
Appeal Decision

Site visit made on 14 January 2026

by **JP Sargent BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 March 2026

Appeal Ref: APP/J3720/W/25/3369490

Land South of Stockton Road, Napton-on-the-Hill, Warwickshire, CV47 8NG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Landstrom Group Limited against the decision of Stratford-on-Avon District Council.
 - The application Ref is 23/02185/OUT.
 - The development proposed is for 13 serviced plots for Custom and Self-Builders, public open space and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for 13 serviced plots for Custom and Self-Builders, public open space and associated works, at Land South of Stockton Road, Napton-on-the-Hill, CV47 8NG in accordance with the terms of the application, Ref 23/02185/OUT, subject to the conditions in the attached schedule.

Preliminary Matters

2. As originally submitted the scheme was for 16 plots, but this was reduced to 13 during the course of the application.
3. The appeal is accompanied by a phasing plan (reference 183_002 Rev D), which identifies each of the 13 serviced plots as Phases 2-14 respectively, while the remaining 'communal' area, which includes the off-plot access road, the provision of services and landscaping, is defined as Phase 1b. This is an outline proposal, and I understand that appearance, landscaping, layout and scale of works within Phases 2-14 are reserved for later consideration, but those matters are for me to consider in relation to Phase 1b. I have assessed the scheme on that basis, considering any details relating to those matters in Phases 2-14 to be illustrative but informative.

Main Issues

4. Changes in the Council's housing land supply situation (discussed below) mean it has withdrawn the single reason it gave for refusing this proposal. Consequently, it now offers no grounds for the appeal to be dismissed. However, despite this, as the appeal had been lodged by the time that the Council's change of position occurred, it falls for me to determine the case and consider whether or not planning permission should be granted.
5. Therefore, having regard to the submissions, I consider the main issues to be
 - a) whether the development accords with the spatial strategy,
 - b) its effect on the character and appearance of the area,
 - c) whether it would harm the significance of any designated heritage assets,

- d) its impact on highway safety,
- e) and, if any harm would be caused by any/all of the above, whether public benefits exist that outweigh any harm to the significance of designated heritage assets, and whether the adverse impacts of granting permission would significantly and demonstrably outweigh the scheme's benefits.

Reasons

The spatial strategy

6. In the *Stratford-on-Avon District Core Strategy* (the Core Strategy), which was adopted in 2016, Policy CS.15 aims to achieve a balanced dispersal of housing across the district. It states that at Local Service Villages such as Napton-on-the-Hill, housing development will occur on sites that are identified in the Neighbourhood Plan, or that take the form of small-scale schemes within the Built-Up Area Boundaries of those villages. For sites outside of such boundaries, in what is seen to be the countryside, Core Strategy Policy AS.10 says that only certain forms of development are acceptable. Neither of these 2 policies specifically identifies the locational circumstances in which self-build housing will be acceptable in principle.
7. The *Napton-on-the-Hill Neighbourhood Development Plan* (the Neighbourhood Plan) was made in 2021 and so now forms part of the development plan. In this, Policy 1 says residential development will be supported if all the policy's criteria are met. One of these is that it must be within the defined Built-Up Area Boundary or be otherwise acceptable outside of that boundary as set out in national and local policy. The supporting text then explains that national and local policy identifies self-build and custom build housing as acceptable outside the Built-Up Area Boundary. This position is then reflected in Policy 3, which specifically accepts self-build homes and custom housebuilding subject to a number of criteria. One of these, Criterion (a), states it needs to be within or adjacent to the defined Built-Up Area Boundary of the village. To my mind it is therefore clear that, through the Neighbourhood Plan, the development plan accepts self-build housing adjacent to the Built-Up Area Boundary, subject to the other criteria in Neighbourhood Plan Policy 3 being met.
8. The village is relatively spread out, and appears to have grown incrementally over the years. It is focussed on the southern side of the hill but then wraps round the hill's eastern end to include development along the A425, and this arrangement is reflected in its Built-Up Area Boundary. At the north of the village this boundary appears to run along the back fences of properties on that side of the A425, from where the road enters the village to the west through to where it leaves on the east, just beyond its crossroads with Tomlow Road and Butt Hill (the crossroads). The exception to this is between the dwellings of Fig Tree House and The Old Police Station, where there is now a field and so the Built-Up Area Boundary runs along the highway edge.
9. The development is to be in this field, though the proposed housing is to extend northwards beyond the current northern limits of the Built-Up Area Boundary to either side, and the intended open space would be further north again. As such, the development would be outside of the Built-Up Area Boundary, and on land not identified for self-build housing in the Neighbourhood Plan. However, although some of the plots would not be directly next to the Built-Up Area Boundary, when the site is considered as a whole in my judgement it can be reasonably defined as adjacent to that boundary.
10. In the light of the above, I conclude the proposal to be in conflict with Policies CS.15 and AS.10 in the Core Strategy, as it lies outside of the Built-Up Area Boundary, is not

a site that is specifically identified in the Neighbourhood Plan, and is not for one of the stated exceptions. However, as I consider that the site as a whole is adjacent to the Built-Up Area Boundary, I find that in this regard the scheme would not be contrary to Neighbourhood Plan Policies 1 or 3. Therefore, the siting of this development adjacent to the Built-Up Area Boundary is not in conflict with the settlement strategy when the development plan is taken as a whole.

Character and appearance

11. Core Strategy Policies CS.9 and AS.10 say that development should reflect the character and distinctiveness of the locality, and outside the Built-Up Area Boundary it should minimise its impact on the character of the local landscape, communities and environmental features. Neighbourhood Plan Policy 3 also requires self-build accommodation to be of a small-scale that is appropriate to its surroundings. Moreover, such housing must not impinge on gaps or views that are important for the setting of the village, and must protect the public right of way network.
12. The field subject of this appeal is bounded by hedging of varying quality, and is crossed by a short public footpath at its southern end that runs from the A425 through to Stockton Road. The Council's *Landscape Sensitivity Assessment for Villages* (dated 2012), identified the countryside to the north of the village's Built-Up Area Boundary as being of high/medium sensitivity to housing development, emphasising its openness as a key attribute. It added that the only possible site for housing might be the well-hedged pastoral field near the junction of the A425 and Tomlow Road, provided that the northern boundaries were reinforced with strong tree planting as a permanent screen and the development appropriately addresses the A425 frontage. I have understood that to be referring to this site before me, though recognise this cannot be interpreted as an allocation.
13. Although I accept that the field on which the development would be built was of value to local residents, I was not told it was designated as an important gap, or formed part of an important view in connection with the village and its surroundings. A condition could also ensure no new house had a ridge height exceeding 8.5m, roughly according with the dwellings adjacent, and, while matters of overlooking would be considered at reserved matters stage, the site appears to have sufficient capacity to mean that could be satisfactorily resolved. Although self-build housing would, almost by definition, be individual and distinctive, a condition requiring compliance with a design code is reasonable to lay down parameters to direct and inform the designs coming in at reserved matters stage.
14. While there was some discussion as to whether or not the scheme could be considered small-scale as required by Neighbourhood Plan Policy 3, the current version of that plan provides no definition of this. I accept that the term is dependent on the merits of each case, and in particular the village and the site involved. However, in seeking to consider how its use is intended within the context of the Neighbourhood Plan, I note the character assessment that supported that document described the development of Hillside Croft as a small-scale estate road, and, although in a slightly different location, that cul-de-sac contains more than twice as many houses as the scheme before me. Overall, even putting the reference to Hillside Croft aside, it is not unreasonable to define a development with 13 units to be a small-scale scheme in this location. In coming to such a view I realise that the Parish Council is seeking to modify the Neighbourhood Plan to introduce a meaning of 'small scale' that would preclude this proposal. Those modifications though do not appear to be sufficiently advanced to be given significant weight.

15. However, the development would be changing a field to a small housing estate, and it would extend beyond the current perceived extent of the village into the countryside beyond. This would not be so noticeable from the A425, because the thick line of trees would be retained along that boundary, which would very much soften the visual impact of any new housing behind and ensure the scheme appropriately addresses that frontage. Indeed, if parts of any dwelling would be visible they would be seen in the context of the linear development already along that side of the road. It would be clearly apparent from the right of way though. The alignment of this path would not be materially affected, and indeed improvements to its surfacing and access are proposed. However, as it has a dwelling and a pumping station on one side, much of the rural ambience it provides is due to the open field on the other. Consequently, developing that field would clearly change the experience for users of the footpath. The change would also be apparent when looking from neighbouring gardens.
16. Moreover, Stockton Road, which is to the north-east, currently has the character of a typical country lane as it has no kerbs or pavements, is not particularly wide, and is lined by verges and hedging. While from that road there is now an awareness of the houses on the north side of the A425, they are screened to a great extent by the intervening planting along the field and garden boundaries. However, the formation of the development's access from this road would necessitate the creation of a relatively sizeable geometric junction. It would also require the removal of an appreciable length of hedging, thereby enabling views through into the development. While I accept that the precise details of appearance and landscaping could be considered at a later date, the estate road, lined by housing, would be readily apparent. The scheme would therefore be introducing a more urban environment into a streetscape that was otherwise distinctly rural. Indeed, this access would also be apparent from Tomlow Road, another rural lane further east. From there it could be seen over the intervening fields, although the distance means the development's effect would be much less pronounced. I therefore consider that when looking from the public right of way, from adjacent gardens, from Stockton Road and, to a lesser extent, from Tomlow Road, the development would detract unacceptably from the rural character and appearance of the area.
17. In the wider landscape, when viewed from Napton Hill the site would form part of the mixed development of varying ages that is found along the A425 and around the crossroads, so would not be discordant. To the north, from the Oxford Canal most views of the site would be heavily filtered by intervening trees, even in winter, and what was seen would be in the context of the village behind. I also consider that the separation involved, along with the screening in between, means the development would not erode the rural nature of the canal and so would not adversely affect its setting.
18. There was a discussion about whether or not the northern and western hedges, which are shown to be just outside of the site, lie within the control of the appellant. It is not for me to arbitrate on such matters. However, even if they are controlled by someone else, the location of the public open space at that end of the site, with its landscaping and tree planting, would give the development a soft edge and screen the housing to some extent. As such, looking towards the site from these directions the scheme would not have an unacceptable effect on the area's character and appearance.
19. Accordingly, the scheme would not cause appreciable harm to the wider landscape, and it would be seen in the context of the housing adjacent. Despite these points, I conclude that because of the effects when looking from the footpath, from neighbouring gardens, from Stockton Road, and, to a lesser extent, from Tomlow Road, the development would detract to a degree from the character and appearance

of the area and its local distinctiveness, and so in this regard it would conflict with Core Strategy Policies CS.9 and AS.10, and Neighbourhood Plan Policy 3.

Heritage

20. To the south of the site, fronting onto the A425, are 2 Grade II listed former farmhouses – namely Red House Farm House, a mid-18th Century red brick building, and the Old Farm House, which is constructed of coursed limestone and dates back to the early 18th Century. There is also a Grade II listed 18th Century barn behind Red House Farm House. Insofar as this appeal is concerned, their significance lies, in part, in the way their respective settings indicate their rural history and function.
21. However, looking from the front, their former agricultural associations have already been compromised to a great extent by the more recent development to either side, which lines the main road and separates them visually from the farmland to which they may well originally have been linked.
22. To the rear though they open on to fields, one of which is the appeal site. Housing here would reduce still further the rural setting of these listed buildings, so causing harm to their significance. However, a sizeable separation with robust intervening boundary planting mean these properties do not have strong apparent links to the appeal site. As a result, whilst the effect of this development on the setting of these listed buildings would cause less than substantial harm to their significance as designated heritage assets, I consider this harm would be towards the lower end of that scale.

Highway safety

23. Stockton Road and Tomlow Road have no pavements or kerbs, are not particularly wide, and have poor streetlighting. Therefore, elements of their design may fall below current guidance for new roads. That though does not necessarily render them unsafe to either the current traffic flows or the additional movements generated by the scheme during construction and after, as they are typical of rural lanes found across the country. Each passes over the canal by a humped bridge that is not only narrow but also allows poor forward visibility. Again though these are not uncommon features and are clearly apparent to approaching drivers. Whilst various accidents have occurred on them, I consider the additional flow from this development would not exacerbate the safety issues unacceptably.
24. There would be adequate visibility along Stockton Road for drivers leaving the site access. Although the angled nature of that road's junction with Tomlow Road means drivers have to turn a little to the left, that is encouraged by the road markings and is sufficient to mean they can then see suitable distances in both directions.
25. It was also contended that the A425 was dangerous, as it was an important and busy road that had poor forward visibility. As it passes through the Built-Up Area Boundary of Napton-on-the-Hill it is subject to a 30mph speed limit, although I was told a proportion of cars exceeded this. Mindful of a number of collisions at the crossroads and by the adjacent public house, it was put to me that the scheme would affect the safety of this junction unacceptably. Furthermore, it was also contended that the bend by Hillside meant it was dangerous for pedestrians to cross the road.
26. However, whilst I note these concerns, I have little basis to consider that the additional vehicle movements going through the crossroads as a consequence of this scheme (whether that be joining the A425 or going straight over to/from Butt Hill) would have an unacceptable impact on safety, or would be sufficient to have a severe residual

impact on the road network. As such, I am not in a position to find the effect of the proposal in this regard would be unsatisfactory.

27. The pedestrian crossing over the A425 is to be by the south-west corner of the site, between the crossroads and the curve near the Hillside junction. This would be the main crossing point for any pedestrians walking from the site to the parts of the village to the south of that main road. In recognition of this the appellant is proposing to improve this and widen the footway on the southern side of the road as part of the scheme. I have again noted the concerns about the safety of this crossing given the speed of traffic and its proximity to the curve by the Hillside junction, but once more there is insufficient evidence to support a refusal on this ground.
28. Finally, I see nothing in this proposal that would compromise access to or from Fig Tree House, while the internal road would be adequate to serve the development's needs.
29. Accordingly, on the evidence before me I conclude that, during the construction phase and once occupied, the development would not have an unacceptable impact on highway safety, and its residual cumulative impacts on the road network would not be severe. As such, in this regard it would not conflict with Core Strategy Policy CS.9, which seeks to ensure development is safe for pedestrians and minimises danger from traffic, or Neighbourhood Plan Policy 3, which requires suitable access by car.

Other Matters

30. The size of the site and the length of many of the neighbouring gardens mean the development should be able to proceed without unacceptably harming the outlook or privacy of adjacent residents. It was suggested that, through conditions, I should limit the height of elements of the house on Plot 6 (Phase 7) as well as removing some of its 'permitted development rights'. However, the layout and appearance of each dwelling are matters reserved for later consideration and so not now before me. As a result, whether or not development in and around Plot 6 would have a particular effect on adjacent neighbours is not a matter I can now establish. Rather, I have no reason to find any such effect cannot be addressed or controlled under the consideration of a reserved matters application, and so I am not in a position to find there is a clear justification to restrict these national rights at this stage.
31. Concern was raised about the matter of drainage, but with the imposition of a suitable condition a drainage strategy for the site, that not only drained the land satisfactorily but also safeguarded the properties around, could be agreed. Although it was said that the drainage and sewerage infrastructure in the area was inadequate I have no firm evidence to show that, or to demonstrate it could not accommodate the additional demands of this scheme. Furthermore, it is to be expected that an undeveloped site on the edge of the countryside is used by wildlife for foraging and possibly as habitat. There are no details though to demonstrate that any harm to biodiversity would be unacceptable. Even with the omission of the northern and western hedges I am satisfied the Biodiversity Net Gain obligations can be met.
32. Whilst no affordable housing would be provided, I have been told of no policy requiring this. Indeed, Core Strategy Policy CS.18 expressly states that the provision of affordable housing does not apply to self-build schemes. This therefore is not a basis to object to the proposal.
33. The submitted legal agreement has sought to secure the dwellings as self-build/custom build housing, as well as the delivery of public open space and monies for allotments, sustainable travel and road safety initiatives. To my mind, and taking

into account its location, these contributions are directly related to the development and fairly and reasonably related to it in scale and kind. Furthermore, given the policy context, they are necessary to make the development acceptable in planning terms. I therefore consider the legal agreement satisfies the requirements of Regulation 122 in the *Community Infrastructure Levy Regulations 2010*.

Public benefits and whether the adverse impacts of granting permission would significantly and demonstrably outweigh the scheme's benefits.

34. I have found harm would be caused by the impact of the development on the character and appearance of the area, although for the reasons stated the effects in this regard would be limited to views from the footpath, from adjacent houses, from Stockton Road, and from Tomlow Road. I have also found there would be less than substantial harm, albeit towards the lowest end of that scale, to the significance of the adjacent listed buildings.
35. The *National Planning Policy Framework* (the Framework) says that heritage assets are an irreplaceable resource, and great weight should be given to their conservation. It adds that any harm to the significance of a designated heritage asset requires clear and convincing justification. If less than substantial harm is caused to its significance, that harm should be weighed against the public benefits. I will call this the heritage balance.
36. Moreover, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* says development should be in accordance with the development plan (which, in this case, includes the Neighbourhood Plan) unless material considerations indicate otherwise. I will refer to this as the planning balance. Therefore, whilst the primacy of the development plan remains and its status is unaffected, clearly there is the possibility of instances arising where a scheme is allowed despite development plan conflict.
37. Concerning these balances, the Framework is a key material consideration. In paragraph 11d) it says that, where the policies that are most important for determining the proposal are out-of-date, permission should be granted unless (i) the application of policies in the Framework provides a strong reason for refusal or (ii) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. Footnote 8 of the Framework then accepts that paragraph 11(d)(ii) is engaged for developments to provide housing where the Council cannot demonstrate a 5-year supply of deliverable housing sites.
38. When it determined the application subject of this appeal, the Council considered it had a healthy supply of deliverable housing sites. However, since then it has accepted that its housing land supply is now 2.74 years, which is a significant deficit compared to the required figure of 5 years found in the Framework. Although the number of dwellings provided by the scheme may be relatively small when set against the current overall shortfall, given the scale of that shortfall I nonetheless consider their contribution towards the delivery of housing in the District would be valued, and so afford their provision significant weight. I also similarly attach significant weight to the securing of self-build housing. Even if these dwellings were not needed at Napton-on-the Hill itself, they would be contributing to the obligation for a District-wide provision, whilst the targets that are set for both the village and the District do not form maxima.
39. There would also be some economic benefits both during construction and after, and, even if the public open space and play space are policy-compliant, they could be enjoyed by residents from outside of the site. I attach moderate weight to such benefits.

40. Although it was said that the upgrading of the Public Right of Way also amounted to a benefit, I consider the adverse effect on its ambience resulting from it passing through a housing development instead of a field means the overall effect on that path would be neutral.
41. Starting first with the heritage balance, given that the level of less than substantial harm to the significance of the assets is so low, I consider it is readily outweighed in relation to each building by the public benefit of this additional housing. As such, the effect on these listed buildings would not conflict with the approach to safeguarding heritage assets that is found in the Framework. Accordingly, I have no basis to conclude that Framework paragraph 11(d)(i) applies.
42. Concerning Framework paragraph 11(d)(ii) and turning to the planning balance, it is not uncommon for greenfield sites outside of but adjacent to settlement boundaries to be brought forward to address a shortfall in housing land supply. Mindful of this, and noting the scale of the shortfall, I find that the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits arising from providing this additional housing stock, and it being of a self-build nature, when taken with the other benefits cited. I therefore consider these to be material considerations that support a decision otherwise than in accordance with the development plan, and so planning permission should be granted.
43. In the submissions it was strongly argued that the development was also contrary to the spatial strategy. As stated above, this is not a view I share. However, even if I did, when added to the other harms, it would still not significantly and demonstrably outweigh the scheme's benefits.

Conditions

44. The decision should be subject to the standard commencement conditions for outline permissions. The proposal should also accord with the submitted plans insofar as they concern the development of Phase 1b. However, as there is no apparent intention or need to develop Phases 2-14 in any specific order, and so a condition to that effect is unnecessary. In the suggested conditions it was said that the site infrastructure (which I took to be the development of Phase 1b) should be completed before 40% of the dwellings were occupied and details should be given of management obligations for that area. I have not included those specific requirements in the conditions. Rather, for each aspect of the works in Phase 1b, unless I have said when completion of that aspect should occur, I have required a bespoke timetable to be agreed. It would then be open for the parties to establish which elements of Phase 1b should be completed by when. A requirement for agreeing management and maintenance responsibilities for each element would also address the need for an overarching management responsibility.
45. Mindful of highway safety, any outstanding details of the access and associated alterations to the public highway should be approved, and then provided, with suitable sight splays. For this reason too, the internal access road should be laid out. Within such conditions I see no basis to stipulate the road's specific load capacity as, insofar as it is a planning matter, it would be reasonably considered when the details were being assessed. To my mind the approved drawings demonstrate that larger vehicles should be capable of turning in the site.
46. In the interests of sustainability, the off-site improvements for pedestrian infrastructure should be secured and there should be a requirement for sustainable welcome packs to be provided. Houses should also have water butts and suitable broadband.

47. Having regard to the character and appearance of the area the development should accord with a design code, house heights should be limited and surfacing for the footpath agreed and delivered. Precise details should also be agreed of the landscaping, management and maintenance for Phase 1b (including tree and hedge protection), as well as how Phases 2-14 would be managed before their disposal. For this reason, and also to safeguard wildlife, external lighting should be agreed.
48. To ensure the site is adequately drained and is suitably served by fire hydrants a scheme for foul and surface drainage and fire hydrant coverage should be agreed. However, how every specific plot would be drained can be deferred until each individual development comes forward at reserved matters stage,
49. There should be compliance with an approved Ecological Protection and Management Plan in order to safeguard biodiversity. Development should also have regard to the recommendations for protecting bats, reptiles, nesting birds and Great Crested Newts found in the various surveys. Although a suggested condition seeks compliance with the reptile survey of 2022, I consider any mitigation for reptiles should be in accord with the more comprehensive recommendations in the appellant's later report of 2023.
50. Given the weight attached to the self-build nature of the development this should be subject to conditions. To safeguard future residents the site should be assessed for contamination and, if appropriate, suitable action should be taken. Mindful of a possible effect on those living adjacent, a construction management plan relating to each phase should be agreed before the commencement of work on that phase. To ensure no loss of heritage value there should be a programme of archaeological work undertaken.
51. Site levels and bin storage for the individual dwellings can be held over to the reserved matters, and as stated there is no clear justification to restrict 'permitted development rights' at this stage. A number of the suggested conditions also included lists of what should be contained or addressed in discharging that condition. While not necessarily doubting the need for some of these criteria, I consider there is no requirement for them to be listed in this way, as the relevant matters can be more flexibly identified and addressed in the discharge of the condition.
52. A further condition sought the delivery of the pedestrian accesses to Stockton Road and the A425, but this is tackled through the upgrading of the footway and the delivery of the vehicular access. Given the presence of other legislation, I see no reason why control should be imposed on the siting of fencing in relation to the public right of way.
53. A number of the conditions require actions to be undertaken before the development commences. This is because they concern aspects that need to be safeguarded or addressed from the outset.

Conclusion

54. Accordingly I conclude that the appeal should be allowed.

JP Sargent

INSPECTOR

Schedule of Conditions

- 1) Details of the appearance, landscaping, layout, and scale for each of the Phases 2-14 (as shown on drawing 183_002 Rev D and hereafter called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development takes place within that phase, and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) Unless otherwise amended under the conditions below, the development hereby permitted shall be carried out in accordance with the details of development as shown on the following plans, insofar as those plans concern the development of Phase 1b and the scheme as it is now being considered:

Location Plan: 183_001 Rev C
Phasing Plan: 183_002 Rev D
Masterplan: 183_100 Rev H
Indicative Planning Layout: 183_101 Rev H
Plot Parameters Plan: 183_102 Rev I
Soft Landscape Proposals: 21348.102 Rev M
Swept path analysis refuse vehicle: 22-0115-RAP-XX-XX-DR-TP-4104 Rev P02
Swept path analysis fire tender inbound: 22-0115-RAP-XX-XX-DR-TP-41 02 Rev P01
Swept path analysis fire tender outbound: 22-0115-RAP-XX-XX-DR-TP-4103 Rev P01
Visibility Assessment Plan: SK02, Rev F

Self-build and custom housing

- 5) Each residential unit hereby permitted shall be constructed as a self-build and/or custom build dwelling within the definition of self-build and custom build housing in the 2015 *Self-Build and Custom Housebuilding Act* (as amended). All subsequent reserved matters applications for each individual plot or plots, shall contain details of the persons who intend to take up first occupation and evidence of how and when the purchaser has had primary input into the design and layout of the unit. The Local Planning Authority shall be notified of the persons intending to occupy each unit at least 2 months prior to each unit being occupied.
- 6) Prior to the commencement of the development hereby permitted a Marketing Strategy for these self-build and/or custom build dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be marketed in accordance with the approved strategy.

Contamination

- 7) Prior to the commencement of the development hereby permitted there shall be compliance with stages (a), (b) and (c) below:
 - a) A Phase 1 Desk Study (comprising the site walkover) that details a full history of the site uses and identifies any unacceptable risks to human

health and the environment has been submitted to and approved in writing by the Local Planning Authority.

- b) Where unacceptable risk is identified by the Desk Study, a detailed Site Investigation has been carried out and a Site Investigation Report submitted to and approved in writing by the Local Planning Authority. The Report shall detail all investigative works and sampling on site, together with results of analysis and risk assessment to any receptors.
- c) Where unacceptable risk is identified by the Site Investigation Report, a proposed Remediation Strategy (including a Verification Scheme) together with a timetable for its implementation, has been submitted to and approved in writing by the Local Planning Authority.

The approved Remediation Strategy and Verification Scheme shall be delivered in accordance with the approved timetable and thereafter retained.

Drainage

- 8) With or before the first reserved matters application details of a foul water drainage strategy for the site shall be submitted to and approved in writing by the Local Planning Authority, together with a timetable for its implementation and details of its management and maintenance, and it shall then be implemented in accordance with the approved strategies, and maintained and managed in accordance with the approved details.
- 9) With or before the first reserved matters application details of a surface water drainage strategy for the site based on sustainable drainage principles shall be submitted to and approved in writing by the Local Planning Authority, together with a timetable for its implementation and details of its management and maintenance, and it shall then be implemented in accordance with the approved strategies, and maintained and managed in accordance with the approved details.
- 10) With or before the reserved matters applications for each of Phases 2-14, details of surface and foul water drainage strategies for that phase shall be submitted to and approved in writing by the Local Planning Authority, together with a timetable for their implementation and details of their management and maintenance, and the surface and foul water drainage strategies for that phase shall then be implemented in accordance with the approved strategies, and maintained and managed in accordance with the approved details.
- 11) Prior to the first occupation of any dwelling, a scheme for the provision of water supplies and fire hydrants necessary for firefighting purposes at the site shall be provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Construction Management Plan

- 12) Prior to the commencement of the development hereby permitted details of a Construction Management Plan for that Phase, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be adhered to throughout the construction period.

Highways

- 13) With or before the submission of any reserved matters, details of the site access as shown on Drawing Number SK02, Rev F, together with the intended

surfacing, shall be submitted to the Local Planning Authority for approval. These shall include details of the vehicular access to the site from Stockton Road together with any proposed road widening, relocation of existing signage and/or required changes to drainage within the public highway. The development shall not be occupied until vehicular access to the site from Stockton Road, together with the proposed road widening and the relocation of existing signage, have been provided in accordance with the approved details.

- 14) The development shall not be occupied until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4m and 'y' distances to the near edge of the public highway carriageway of no less than 90m to the north-west and no less than 55m to the south-east. No structure, tree or shrub shall be erected, planted or retained within the splays that exceed a height of 0.6m above the level of the carriageway on the adjacent public highway.
- 15) With or before the submission of the first of the reserved matters, details shall be submitted to the Local Planning Authority for approval of the internal access road, vehicle turning areas and footways in the site, together with details of their management and maintenance. The development shall not be occupied until the internal access road, vehicle turning areas and pedestrian footways within the site have been laid out in accordance with the approved details, and they shall thereafter be managed and maintained in accordance with the approved details.
- 16) The development shall not be occupied until the public right of way that runs from Stockton Road to the A425 has been surfaced in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Dwelling details

- 17) Each reserved matters application relating to the appearance, scale and/or layout of a dwelling shall include a statement providing an explanation as to how the design responds to and accords with the principles of the Design Code by Landström that was submitted with the appeal and termed Rev F.
- 18) The dwellings hereby permitted shall not exceed an overall maximum ridge height of 8.5m from the existing ground level.

Ecology

- 19) Prior to the commencement of the development hereby permitted, an Ecological Protection and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the measures to be taken to ensure construction works do not adversely impact retained habitats, details on habitats to be created and enhanced, and their long-term management, as well as information on the body or organisation responsible for the implementation of the plan and a timetable for the implementation of its works. Thereafter, the development shall be implemented, managed and undertaken in accordance with the approved Ecological Protection and Management Plan.
- 20) The development hereby permitted shall be carried out in accordance with the recommended mitigation measures for bats, nesting birds and reptiles contained in section 4 of the *Ecological Appraisal* report by All Ecology, dated July 2023.

- 21) The development hereby permitted shall be carried out in full accordance with the Impacts and Recommendations contained in section 6 of the *Great Crested Newt Survey* report by All Ecology, dated July 2022.
- 22) Prior to the installation of any drainage, details of the measures to be taken to reduce the risk of Great Crested Newts and other amphibians being trapped and killed within the new road drainage system, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the measures shall be implemented in full accordance with the approved details.
- 23) All external lighting shall be in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Sustainability

- 24) The development hereby permitted shall not be occupied until details of the improvements to the pedestrian footways along and crossing of the A425 between public right of way and the junction with Butt Hill, together with a timetable for the implementation of those works, have been submitted to and approved by the Local Planning Authority. These works shall thereafter carried out in accordance with the approved details and timetable.
- 25) Sustainable Welcome Packs, the content of which accord with details that have first been submitted to and approved in writing by the Local Planning Authority, shall be provided to the occupiers of each dwelling within one week of its first occupation.
- 26) No dwelling hereby approved that has a downpipe shall be occupied until it has been provided with a minimum 190 litre capacity water butt fitted with a child-proof lid and connected to the downpipe.
- 27) No dwelling hereby approved shall be occupied until it has been provided with a connection to facilitate superfast Broadband connectivity.

Landscaping

- 28) With or before the submission of the first reserved matters application, details of the intended works and landscaping to all the Public Open Space and communal land falling in Phase 1b shall be submitted to and approved in writing by the Local Planning Authority. These detail shall include
 - a) the design specification for the soft landscaping elements in Phase 1b, along with a plan showing the exact location and dimensions of these elements;
 - b) planting plans and details of planting and establishment of landscaping
 - c) any apparatus, equipment and furniture to be sited in Phase 1b
 - d) details and samples of all hardsurfacing;
 - e) details of the on-going scheme for maintenance of all areas in Phase 1b
 - f) management responsibilities for all areas in Phase 1b
 - g) timetable for the delivery of all works in Phase 1b
 - h) measures to manage and maintain Phases 2-14 prior to the disposal of each.

The development shall be implemented, managed and maintained in accordance with the details and timetable hereby approved.

- 29) Prior to the commencement of development, details of the measures and practices for the protection of all existing trees and/or hedges in or adjacent to the site shall be submitted to and approved in writing by the Local Planning Authority, together with a timetable for their implementation. The development shall then be implemented in accordance with the approved measures, practices and timetable.

Archaeology

- 30) No development shall take place until the applicant, or their agents or successors in title, has secured and had implemented a programme of archaeological work in accordance with a written scheme of investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority.