

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2017/1351/F	CASE OFFICER	Debi Sherman
LOCATION:	SWAFFHAM Swans Nest Site, Land East of Brandon Road, Swaffham	APPNTYPE:	Full
		POLICY:	In Settlemnt Bndry
		ALLOCATION:	N
		CONS AREA:	N
APPLICANT:	Abel Homes Ltd Neaton Business Park Norwich Road	LB GRADE:	N
AGENT:	Abel Homes Ltd Neaton Business Park Norwich Road	TPO:	N
PROPOSAL:	Erection of 97 dwellings (Phase 3) at Swans Nest with access from Brandon Road		

DEFERRED REASON

This application is before Members to deal with two matters, namely changes to the S106 obligation requirements and to consider information submitted to address conditions that are currently proposed as pre-commencement. Each issue will be considered in turn as set out below:

CHANGES TO S106 OBLIGATIONS

During the course of the S106 negotiations, the Obligations Team from NCC have advised that the requirement for education contributions as set out in the main report are no longer necessary and cannot be justified under the parameters set out in the Community Infrastructure Levy (CIL) Regulations.

Members will recall that the scheme was subject to viability testing and 27% affordable housing (AH) provision was assessed as being justified in connection with this development.

However, in light of the reduction in financial contributions for education purposes the monies in question of 256,168 GDP, that were set aside for education purposes, have through a process of negotiation, been re-assigned to provide an off-site contribution towards affordable housing provision within the District. This would in effect increase the AH contribution of the development to 33% AH provision. The S106 agreement also includes a 'clawback' clause to ensure that any additional profits achieved in connection with the development could be subject to a viability re-assessment with a view to increasing off-site AH contributions to the maximum policy compliant 40%.

This is considered to be an appropriate, acceptable approach to maximise contributions from the development in a manner which complies with the CIL Regulations.

ADDITIONAL INFORMATION SUBMITTED TO ADDRESS PRE-COMMENCEMENT CONDITIONS

Information has been submitted as required by conditions 3 / 4 / 5 / 7 / 9 / 11 / 15 / 16 / 17. At present these conditions are phrased as pre-commencement conditions but there is now a requirement to agree pre-commencement conditions on planning permissions and as work has started on site, the developer has

submitted the information so that the information relating to these conditions can be approved and the conditions amended to require that the development is carried out in accordance with the approved details.

The information subject of the following conditions are currently out to consultation with the relevant consultees and responses are expected shortly.

Condition 3 - Drawing showing all slab levels across the site. Please note bungalows are situated along the northern boundary abutting existing properties.

Condition 4 - Surface Water drainage scheme. Full suite of documents provided demonstrating the drainage scheme.

Condition 5 - Construction Environment Management Plan provided.

Condition 7 - Landscaping scheme provided. This is in accordance with the schemes used on Phases 1 & 2.

Condition 9 - Arboricultural Impact Assessment provided, including details of tree protection works. This has been complied with on site.

Condition 11 - Contamination/Site investigation reports provided. .

Condition 15 - Highways and drainage layouts provided.

Condition 16 - Construction Method Statement provided. Same method as for the first two phases of the site.

Condition 17 - Fire Hydrants. Site layout plan provided showing location of fire hydrants on the site.

RECOMMENDATION

Changes to S016 contributions

That the changes to the S106 agreement are agreed with regard to the removal of the education contributions and enhancement to the off site AH contribution to 33% with claw back mechanism in S106 agreement up to 40%.

Additional information relating to pre-commencement conditions

That subject to the agreement of the relevant consultees, the pre-commencement conditions are altered to be in accordance with the approved details and delegated authority is given to the Director of Place, to enable Officers to issue the decision following the approval by those relevant consultees.

The previous reports are set out below with revised conditions listed at the end of the report.

The application was deferred prior to the committee meeting on 9 April 2018 in order to address issues raised by the Lead Local Flood Authority (LLFA).

Amended information has been submitted to address those concerns and the issues are examined below.

DESCRIPTION OF DEVELOPMENT

The scheme has been reduced by one unit to 97no. dwellings to ensure that flood risk and surface water matters can be adequately addressed. There has been no reduction in the level of affordable housing provision associated with the site which remains at 26no. units.

CONSULTATIONS

LEAD LOCAL FLOOD AUTHORITY

Following the submission of the additional information we are able to remove our objection subject to conditions being attached to any consent if this application is approved. You should be aware that all the flooding expected on the site cannot be fully mitigated within the proposed drainage scheme and we highlight that;

a) One house has been removed from the plans and replaced with an area for flood storage. This area needs to be maintained in perpetuity for flood prevention reasons. Further information is required in the condition to ensure that this is constructed appropriately and properties immediately surrounding the area are adequately protected.

b) The finished ground floor levels (FFL's) do not include the recommended 300mm freeboard above flood levels for all properties. As specific flood levels are not supplied for some areas we have had to assume that the information implies the flooding depths are minor (and not the full than 150mm deep - for the band labelled <150) as the water remains within the modelled road area (assumed to be 100mm deep). We suggest that additional information is provided to clarify the road kerb heights, depths of flooding at particular properties and that appropriate freeboard is applied to the most vulnerable entry point to the properties (as previously requested).

c) In addition we would recommend that the applicant liaise with Anglian Water to ensure that all options to install water treatment have been considered to raise the quality of the eventual discharge from the outfall in line with national guidance. Currently there is no treatment of water running off from the road areas which is not in line with best practice guidance.

LETTERS OF REPRESENTATION

Two further letters of representation have been received, the majority of the issues have been raised previously but the following matters are also raised:

- Concerned LLFA no longer objecting - own garden is a bog
- Lack of children's play in the development
- Plans do not show wider context development accurately
- Further social housing is often to detriment of others
- Promised no development after Phase 2 of Swans Nest

ASSESSMENT

The only reason for refusal related to surface water flooding issues. The applicant has provided further information to address the concerns of the LLFA and explain how the development would positively manage

local flood risk and mitigate the impacts of the development.

The applicant has provided additional flood water storage in the north western corner of the site. This has resulted in the re-siting of 2no. affordable housing units to the south of the principle access road and removal of 1no. market housing unit. No reduction in the level of affordable housing would result as a consequence.

The development proposes 'on plot' SuDS with a surface water flow path across the site in a southerly direction. The LLFA have queried whether new properties would be adequately protected during any overland flow flood events with a freeboard of at least 300mm above flood level. This has been confirmed to be the case. Information has also been submitted to demonstrate that there would be adequate on site storage. It is anticipated that Anglian Water would adopt the surface water drainage scheme for this site, as it has for the other earlier phases of the Swans Nest site and the applicant has liaised with Anglian Water on this basis.

In summary, amendments have been made to the scheme to address the concerns of the LLFA and additional information has been submitted to demonstrate that the flood risks can be adequately mitigated. The Lead Local Flood Authority is satisfied that the development can now demonstrate that there would be adequate storage and disposal of surface water from the site and on this basis has removed its objection subject to a condition.

RECOMMENDATION

Having now considered the additional information submitted to address surface water flooding matters and the removal of the objection of the LLFA the application has been assessed and weight applied to the other aspects of the scheme as explored in the main report below. The proposal has been subject of a planning balance exercise to assess the potential harm of the development in context of the overall benefits. It is considered having taken all matters into account referenced in this update report and the original report that the development is considered acceptable and it is recommended that planning permission be granted subject to the signing of a S106 legal agreement relating to the following and conditions as set out at the end of the main report.

S106 -

- 26no. (27%) units of affordable housing
- 256,168 pounds to NCC for education contribution
- 35,489 pounds contribution to NHS primary care provision
- 1,630 pounds to Norfolk Fire & Rescue for Fire Hydrants
- 7,350 pounds to NCC for libraries
- A LEAP
- Wild flower meadow, management and maintenance of open space within the site
- A contribution of 14,700 pounds (150.00 pounds per dwelling) towards public transport

Below is the original report for Members for information:-

REASON FOR COMMITTEE CONSIDERATION

The application constitutes a major development

KEY ISSUES

Principle of development
Affordable Housing
Impact on the area
Amenity
Highways
Open Space
Flood Risk/Drainage

DESCRIPTION OF DEVELOPMENT

The application seeks approval of a full application for the development comprising 98 dwellings on part of the overall site subject of the outline permission 3PL/2012/0576/O. The full application for which approval is sought includes: access; appearance; landscaping; layout and scale.

The mix of dwellings encompasses a wide range of house types comprising: open market housing (total 72) to include

23no. x 2 bed dwellings
34no. x 3 bed dwellings
15no. x 4 dwellings;

Social housing (total 26) to include

8no. x 1 bed dwellings
16no. x 2 bed dwellings
2no. x 3 bed dwellings.

Most of the development would be of two storeys, but a number of chalet bungalows and bungalows (22%) are also proposed.

Vehicular access to the site would be taken off Brandon Road via existing estate roads within Phase 1 of the original development.

The scheme also proposes a LEAP and wildflower meadow in the south eastern corner of the site.

SITE AND LOCATION

The application site (3.88 ha in area) is located on the southern edge of Swaffham and is situated to the east of Brandon Road. The site is currently agricultural land with a mature hedgerow running from east to west across the middle of the site.

To the north and west of the site is existing residential development whilst planning permission has been granted for a large residential scheme further to the south of the site. To the east of the site is mainly grassland and open fields.

The adjacent site is subject of an outline application with a resolution to grant planning permission for a further phase of residential development under reference no. 3PL/2016/0068/O for up to 175 dwellings and associated open space.

The application site comprises part of the larger Swans Nest Site which was granted outline planning permission for residential development for 250 dwellings in 2014 under planning reference 3PL/2012/0576/O.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2012/0576/O - for outline planning permission for 250 dwellings - approved 2013 (including Section 106).

3PL/2014/0359/D - Residential development of 82 dwellings (Phase 1) - approved 2014.

3PL/2016/0298/D - Erection of 70 dwellings (Phase 2) - approved 2016.

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

CP.01	Housing
CP.04	Infrastructure
CP.05	Developer Obligations
CP.08	Natural Resources
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.04	Affordable Housing Principles
DC.11	Open Space
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.16	Design
DC.19	Parking Provision
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

OBLIGATIONS/CIL

A Section 106 agreement was completed in relation to outline planning permission 3PL/2012/0576/O which required the provision of 27% affordable dwellings, three locally equipped areas for play, a sports field, parkland and meadowland, library contributions, public transport contributions, public rights of way contributions and recreation contributions.

This site generates requirements for 256,168 GDP education contribution consisting of 104,796 GDP for early education and 151,372 GDP for junior education.

Two fire hydrants are required at a cost of 1,630 GDP

A library contribution of 1630 GDP is also required.

The NHS require a contribution towards health services in the locality of 35,489 GDP.

The current application provides for 26 units of affordable housing (equivalent to 27%), a local equipped area for play and open space for outdoor sports with a wild flower meadow generally in accordance with the Section 106 attached to the outline planning permission for the wider site.

CONSULTATIONS

SWAFFHAM TOWN COUNCIL

The Town Council are largely satisfied with the explanation given in relation to the re-location of the open space, the distance from existing properties, the design and density issues.

ENVIRONMENT AGENCY

No objection.

ANGLIAN WATER SERVICE

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

NATURAL ENGLAND

Natural England is of the opinion that there will not be significant recreational effects to the above sites arising from proposed development at this time. Natural England consider that there is a risk that in future sites within this radius may contribute to cumulative recreational impacts to Breckland SPA, in particular to the forest elements of the SPA (Breckland Forest SSSI).

Natural England does not object to the proposed development but wants to reiterate to Breckland Council of the need to strategically review the cumulative recreational impacts of new residential developments when within 7.5km of the Special Protected Area.

CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER

The Crime Reduction and Architectural Liaison Officer informed the Design and Access Statement does not make reference to any proposed crime prevention measures for the development. The Officer would encourage the preventative security measures and standards found with the ACPO Secure by Design (SBD New Homes 2016) to be adopted for this development.

Abel Homes assured that Secured by Design principles have been applied in that 1.8m closed board fencing is being used for rear and side boundaries, all attenuation is underground and continuing from phases 1 and

2 PAS 24 doors and windows are to be installed.

Plots 205 and 206 which are abutting the area of public open space, measures have been taken to implement defensive barriers and planting to ensure that ball games do not adversely affect the occupants of these plots.

NATIONAL AIR TRAFFIC SERVICES

no safeguarding objection to the proposal

NHS ENGLAND MIDLANDS & EAST (EAST)

A developer contribution will be required to mitigate the impacts of this proposal. NHS England calculates the level of contribution required, in this instance to be 35,489 GDP. Payment should be made before the development commences. NHS England therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objections subject to conditions.

This phase of development requires the following financial contributions to be secured by a S106 Agreement, similar to previous approvals at Swans Nest as follows:

A contribution of 14,700 GDP (150.00 GDP per dwelling) towards public transport.

A Travel Plan, Travel Plan Bond of 49,000 GDP (500 GDP per dwelling) and a Travel Plan Monitoring Fee of 2500 GDP

OBLIGATIONS OFFICER, NORFOLK COUNTY COUNCIL

No objections subject to the provision of required contributions

FLOOD & WATER MANAGEMENT TEAM

The Flood & Water Management Team advise due to the site being located above a Principal Aquifer and within a Source Protection Zone (SPZ) that the developer should address risks to controlled waters from contamination at the site. This is through the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination.

If the development proposes to use deep infiltration systems including boreholes and other structures that bypass the soil layer the Flood & Water Management Team wish to be re-consulted.

TREE AND COUNTRYSIDE CONSULTANT

No objections subject to conditions to ensure protection during construction.

HOUSING ENABLING OFFICER

S106 agreement related to the original permission 3PL/2012/0576/O mandates 27% affordable housing across the site, with overage on the remaining 13% should the site achieve profit targets. The proposed 26no affordable homes on a site of 98 will achieve the required percentage. The affordable housing mix proposed is acceptable and will meet identified need in the area

ECONOMIC DEVELOPMENT

No objections, however from an economic perspective more housing requires more infrastructure which is a continuous problem across the district.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

Mitigation requirements for a Construction Ecological Management Plan

CONTAMINATED LAND OFFICER

No objections subject to condition

AIR QUALITY OFFICER

No objections on grounds of Local Air Quality Management

HISTORIC ENVIRONMENT OFFICER

No objection subject to condition

CIVIL AVIATION AUTHORITY

No Comments Received

ENVIRONMENTAL PLANNING

No Comments Received

PUBLIC RIGHTS OF WAY OFFICER

No Comments Received

REPRESENTATIONS

Sixteen Letters of representation have been received which raise the following issues:

- lack of facilities infrastructure in Swaffham such as doctors and dentists
- changes from the original outline layout
- poor design and not cohesive with Phases 1 & 2
- uplift in numbers from the original scheme
- removal of public open space (POS) to build an additional 14 dwellings
- ecological implications of scheme
- lack of visitor parking
- surface water drainage issues - the POS in Phase 1 often waterlogged
- poor quality open spaces compared to other phases
- loss of privacy, loss of light, overshadowing and loss of view as a result of development
- density excessive
- wider highway impacts in Swaffham
- not facilitating cycling as a mode of transport
- disturbance in the area as a result of construction traffic
- new housetypes not seen in other phases with a reduction in garaging
- hedge and boundary issues require clarification on northern boundary
- dwellings do not correspond with orientation of dwellings built in Phase 1
- shingle driveways unwelcome, block paving in Phase 1
- insufficient information in relation to boundary treatments

ASSESSMENT NOTES

Principle of development

The principle of residential development is established by the outline planning permission granted in 2014. The current application is submitted as a full application on the basis that the original outline permission is time expired but as Phase 1 and Phase 2 have been built out remains a material consideration.

The Section 106 attached to the outline planning permission secured affordable housing, open space, library, public transport, public rights of way and recreation contributions.

Assessment of the proposed development has taken into account local and national planning policy relating

to housing design, layout, residential amenity and protection of trees. Relevant NPPF, and Core Strategy Policies DC1 (Amenity), DC2 (Housing), DC4 (Affordable housing), DC11 (Recreation), DC12 (Trees) and DC16 (Design).

There are no objections in principle to the development of this site for residential purposes on the basis that it complies with the overarching the outline permission in terms of obligations and general form of development.

Affordable Housing

The level of affordable housing provision accords with the requirements of the S106 agreement at 27%. No objections are raised by the Strategic Housing Service are raised in respect of the level of affordable housing provided, the mix and tenure.

Impact on surrounding area

The development of the site for housing would be in keeping with the established character of the area. The density of development proposed (27 DPH net and 25 DPH gross) would be consistent with most surrounding development, as would the general pattern of development proposed. The suburban character of the area would be maintained. This would be similar to the existing development to the east and south and would marry up with the earlier phases of development built out and under construction at present.

The proposed layout and design of the development is considered to be acceptable. It is considered that the informal pattern of the development and the use of a variety of house types would help to offset any sense of overdevelopment. Houses would be arranged to create varied street scenes. House designs would be contemporary in form and materials. It is thought the design would fit in and would complement the built form that surrounds it.

Issues have been raised regarding the development of the eastern most extremity of the site. Under the outline permission for the whole development site this was identified as public open space. This scheme has now come forward with development in this area which is understood to have been necessary to facilitate surface water drainage arrangements for the site. There are no objections in landscape and character terms as the site would abut the scheme for up to 175 dwellings which is subject to a resolution to grant (subject to completion of S106 agreement) to the south of the site. The amenity impacts are considered below.

Amenity

The scheme has been the subject of revisions to address some issues relating to potential impacts on adjacent existing residents on the western boundary of the site where it abuts the Phase 1 scheme. In general terms the most sensitive boundary to the north would be built at single storey only and overall where two storeys are proposed it is considered that reasonable separation distances are achieved.

As referenced above concerns have been raised regarding the siting of dwellings on the eastern most part of the site. This has been assessed and it is considered that the siting and layout of the proposed dwellings are such that there would not be material adverse impacts on the living conditions of adjacent residential occupiers.

Highways

The provision of car parking is considered acceptable, with most market housing properties benefiting from

off street parking and a garage. The affordable units would have off street parking with no garage provided. In terms of access, the proposed road layout and footpath/cycleway links would ensure that the development has reasonable permeability to other phases of the wider development.

The Highway Authority has raised no objection to the proposed development and the proposal accords with Core Strategy Policy DC19.

Open Space

The development forms Phase 3 of a development originally granted for 250 dwellings. In building out Phases 1 & 2 open space was provided to accord with the requirements of children's play space and outdoor sports provision in accordance with the requirements of Policy DC11.

In considering children's play space Phase 1 and 2 collectively meet the requirement for play space, exceeding their requirements. Phase 3 meets its requirement of 0.16 hectares in the form LEAP and wild flower meadow.

In terms of outdoor sports provision a sports field was provided as part of Phase 2 of 1.13 hectares which meets the requirements of all three Phases of the overarching development site. The requirement overall was for 0.94 hectares and this is exceeded.

On this basis, it is considered that the requirements of Policy DC 11 have been met in relation to this scheme.

Surface Water Drainage

The scheme proposes to deal with surface water flooding by providing underground attenuation features under the proposed LEAP and wild flower meadow and permeable surfacing.

The LLFA have raised objections to the proposed drainage strategy and raise concerns relating to the following:

- Inadequate consideration for all sources of flooding, specifically the surface water flood risk that effects a large proportion of the site, originating offsite.
- The current proposal includes around new 20 dwellings at risk of surface water flooding up to a depth of 600mm and would increase the risk of flooding elsewhere.
- Inadequate drainage strategy which does not consider the storage of the additional water originating offsite or locating the drainage features where they would not be overwhelmed by the surface water flow path originating offsite.
- Lack of clarity on the discharge rate from the site which is dependent on approval from Anglian Water.
- National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) has not been followed to show how the most vulnerable elements of the development have been placed in areas of lowest flood risk (surface water) on the site

The applicant has provided additional information to seek to overcome these objections which is currently under consideration by the LLFA. However at the time of writing this report, the objection from the LLFA must be given due consideration and without confirmation that the concerns of the statutory consultee can be addressed, it cannot be shown that adequate measures can be put in place to mitigate the risks of surface

water flooding as a result of this development.

Conclusion

Policy DC2 of the Adopted Core Strategy Document relates to principles of new housing development advising on appropriate mix and density. Policy DC16 is concerned with matters relating to design. The development as proposed is considered to fall in accord with these policies and the overall layout and design of the proposed development is thought to be acceptable. The scheme would comply with the terms of the outline permission granted in 2014, and positively reflects the current development within Phase 1 and 2 in terms of design and layout.

However, the concerns relating to ability of the development proposal to adequately address and mitigate potential flood risk issues as a result of surface water flooding are such that the application is recommended for refusal at this time.

RECOMMENDATION

Planning Permission

CONDITIONS

- 1 Full Permission Time Limit (3 years)**
The development must be begun not later than the expiration of THREE YEARS beginning with the date of this permission.
Reason for Condition:
As required by section 91 of the Town and Country Planning Act 1990.
- 2 In accordance with submitted**
The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the schedule at the end of this decision notice.

Reason for condition:- To ensure the satisfactory development of the site.
- 3 Prior approval of slab level**
The development shall be carried out in accordance with the details set out on the approved plans. The approved levels shall be used in connection with the development.
Reason for condition:-
To safeguard the interests of the amenities of neighbouring occupiers and to ensure the satisfactory appearance of the development from its outset, in accordance with Policy DC 1 and DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.
This condition will require to be discharged
- 4 flood risk & drainage**
The development shall be carried out in accordance with the approved Flood Risk Assessment, Hydraulic Modelling Report and updated letters and calculations, and revised FRA / drainage strategy. The approved scheme will be implemented prior to the first occupation of the development.

Reason for condition :-

To prevent flooding in accordance with National Planning Policy Framework paragraph 103 and 109 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the surface water drainage system operates as designed for the lifetime of the development.

5 Construction Ecological Management Plan

The development shall be carried out in accordance with the approved construction environmental management plan (CEMP: Biodiversity)

The approved CEMP: Biodiversity shall be adhered to and implemented through the construction phases strictly in accordance with the approved details, unless agreed in writing by the local planning authority

Reason: In the interests of maintaining and enhancing biodiversity and ecological value of the site and surrounding area. In accordance with policies CP10, CP11, DC12, of the Core Strategy and Development Management Policies DPD. The details are required to be discharged prior to commencement in order to ensure that all necessary protection and precautionary measures are undertaken throughout construction works on site.

6 External materials as approved

The development hereby permitted shall be constructed using the materials specified on the planning application form and / or submitted drawings.

Reason for condition:-

To enable the Local Planning Authority to ensure the satisfactory appearance of the development, as required by policies DC 1 & DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

7 Landscaping - details and implementation

The development shall be carried out in accordance with the approved landscaping scheme and shall be carried out during the planting season November/March immediately following the commencement of the development, or within such longer period as may be agreed in writing with the Local Planning Authority. The details shall take account of the Council's leaflet "Tree pack" (Landscaping advice for applicants). Any trees or plants which within a period of 5 (five) years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with others of the same size and species unless the Local Planning Authority gives written consent to any variation.

Reason for condition:-

To ensure the satisfactory appearance of the development, in accordance with Policy DC 12 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

8 Boundary screening to be agreed

Prior to the occupation of the development hereby approved above slab level, a scheme for the provision of boundary screening, shall be submitted to the Local Planning Authority for approval. Such scheme as may be agreed shall be completed prior to the occupation of the development which the screening adjoins to the satisfaction of the Local Planning Authority.

Reason for condition:-

To safeguard the interests of the amenities of neighbouring occupiers and to ensure the satisfactory appearance of the development, in accordance with Policy DC 1 and DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

9

In accordance with Arboricultural report

The development shall be carried out in accordance with the approved tree protection works and any pre-emptive tree works required by the approved AIA or AMS. The protective fencing shall be retained in a good and effective condition for the duration of the construction of the development and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from site, unless the prior written approval of the local planning authority has been sought and obtained. Operations on site shall take place in complete accordance with the approved details.

Reason for condition:-

In order to ensure that existing trees are protected throughout the construction of the development hereby permitted, in accordance with policy DC12 of the Adopted Core Strategy and Development Control Policies Development Control Document 2009.

10

no lighting other than as approved

No external lighting shall be erected at the site unless a scheme of external lighting has first been submitted to and approved in writing by the Local Planning Authority. Only external lighting approved pursuant to this condition shall be erected within the site and any lighting provided within the highways, footpaths, areas of public open space within the site shall be completed in accordance with the approved lighting scheme.

Reason for condition: - In in order to protect wildlife from light pollution and in the interests of the dark skies and character of the surrounding area. In accordance with policies CP10, DC 1 and DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

11

Contaminated Land - Site Investigation/Remediation

The development shall be carried out in accordance with the approved site investigation and remediation scheme.

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, 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 (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

The above must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason for condition:-

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.

INFORMATIVE:-

Land contamination risk assessment is a step-by-step process. During the course of the risk assessment process set out in the above condition, it may become clear that no further work is necessary to address land contamination risks. Where this is the case the condition may be discharged by the Council without all the steps specified being completed. In all cases written confirmation should be obtained from the Council confirming that the requirements of the condition have been met.

This condition will require to be discharged

12 Contamination

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 details to be agreed in writing with the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

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

This condition is imposed in accordance with CP9 of the Breckland Adopted Core Strategy.

13 Non-standard highways condition

No works shall be carried out on roads, footways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority in consultation with the Highway Authority.

Reason for condition:

To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.

14 Non-standard highways condition

Before any dwelling is first occupied the road(s) and footway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason for condition:

To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.

15 Non-standard highways condition

The development shall be carried out in accordance with the approved plans of the roads, footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. All construction works shall be carried out in accordance with the approved plans.

Reason for condition:

To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.

16 Construction Management Plan

The development shall be carried out in accordance with the approved Construction Method Statement . The approved statement shall be adhered to throughout the construction period unless otherwise agreed in writing by the local planning authority.

Reason for condition: In the interests of residential amenity and highway safety. This is required prior to commencement of development in order that the appropriate measures can be implemented to ensure there would be no significant impact on residential properties throughout all construction works on site. In accordance with policy CP4 of the Core Strategy and Development Control Policies DPD and the policies within the NPPF

17 Fire Hydrants

The development shall be carried out in accordance with the approved details for the provision of fire hydrants (served by mains water supply) serving the development. No dwelling shall be occupied until the hydrant(s) have been provided in accordance with the scheme.

Reason for condition:-

In order to secure the provision of fire hydrants.

This condition will require to be discharged

18 Non-standard note

Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.

You or your agent or any person responsible for implementing this permission should inform the Development Control Section immediately of any proposed variation from the approved plans and ask to be advised to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.