirm we are happy to accept this proposal, the additional First Homes will need to be secured via the S.106 agreement.

The application also proposes 10 plots as Self & Custom Build, our Planning Policy team should provide comments on this matter.

Planning Obligation Team (NCC): The following infrastructure will need to be funded through CIL:

- 2no. high school places
- 0.15 SEND places (Special Education Needs and Disabilities)
- £1,500 library contribution.

Additionally, one fire hydrant will need to be provided at the developer's expense.

Lead Local Flood Authority (NCC): NO COMMENTS TO MAKE because the scale of development is below the threshold for comment. Standing advice should be followed.

Internal Drainage Board: NO OBJECTION Having taken a look at the surface water drainage strategy, it appears that a strategy utilising soakaways, an infiltration basin, and the use of water butts does appear to be suitable for the site. If these plans change for any reason and a surface water discharge is proposed to a watercourse within the watershed catchment of the Board's IDD then we request that this be in line with the non-statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.

Anglian Water: NO OBJECTION

Wastewater Treatment: The foul drainage from this development is in the catchment of Grimston Water Recycling Centre that will have available capacity for these flows.

The site is served by Grimston Water Recycling Centre, the outfall for which discharges outside the Natural England Nutrient Neutrality boundary.

Used Water Network: The proposed foul drainage serving the new 15 properties will utilise the on-site main Anglian Water public sewer, the sewer indicated in the above drawing is a 100mm designated foul sewer and still under a private ownership. We would need a clear drainage layout plan showing where in the Anglian Water Network the proposed foul flows from the development are to be discharged into Anglian Water foul sewer network. We are unable to make capacity assessments on private sewers. We would like to be consulted when a drainage plan indicating the proposed connection point into the Anglian Water network, a connection regime and proposed discharge rates if a connection is a pumped connection is submitted so that a full network assessment can be made. We therefore request a condition requiring phasing plan and/or on-site drainage strategy.

Surface Water Drainage: The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

Community Safety and Neighbourhood Nuisance (BCKLWN): We have **NO OBJECTION**. However, noting the Anglian Water comments, we would concur and request full and comprehensive foul drainage details are required via a planning condition at this outline stage.

We would also request conditions for a Construction Management Scheme, given the site will be accessed via a residential route and is bordered by dwellings (which may all be completed prior to this site commencing), external lighting (given the rural edge of village location) and details of air source heat pumps.

Environmental Health & Housing – Environmental Quality (BCKLWN): NO OBJECTION

Contaminated Land Due to the recommendation for further investigations of the site in the desk study report submitted with the application is it recommended that the full suite of contamination conditions be appended to any permission granted.

Air Quality: Traffic from an additional 15 dwellings would be unlikely to cause a significant change to local air pollution and therefore we would not object to this change.

However, in terms of improving air quality / mitigation, we would expect the development to achieve high standards of sustainable design as guided by core policy CS08 which sets out a minimum of 10% energy from renewable / low carbon (heating) systems from larger major applications. These systems can help to improve air quality (zero NOx) through the generation of cleaner energy. As heating tends to be the predominant form of energy use, as long these fully incorporated, including the custom / self-build this should help satisfy this policy. Cleaner also would preclude solid fuel heating systems. Further information is sought to be secured via condition.

Historic England: NO OBJECTION The application site lies c.260m east of the scheduled monument 'Medieval and early post-medieval settlement remains 570m west of Jubilee Farm' and c.580m south of the 'Medieval settlement remains 500m west of Well Hall' scheduled monument.

Historic England does not consider that the proposed development would have an appreciable impact on the significance of these designated heritage assets. Historic England has no objection to the application on heritage grounds.

We suggest that you seek the views of your specialist conservation and archaeological advisers as appropriate.

Conservation Team (BCKLWN): NO COMMENTS TO MAKE The Conservation Team have no comments to make on this application as it will not affect the setting or appearance of any listed building or conservation area.

Historic Environment Team (NCC): NO OBJECTION There are no known archaeological implications.

Natural England: NO OBJECTION subject to securing appropriate mitigation which in this instance should be the GIRAMs payments.

The submitted Habitats Regulations Assessments (shadow appropriate assessment) is of a standard that can be adopted by the Local Planning Authority as competent authority, and Natural England agrees with its conclusion that securing appropriate mitigation (GIRAMs payment) will mean that the development would not result in adverse impacts on protected sites as a result of recreational pressure.

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Senior Ecologist (BCKLWN): NO OBJECTION. Given that the site is cleared and subject to the disturbance of the surrounding building site, it is unlikely that protected species or habitats are present within the site. However, the following should be secured by condition:

- Biodiversity Net Gain (as required by the Neighbourhood Plan),
- The hedgerow present on the northern boundary should be retained,
- External lighting should be conditioned,
- The scheme should include either a bat or bird box / tube within the structure of buildings at a rate of one box / tube per unit and hedgehog gaps be provided beneath fences and garden gates at a rate of 2 per dwelling. These provisions should be clearly mapped on landscaping plans that will be required at the reserved matters stage.

Natural England have identified a requirement for GIRAMS to offset recreational impacts to European protected sites. A sHRA has been submitted to cover this requirement. A payment of the tariff will be required at reserved matters (and will be charged at the current rate) in order to secure the necessary mitigation.

Arboricultural Officer (BCKLWN): NO OBJECTION I would expect and Landscape proposals to be submitted at the reserved matters stage to include street trees in accordance with para 136 of the NPPF.

There are issues with the landscaping of earlier phases of the wider paddock site and by highlighting the requirement for trees to be carefully considered in the site layout with adequate space provided above and below ground for their successful establishment and future growth should avoid the same issues on this phase. No other comments at this point.

Waste and Recycling Team (BCKLWN): OBJECT Thank you for the consultation on this application. The estate road is not intended to be adopted and therefore I must require that the bin presentation will be at the point where the existing turning head on the type 3 road meets the application site. Presenting bins at this point will cause disamenity to adjoining occupiers and therefore I am obliged to **OBJECT**.

The estate road should be built to an adoptable standard and formally adopted.

Open Space Team (BCKLWN): NO COMMENTS TO MAKE.

Norfolk Fire and Rescue: NO OBJECTION A fire hydrant should be secured by condition at the developer's expense.

Carrow Fire Station: NO OBJECTION Comments made in relation to building regulation requirements.

Norfolk Constabulary: NO OBJECTION The Designing out Crime Officer gave recommendations which should be incorporated into any reserved matters application, which can be summarised as:

- The entrance to the site should have an obvious 'symbolic barrier' to give the impression that the area beyond is private,
- Blank windowless elevations overlooking the public environment should be avoided,
- Anonymous space should be avoided,
- Excessive permeability should be avoided, and the development should not be linked to the existing right of way to the east of indicative plots 8 and 9,
- A mixture of defensible planting and boundary treatments of 1.5m with 0.3m trellis or railings should be incorporated to aid natural surveillance,
- Lighting should offer a uniform spread of white light, and
- The houses themselves should incorporate physical security elements.

CIL Team (BCKLWN): If this application is going to come forward as a 'phased development' with a separate RM for each 'self-build' plot, the proposal must make reference to 'phased planning permission' in the description.

In addition, 'phased' conditions must be included e.g., 'Prior to commencement of any phase, or prior to commencement of phase 1, or prior to commencement of each RM' This will allow each plot to be sold off and the purchasers to apply for a CIL 'self-build' exemption.

If the OM is not phased, then on commencement of any plot, work will have deemed to have commenced for the whole development, full payment will be due and no self-build exemptions can be granted.

I would also advise that a phasing plan be submitted to show how the proposal will be brought forward to development. May consider Phase 1 as access, ground works.

REPRESENTATIONS

ONE third party has written in relation to the proposed development **NEITHER OBJECTING NOR SUPPORTING**. The author writes *"With the approval of this further development of Howard's way, I will find my family home transformed from being surrounded by fields to houses.*

Looking at the proposal my last unspoiled view is to the north of my property where I currently have a small copse which I believe is the remains of the Orchard, in it are apple and plum trees while also being the home for wildlife including rabbits and hedgehogs.

I feel that the removal of this area would be overbearing to me and my family having once just had the views of fields. While I appreciate all my neighbours have been affected by the development, Orchard Cottage is the only property that has been surrounded by new developments on all the boundaries which is becoming overbearing and detrimental to the value of my home.

I would ask the Committee if the planning were approved for the small area of trees on my North Boundary to remain as a sanctuary for wildlife and retain some natural beauty to be enjoyed all."

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

CS12 - Environmental Assets

CS13 - Community and Culture

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CS14 - Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM8 – Delivering Affordable Housing on Phased Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM19 - Green Infrastructure/Habitats Monitoring & Mitigation

NEIGHBOURHOOD PLAN POLICIES

Policy G9 - Residential Development and Design

Policy G11 - Development and Foul Waste Water

Policy G12 - Dark Skies

Policy G15 - Roads and Green Infrastructure

Policy G16 - Development and Biodiversity

Policy G18 - Rural routes for non-motorised users: The rural footpath network and the public rights of way network

Policy G19 - Maintaining a walkable and well-connected village.

Policy G21 - Car and bicycle parking policy

Policy G25 - Community Facilities

Policy G1 - A Spatial Strategy

Policy G2 - Development and Character

Policy G5 - Affordable Housing

Policy G6 - Housing Mix

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

PLANNING CONSIDERATIONS

The main considerations in the determination of this application are:

Principle of Development

Form and Character

Highway Issues

Residential Amenity

Drainage

Trees and Hedgerows

Ecology, Biodiversity and Protected Sites

S106 Considerations

Crime and Disorder

Other Material Considerations

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Taking each in turn:

Principle of Development:

Achieving sustainable development is the overarching aim of the NPPF and Paragraph 8 of the NPPF expands on the basis for achieving this which is balancing economic, social and environmental objectives. Paragraph 8 of the NPPF states *Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

- a) *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- c) *an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

In achieving this, planning law requires that application for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise (para 2, NPPF.)

The development plan comprises the Core Strategy, 2011 (CS), the Site Allocations and Development Management Policies Plan, 2016 (SADMP) and the Gayton and Gayton Thorpe Neighbourhood Plan, 2019.

The development represents development outside of the development boundary for Gayton as shown both in the SADMP and Gayton Neighbourhood Plan. The development would therefore be on land designated as countryside.

Residential development in the countryside is generally resisted at both national and local level unless essential for agriculture or forestry to ensure the protection of the intrinsic character and beauty of the countryside.

Development Plan Policy CS06 states *Beyond the villages and in the countryside, the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all. The development of greenfield sites will be resisted unless essential for agricultural or forestry needs* and Neighbourhood Plan Policy G1 states *Outside this boundary, development will be restricted to:*

- a) *development for agriculture, horticulture and outdoor recreation uses;*
- b) *uses appropriate to supporting a rural economy (rural employment uses and sustainable rural tourism) where such uses need to be located in the countryside and where they respect the character of the parish countryside and comply with other provisions in the development plan;*
- c) *renewable energy generation consistent with national and Local Plan policy, where proposals accord with other provisions in the development plan;*
- d) *sites allocated as part of the development plan and where the proposed development accords with the principles established in the site allocations; and*

- e) *small scale rural exception housing on the edge of the Gayton village development boundary for people with a parish connection.*

However, in this instance there are material considerations that need to be considered in the planning balance, and especially against the policy background. These are namely the characteristics of the site and its location, and the provision of additional affordable housing and custom and self-build development.

In relation to affordable housing paragraph 82 states *In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs, including proposals for community-led development for housing. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs and consider whether allowing some market housing on these sites would help to facilitate this.*

Neighbourhood Plan Policy G5 states *Residential development proposals should deliver affordable housing in line with affordable housing standards set out in the Local Plan. In the case of First Homes (as defined in the supporting text to Policy G7), these should be offered to people with a local connection (as defined in the glossary to this plan) on a preferential basis.*

Where affordable housing units are being provided as part of a larger market housing scheme or together with market housing, the affordable housing unit should be designed as integral to the scheme and be generally indistinguishable from open market housing.

Of the 15no dwellings proposed five would be affordable. To be policy compliant only three are required of which two should be affordable rent and one a first home. However, in this instance five affordable units are proposed of which three would be first homes and would therefore be secured, within the S106 Agreement, to be for people with a local connection first. A person with a local connection to the parish means

- 1) *Existing residents of Gayton parish who have lived in the village for more than 3 years;*
- 2) *Past residents of Gayton parish who have lived there for more than 5 years and moved away within the last 3 years to another location within the area of the Borough Council of King's Lynn & West Norfolk, or existing residents who have been living in Gayton for more than 12 months and have been in the area of the Borough for more than 3 years;*
- 3) *Those with permanent employment in Gayton parish;*
- 4) *Existing residents of the surrounding parishes of Grimston, Great Massingham, West Acre, East Walton, East Winch, and Leziate (see map in Figure 26) who have lived there for more than 3 years, or existing residents of Gayton who have been living in Gayton for less than 12 months but have been resident in Gayton or the surrounding parishes mentioned above for the last 3 years;*
- 5) *Existing residents of Gayton who have lived in Gayton for less than 12 months and have lived in the area of the Borough for more than 3 years.*
- 6) *Existing residents of the area of the Borough who have been living in the areas for more than 5 years.*

Therefore, an additional two affordable units are proposed both of which would be first homes and both of which would therefore be secured for people with a local connection first.

In relation to custom and self-build, Paragraph 70b of the NPPF states *Small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should: seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom-build housing.*

The LPA has experienced some difficulty in demonstrating that it has met the need for custom and self-build development in the past.

Section 2A(2) of the Levelling-up and Regeneration Act 2023, states that *An authority to which this section applies must give development permission for the carrying out of self-build and custom housebuilding on enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area in respect of each base period.*

The remaining 10no dwellings would be specifically for custom / self-build which would again be secured within the S106 Agreement. The proposal would therefore help to meet an identified need in the borough for Custom and Self-build development.

The provision of affordable housing in excess of policy requirements and custom / self-build units are material considerations that weigh heavily in favour of the proposed development.

Additionally, the site is in a highly sustainable location within easy walking distance of the services and facilities provided by Gayton, a Joint Key Rural Service Centre, and has built form on three of its four sides.

Whilst being material considerations officers consider carry significant weight the starting point is still that the development represents a departure from the development plan and careful consideration needs to be given to other aspects of the development when considering whether material considerations should outweigh this departure.

Form and Character:

In summary, paragraph 135 of the NPPF requires development to:

- function well and add to the overall quality of an area,
- be visually attractive and sympathetic to local character,
- establish a strong sense of place,
- optimise the potential of the site,
- support local facilities and
- create places that are safe, inclusive with a high standard of amenity for all.

This is reiterated in Development Plan Policies CS08 and DM15.

Neighbourhood Plan Policy G2 states *As appropriate to their scale, nature and location, development proposals should be of high-quality design, contribute positively to the street scene and must preserve or enhance the settlements of Gayton and Gayton Thorpe by:*

- a) *Recognising and reinforcing the distinctive character.*
- b) *Ensuring buildings are of a scale, layout, height and density that are in harmony with the distinctive features of the built environment and landscape in the immediate vicinity.*
- c) *Ensuring choice of materials and new boundary treatments complement the local character in immediate surroundings and wider area with respect to materials and design.*
- d) *Incorporating sustainable design and construction measures, energy efficiency measures and measures which will help towards climate change mitigation and adaptation*
- e) *Retaining and enhancing vegetated boundaries, particularly those of intact hedgerows and trees.*

Neighbourhood Plan Policy G2 is reinforced by Policy G9 where it relates to residential development and design.

Given the outline nature of the application it is not possible to fully consider form and character. However, the site has built form to three of its four boundaries and the

information submitted with the application suggests that the development will follow the style, material and detailing of the adjacent development.

When considering the impact of the development on the intrinsic character and beauty of the locality, the development would be read in conjunction with the surrounding built form and would 'round off' existing development retaining the existing hedgerow that separates the site from the wider countryside. In this particular instance it is not considered that the development would appear alien in any long public views.

Full consideration will be given to form and character by virtue of reserved matters application(s) that will contain details of scale, appearance, layout, and landscaping.

However, it is considered that the proposed indicative development accords with the above overarching policies relating to form and character and that, in this regard, the development would accord with the NPPF in general and specifically to paragraph 135 of the NPPF, Development Plan Policies CS08 and DM15 and Neighbourhood Plan Policy G2.

Highway Issues:

Paragraphs 114, 115 and 117 of the NPPF relate specifically to sustainable transport, safe and suitable access for all, the design of streets, highway standards and parking provision. These issues are reiterated in Development Plan Policies CS11, DM15 and DM17 which require development to, amongst other things, reduce the need to travel (by providing development in sustainable locations), provide safe and convenient access for all modes and provide parking in line with residential parking standards which require 1 space for a 1-bed unit, 2 spaces for 2 and 3-bed units and 3 spaces for 4 or more-bed units.

Neighbourhood Plan Policy G21 states *Development proposals which would compromise pedestrian safety or give rise to additional traffic movements or congestion which would have an unacceptable effect on the residential amenity of properties in the immediate locality or which would unacceptably detract from the rural nature of the village will not be supported.*

Given the outline nature of the application these issues cannot be fully considered under RM stage. However, the Local Highway Authority raise no objection, subject to conditions, to the proposed development based on highway safety.

Paragraph 104 of the NPPF requires planning decisions to protect and enhance public rights of way and access. A public right of way runs to the east of the site. The full extent of this will need to be agreed and retained unobstructed both during and after construction and will be covered by an appropriate condition.

It is therefore considered that highway issues can be suitably conditioned or addressed at RM stage and that in that respect the development accords with the NPPF in general and specifically to paragraphs 104, 114, 115 and 117 of the NPPF, Development Plan Policies CS11 and DM15 and Neighbourhood Plan Policy G21.

Residential Amenity:

Policies outlined previously in this report under the section Form and Character (paragraph 135 of the NPPF, Development Plan Policy DM15 and Neighbourhood Plan Policy G9) require development to take account of residential amenity and require consideration to be given to overlooking, overbearing and overshadowing impacts to ensure a high standard of amenity for both existing and future occupants.

However, given the outline nature of the proposed application it is not possible to consider the impacts on existing or inter-developmental relationships. At RM stage full consideration would be given to overlooking, overbearing, and overshadowing impacts. It is however considered, given the size of the site, that any unacceptable impacts could be designed out.

Drainage:

Paragraph 175 of the NPPF requires major developments to incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. This is reiterated in Development Plan Policies CS08 and CS12.

Policy G11 of the Neighbourhood Plan deals with development and foul wastewater and states *As appropriate to their scale, nature and location development proposals should incorporate measures to minimise foul water discharge into the sewerage system and ensure that such measures do not have an unacceptable impact on the amenity of the immediate locality.*

Policy G10 relates to surface water flooding and is concerned with sites at risk of surface water flooding, which this site is not.

Anglian Water have confirmed that there is capacity in the system for foul and used water, but they require further details to be secured by pre-commencement condition. This is not unusual for an outline application.

The Internal Drainage Board are satisfied with the surface drainage water strategy, that includes a SUDS feature, that accompanied the application. However, because this strategy is based on indicative plans it is considered reasonable and necessary to condition surface water drainage. The applicant is in agreement with this.

Whilst drainage problems have occurred in Gayton previously, and therefore drainage is of significant concern to the parish council who object to the proposed development on the basis of drainage, the lack of objection (subject to suitable controls) from Anglian Water and the IDB, who are aware of the issues in the area, and the securing of additional information by condition suggests that drainage can be suitably controlled and cannot form the basis of a reason for refusal of the application.

It is therefore considered that drainage can be suitably addressed. Therefore, in this regard, the development accords with the NPPF in general and specifically to paragraph 175 of the NPPF, Development Plan Policies CS08 and CS12 and Neighbourhood Plan Policy G11.

Trees and Hedgerows:

Trees are an important aspect of design and are required in both the NPPF and Neighbourhood Plan.

Support in the NPPF is reiterated in Neighbourhood Plan Policy G15 that states *Where new roads are provided as part of new development proposals, opportunities for green infrastructure should be maximised, including: a) incorporating generous grass verges similar to existing good examples in Gayton such as The Birches Estate and Winch Road b) appropriate tree planting and other landscaping.*

The LPA's arboricultural officer confirms that street trees can be incorporated into the landscaping proposals at reserved matters stage, and this would be suitably conditioned if permission were granted.

The existing hedgerow to the north of the site will be conditioned to be retained.

It is therefore considered that tree provision and hedgerow protection can be suitably conditioned. Therefore, in this regard, the development accords with the NPPF in general and specifically paragraph 136 of the NPPF and Neighbourhood Plan Policy G15.

Ecology, Biodiversity and Protected Sites:

Paragraph 180d) of the NPPF requires planning decisions to *minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.*

This is reiterated in Development Plan Policy CS12.

Neighbourhood Plan Policy G16 relates to development and biodiversity and requires *development proposals to demonstrate measurable net gain for biodiversity, and this should be achieved on site wherever practicable and in accordance with BS8683:2021-Process for designing and implementing Biodiversity Net Gain.*

The LPA's senior ecologist has recognised that the site itself it unlikely to accommodate protected species or habitats given its current use as a storage area for adjacent permitted development and the noise and activity associated with those developments. However, it is still appropriate to secure enhancements which can be secured by condition. These requirements can be added to the same condition that requires street tree provision within the landscaping plans submitted at reserved matters stage.

Statutory Biodiversity Net Gain (BNG) did not come into force until after this application was received and therefore this application is not subject to statutory BNG of 10%. However, the Neighbourhood Plan has a requirement to provide BNG although it does not specify a percentage.

The applicant has confirmed that they intend to provide 10% BNG and are happy for this to be secured by condition.

In relation to European protected sites both Natural England and the LPA's senior ecologist agree that the shadow Habitat Regulations Assessment (sHRA) submitted by the applicant is of a standard that can be adopted by the LPA as competent authority. The conclusion of the sHRA is that there would be no direct impacts and that indirect impacts can be mitigated by payment of the GIRAMS fee in line with Development Plan Policy DM19. This will be secured within the S106 Agreement.

In line with the LPA's senior ecologist's advice the following will be secured by condition or S106 agreement:

- Biodiversity Net Gain (as required by the Neighbourhood Plan),
- Retention of the northern hedgerow boundary,
- External lighting should be conditioned (both in terms of biodiversity and retaining dark skies as required by Neighbourhood Plan Policy,
- The scheme should include either a bat or bird box / tube within the structure of buildings at a rate of one box / tube per unit and hedgehog gaps be provided beneath fences and garden gates at a rate of 2 per dwelling. These provisions should be clearly mapped on landscaping plans that will be required at the reserved matters stage.

It is therefore considered that ecology, biodiversity, and protected sites can be suitably dealt with either by condition or within the S106 Agreement. Therefore, in this regard, the

development accords with the NPPF in general and specifically to paragraph 180d) of the NPPF, Development Plan Policies CS12 and DM19 and Neighbourhood Plan Policy G16.

S106 Considerations:

A S106 Agreement will be required to secure 5no. affordable units of which 3no. will be first homes and would be for people with a local connection first, 10no. custom / self-build units, £221.17 per dwelling GIRAMS fee and £500 per clause monitoring fee.

All the above are considered to meet the three tests of a planning obligation set out in CIL regulation 122.

Crime and Disorder:

There are no specific crime and disorder issues arising from the proposed development.

As set out in the consultation responses, the Designing out Crime Officer has given recommendations to the applicant which could be incorporated into any reserved matters application. The officer will be able to comment further on a reserved matters scheme should permission be granted.

Other Material Considerations:

The Waste and Recycling Team object to the proposed development on the basis that the road serving the development is to be a private drive and not an adoptable highway and therefore bin collection points will need to be where the existing adopted highway meets the site which could result in disamenity to occupiers of dwellings adjacent to this point.

Disamenity is not a consideration of the waste and recycle team and it is considered that a suitable scheme could come form at reserved matters stage. This can be suitably conditioned if permission is granted.

Planning Balance and Conclusion:

Planning Balance:

As outlined at the beginning of this report achieving sustainable development is the overarching aim of the NPPF and Paragraph 8 of the NPPF expands on the basis for achieving this which is balancing economic, social and environmental objectives.

Taking each aspect in turn:

An economic objective: the development would provide 15 dwellings which in turn would provide residents who in turn would help to sustain key community facilities. This weighs in favour in the planning balance.

A social objective: the development would provide 15 dwellings that range in size (between 2 and 5-beds) and type (affordable and custom / self-build) in a sustainable location with easy access to the centre of the Gayton. This weighs in favour in the planning balance.

An environmental objective: the site has limited ecological value and the provision of 10% BNG weighs in favour in the planning balance.

It is acknowledged that the development does not accord with locational policies in the development and neighbourhood plans due to the site being outside of the development boundary. However, for the reasons outlined in the report above, it is considered, in this

instance, there are specific material considerations that outweigh this departure from the development plan and suggest the development should be approved.

CONCLUSION:

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material consideration indicate otherwise.

The development represents a development outside of the development boundary and is therefore in conflict with development plan policies that seek to restrict residential development to sites within the development boundary.

However, the development would provide 5no affordable dwelling, of which three would be secured for people with a local connection and 10no custom / self-build houses on a site in a highly sustainable location in easy walking distance from a number of services and facilities provided by Gayton, a Key Rural Service Centre.

The above report has also shown that the development would not have a detrimental impact on the intrinsic character and beauty of the countryside (one of the main reasons for containing development within development boundaries) principally by virtue of its containment within a site bounded on three sides by existing / permitted built form and a hedge that clearly defines the site's separation from the wider open countryside. It therefore could be argued to represent a sensible rounding off of the site.

The above report has also shown that issues relating to form and character, residential amenity, highway safety, drainage, landscaping, trees and biodiversity and ecology can all be suitably controlled by condition. Whilst objections remain from the Parish Council and Waste and Recycling team in relation to drainage and waste collection, it is considered that they aspects can likewise be suitably addressed by condition. Furthermore, it should be noted, in relation to drainage, that neither Anglian Water nor the Internal Drainage Board object to the proposed development, again subject to condition.

Overall members will need to consider whether they agree with the officer view that in this instance it is considered that there are material considerations that indicate that the development can be determined contrary to the development plan. It is therefore recommended that this application be approved subject to completion of a S106 Agreement securing 5no. affordable units of which 3no. (first homes) would be for people with a local connection first, 10no. custom / self-build units, £221.17 per dwelling GIRAMS fee, and £500 per clause monitoring fee.

RECOMMENDATION:

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

- 1 Condition: Approval of the details of layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

- 2 Condition: Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition: Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition: The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition: Prior to the commencement of groundworks on any phase of the development hereby permitted, 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 that phase of 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, and
 - (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).

- 5 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 and Development Plan Policy DM15. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 6 Condition: Prior to the commencement of groundworks on any phase of the development hereby permitted, a detailed remediation scheme to bring that phase of the development 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.

- 6 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 and Development Plan Policy DM15. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 7 Condition: The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks on each phase of the development hereby permitted, 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.
- 7 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 and Development Plan Policy DM15.
- 8 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 5, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 6, 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 7.
- 8 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 and Development Plan Policy DM15.
- 9 Condition: No development shall commence on each phase of the development hereby permitted until full details of the foul and surface water drainage arrangements for that phase of the development 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 that phase of the development is brought into use.

- 9 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF, Development Plan Policies CS08 and CS12 and Neighbourhood Plan Policy G11. 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.
- 10 Condition: Prior to commencement of development on any phase of the development hereby permitted a detailed construction management scheme must be submitted to and approved by the Local Planning Authority for that phase of the development; this must include proposed timescales and hours of the construction phase, deliveries/collections, and any piling. The scheme shall also provide the location of any fixed machinery, their sound power levels, the location and layout of the contractor compound, the location of contractor parking, the location and layout of the materials storage area, machinery storage area and waste & recycling storage area, proposed attenuation and mitigation methods to protect residents from noise, dust, vibrations, lighting and litter and communication methods to the wider community regarding the construction phases and likely disruptions. If piling is required, full assessment of noise and vibration impacts should be included. The scheme shall be implemented as approved.
- 10 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF and Development Plan Policy DM15.
- 11 Condition: No works shall commence on any phase of the development hereby permitted until such time as detailed plans of the roads, footways, street lighting, foul and surface water drainage thereof for that phase have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- 11 Reason: In the interests of highway safety in accordance with the NPPF and Development Plan Policies CS11 and DM15. This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development.
- 12 Condition: Prior to the occupation of the penultimate dwelling of each phase of the development hereby permitted all works relating to that phase shall be carried out on roads / footways / street lighting / foul and surface water sewers in accordance with the specification approved under condition 11 to the written satisfaction of the Local Planning Authority.
- 12 Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway in accordance with the NPPF and Development Plan Policies CS11 and DM15.
- 13 Condition: Before any dwelling is first occupied in each phase of the development hereby permitted the road(s), footway(s), cycleway(s) for that phase of the development shall be constructed to binder course surfacing level from the dwelling unit to the adjoining county road in accordance with the details to be approved in writing by the Local Planning Authority.
- 13 Reason: To ensure satisfactory development of the site and to ensure the roads are constructed to a suitable standard in accordance with the NPPF and Development Plan Policies CS11 and DM15.

- 14 Condition: All road(s), footway(s) and cycleway(s) shall be fully surfaced prior to the first occupation of the penultimate dwelling in each phase of the development hereby permitted to the written satisfaction of the Local Planning Authority.
- 14 Reason: To ensure satisfactory development of the site and to ensure the roads, cycleways and footways are fully surfaced in the interests of highway safety and amenity in accordance with the NPPF and Development Plan Policies CS11 and DM15.
- 15 Condition: No dwelling shall be occupied in any phase of the development hereby permitted until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act (1980) or a Private Management and Maintenance Company has been established.
- 15 Reason: To ensure safe, suitable, and satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable standard in the interests of highway safety in accordance with the NPPF and Development Plan Policies CS11 and DM15.
- 16 Condition: Details of the full legal extent of Gayton FP2 shall be submitted as part of any reserved matters application and development must not encroach onto the PROW which must remain clear and unobstructed both during and after construction.
- 16 Reason: To protect the Public Right of Way in accordance with the NPPF and Neighbourhood Plan Policy G18.
- 17 Condition: No dwelling shall be occupied in any phase of the development hereby permitted until fire hydrant(s) have been provided in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.
- 17 Reason: In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 18 Condition: Any reserved matters application shall include a detailed outdoor lighting scheme. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the 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.
- 18 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF and Neighbourhood Plan Policy G12.
- 19 Condition: Any reserved matters application shall include a detailed Air Source Heat Pump (ASHP) scheme (if ASHPs are proposed.) 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.
- 19 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF and Development Plan Policy DM15.

- 20 Condition: Any reserved matters application pertaining to landscaping of any phase of the development hereby permitted shall include details of street tree planting and ecological enhancements.
- 20 Reason: In the interests of the visual amenity of the proposed development in accordance with the NPPF, Development Plan Policy DM15 and Neighbourhood Plan Policies G2 and G15.
- 21 Condition: Prior to any development above slab level on each phase of the development hereby permitted a suitable energy report shall be submitted to the LPA and implemented as approved for that phase showing the percentage of renewable / low carbon energy sources.
- 21 Reason: To ensure the designs are sustainable and high quality that will lead to a reduction of emissions by the generation of cleaner energy in accordance with the NPPF, Development Plan Policy CS08 and Neighbourhood Plan Policy G9.
- 22 Condition: As part of the reserved matters submitted pursuant to condition 1 of this permission, details of how the development will enhance biodiversity (demonstrating a minimum of 10% biodiversity net gain) shall be submitted to and approved in writing by the local planning authority. The details shall include:
- Updated Metric calculations based on the detailed site layout and landscape scheme and calculated using the latest version of the Defra metric and up-to-date baseline habitat and condition assessments and justifications,
 - A Biodiversity Net Gain Plan, and
 - A timetable for implementation.
- The development shall be carried out in accordance with the approved details.
- 22 Reason: In the ecological interests of the proposed development and to ensure a net gain in biodiversity in accordance with the NPPF, Development Plan Policy CS12 and Neighbourhood Plan Policy G16.
- 23 Condition: Any reserved matters application associated with the development hereby permitted shall include a phasing plan.
- 23 Reason: For the avoidance of doubt and to ensure that the custom self-build houses can be built in accordance with CIL regulations.
- 24 Condition: In relation to access only, the development hereby permitted shall be carried out in accordance with drawing no: 720D/23 - 4001 Rev.B.
- 24 Reason: For the avoidance of doubt and in the interests of proper planning.
- 25 Condition: The development hereby permitted shall comprise of no more than 15 dwellings.
- 25 Reason: For the avoidance of doubt and in the interests of proper planning.
- 26 Condition: Prior to the first occupation of any dwelling in any phase of the development hereby permitted a scheme for the collection of waste and recycling shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.

- 26 Reason: To ensure that waste and recycling is properly considered and that any scheme would not result in unacceptable disamenity in accordance with the NPPF and Development Plan Policy DM15.

REFUSE if S106 is not completed within 4 months of the date of this resolution to approve.