

<b>ITEM:</b>		<b>RECOMMENDATION:</b>	APPROVAL
<b>REF NO:</b>	3PL/2018/0791/O	<b>CASE OFFICER</b>	Rebecca Collins
<b>LOCATION:</b>	ATTLEBOROUGH Land to the South West of Ellingham Road Attleborough	<b>APPNTYPE:</b>	Outline
<b>APPLICANT:</b>	Mr & Mrs B Buck C/o Hepburns Planning Consultancy L Cheeks Farm	<b>POLICY:</b>	Out Settlemnt Bndry
<b>AGENT:</b>	Hepburns Planning Consultancy Hepburns Planning Consultancy Ltd Cheeks Farm	<b>ALLOCATION:</b>	N
<b>PROPOSAL:</b>	Proposed 12 new residential dwellings, with access, parking and private gardens.		
		<b>CONS AREA:</b>	N
		<b>LB GRADE:</b>	N
		<b>TPO:</b>	N

#### REASON FOR COMMITTEE CONSIDERATION

The application is, as defined by the scheme of delegation, a major planning application and is located outside any defined development boundary or allocation and therefore is referred to Planning Committee for these reasons.

#### KEY ISSUES

Principle of development  
Economic  
Social  
- Access  
- Layout and Design  
- Amenity  
- Heritage assets  
Environmental  
- Ecology  
- Flood Risk and Drainage  
- Trees  
- Contamination  
Section 106 agreement  
Conclusion

#### DESCRIPTION OF DEVELOPMENT

The proposal has been amended throughout the course of the application and now proposes 12 dwellings with access and car parking. This is an outline planning permission with matters of access and layout to be

considered at this stage.

#### **SITE AND LOCATION**

The application site is a grassed triangulated piece of land located to the north of Attleborough and to the south west of Ellingham Road and north of Warren Lane.

Warren Lane is a narrow street with a small cluster of properties fronting onto it. Ellingham Road is a busy double lane route between Ellingham and Attleborough. The site lies just north of existing traffic lights allowing traffic into Attleborough and onto A11.

The application site is currently grassed land with significant trees to the frontage of the site, which contribute to the character of Ellingham Road, complimenting the bank of trees opposite the site. Dense hedgerows are found to the boundaries of the site also, which also contribute to the character of the area. The site although well contained, begins the transition from urban to rural in this location.

#### **EIA REQUIRED**

No

#### **RELEVANT SITE HISTORY**

3PL/2016/0486/H

Change of use from agricultural to burial site and outline for 8 dwellings

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#### **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.06	Green Infrastructure
CP.09	Pollution and Waste
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.13	Accessibility
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.14	Energy Efficiency
DC.16	Design
DC.19	Parking Provision
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

#### **OBLIGATIONS/CIL**

A section 106 agreement is required to secure 25% affordable housing, the proposed open space and its maintenance.

#### **CONSULTATIONS**

##### **ATTLEBOROUGH TC**

20/11/18 and 16/10/18

Refuse - highways and access concerns

##### **NORFOLK COUNTY COUNCIL HIGHWAYS**

Object - on the grounds of visibility, land ownership, footways and accessibility, turning head, speed limit and land control.

##### **CONTAMINATED LAND OFFICER**

No objections subject to a condition with regards to unexpected contamination.

##### **TREE AND COUNTRYSIDE CONSULTANT**

08/10/18

Please request a tree survey, implication assessment and tree protection plan. There is also reference to grubbing out existing hedgerow. In order to establish whether or not the hedgerow is classed as important under the hedgerow regulations it will also be necessary to provide a hedgerow survey.

##### **HOUSING ENABLING OFFICER**

14/11/18 and 12/10/18

Affordable housing is required, to be secured via section 106 agreement.

##### **NATIONAL GRID**

23/10/18

Should you be minded to approve this application please can the following notes be included an informative note for the Applicant Considerations in relation to gas pipeline/s identified on site.

##### **HISTORIC BUILDINGS CONSULTANT**

It is confirmed that the proposed development, as presented in the current submission material, will not impact on the setting of the nearest designated heritage asset - Attleborough Lodge - and on the basis, from a built heritage perspective, there is no objection to the proposal in broad terms of principle.

##### **FLOOD & WATER MANAGEMENT TEAM**

Officers have screened this application and it falls below our current threshold for providing detailed comment. This is because the proposal is for less than 100 dwellings or 2 ha in size and is not within a surface water flow path as defined by Environment Agency mapping. You should satisfy yourself that the applicant has demonstrated compliance with the National Planning Policy Framework paragraphs 155 - 165 by ensuring that the proposal would not increase flood risk elsewhere and will incorporate sustainable drainage systems.

**ECOLOGICAL AND BIODIVERSITY CONSULTANT** No Comments Received  
**ANGLIAN WATER SERVICE** No Comments Received

## REPRESENTATIONS

During the initial consultation two letters of representation were received, their comments have been summarised as follows:

- This would be a good development if it was bungalows, as there is a shortage. Bungalows would have far less visual impact on the surroundings and would be suitable for disabled and elderly people as well as all others.
- A bus stop is a good idea.
- The application includes land outside their control and the visibility splay would not be able to be delivered as it crosses garden land outside the applicants control.
- The B1077 is a busy and dangerous road, particularly at peak times. Gaining access from Warren Lane onto Ellingham Road is difficult and fraught with danger. Traffic frequently queues back from the junction with the A11, past Warren Lane and the site. Increasing the flow of traffic from Warren lane onto Ellingham Road will form a dangerous congestion pinch point. It will increase standing air pollution and cause longer tail backs on the B1077 and elsewhere.
- The 30mph limit is mostly ignored. This is with plenty of reaction time available due to a straight stretch of road immediately before it and with clear signage. Moving the 30mph limit closer to the bend will exacerbate the danger, not mitigate it, as the change in limit will be obscured to traffic approaching from Great Ellingham. Even with warning signage, which is currently ineffective, by reducing the distance, there will be less reaction time available to drivers.
- The proposal to introduce a bus stop at this point is astonishing, representing increased danger, as it will add to the rush hour congestion by creating an additional queue of traffic, as cars wait behind buses pulling in and out.
- The planning application for a burial site and houses on a nearby field is currently undecided.
- Attleborough already has adequate land allocated for current residential needs.
- The site lies outside the town envelope, in open countryside and unrelated to any nearby settlement.
- The proposal is contrary to national and local planning policy.
- The site rises up from the valley floor and would be visible from all directions. It runs along the B1077 and will crest the rising land. It will be an incongruous intrusion on this landscape.
- Warren lane is a country lane of character, serving a few older houses whose occupants have chosen to live there to enjoy it's quiet tenure. This would be lost were this development to go ahead and the lane were to become part of simple urban sprawl.

Re-consultation comments

A further letter of objection has been received, reiterating earlier comments.

**ASSESSMENT NOTES**

**1.0 Principle of development**

1.1 The application site lies outside the designated development boundary of Attleborough but lies directly adjacent to it.

1.2 Planning Law (Section 38(6) of the Planning and Compulsory Purchase Act 2004) and the National Planning Policy Framework (NPPF) requires that applications be determined in accordance with the Development Plan, unless material planning considerations indicate otherwise. The NPPF is a significant material planning consideration.

1.3 The NPPF requires that in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.

1.4 Policy CP1 of the Core Strategy makes provision for the delivery of houses. Policy CP14 permits residential development outside of settlement boundaries; for affordable housing; the reuse of buildings; development in association with a rural enterprise; or replacement dwellings. The proposal does not fall within any of these categories and is therefore considered contrary to Policy CP14.

1.5 Where development does not accord with the development plan, consideration should be given to whether there are material considerations that otherwise indicate that development should be approved. Of particular relevance to applications for housing development is paragraph 11 of the NPPF which states that:

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

1.6 The adopted Development Plan relevant to this application consist primarily of the Core Strategy containing the Development Plan Policies (2009). The emerging Local Plan awaits formal adoption and despite being out to main modifications consultation, it can only be afforded limited weight at this time. The Core Strategy is in excess of 5 years old. Paragraph 73 of the NPPF sets out that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old (unless these strategic policies have been reviewed and found not to require updating). The Council has confirmed that it currently can not demonstrate an up to date five year housing land supply of deliverable sites. Therefore, in the context of paragraphs 11 and 73 of the NPPF, the policies within the Development Plan, relating only to housing land supply, can be considered out of date.

1.7 The judgment Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant) confirms that the narrow interpretation should be used in establishing whether a policy relates to the supply of housing. The narrow interpretation states:

*'limited to policies dealing only with the numbers and distribution of new housing, and excluding any other policies of the development plan dealing generally with the disposition or restriction of new development in*

*the authority's area'.*

1.8 This means that not all of the Councils development plan policies are out of date, only those relating to housing land supply and it is necessary for the decision maker to have regard to the weight attributable to these in their decision making process in acknowledgement of the lack of an up to date 5 year housing land supply.

1.9 In accordance with paragraph 11, the site is not a designated protected area or asset of importance. This assessment is therefore undertaken having regard to paragraph 11 and the three roles expressed within the NPPF (economic, social and environmental), with regard to any significant and demonstrable harm from the development, taking into consideration relevant development plan policies also.

## **2.0 Economic**

2.1 The proposal will make a positive contribution in economic terms through the delivery of housing, employment during construction and further use of local services and facilities from the future occupants.

## **3.0 Social**

3.1 The proposal will make a positive contribution in social terms through the provision of housing and the provision of appropriate affordable housing, to be secured through the section 106 agreement. The other social aspects of the proposal are further considered below:

### **3.2 Access**

Access is a matter to be considered as part of this outline planning application. The Highways Authority has objected to the proposals on the grounds of highway safety. They have raised concerns with regards to visibility, land ownership, footways and accessibility, turning head, speed limit and land control. These matters are further explained as follows:

3.3 Visibility splay set back - the Highways Authority state that the proposals do not meet their required set back for visibility for the junction of Warren Lane with Ellingham Road and there is sufficient space within the site to accommodate the required visibility. However, the required visibility would result in the removal of significant trees, contrary to Policies DC12 and DC16 of the Core Strategy.

3.4 The applicants state that they are providing improved visibility than currently exists and also improved visibility for the adjacent development (application reference 3PL/2016/0489/H for eight dwellings and burial site) that Planning Committee resolved to approve to the rear of the application site off Warren Lane. They state that lower standards were accepted for this development and that this proposal would actually improve visibility for that development and this is material to the Council's considerations. The Highways Authority state that the adjacent planning application was recommended for approval contrary to their advice (it is worth noting that no consent has been issued on this site but the Planning Committee did previously resolve to grant planning permission on these grounds). The required set back is 2.4 metres and the applicants are proposing 2.32 metres. They state the difference is not significant and maintains visibility, improved from that proposed to the rear as well as trees and vegetation.

3.5 Forward Visibility Splay - The Highways Authority state that a visibility splay of 43 metres are not acceptable. This is only acceptable on streets where vehicle speeds are contained to 30mph. In contrast, B1077 is designated a Main Distributor Route under the adopted route hierarchy and has the primary function of carrying traffic safely and freely. A speed survey carried out for the cemetery application demonstrated vehicles speeds on Attleborough Road in the vicinity of the Warrens Lane junction are around

40mph. Therefore, visibility splays of 120 metres are required. The proposal includes the moving of the 30mph sign past the access to this site, again, the applicants state another improvement for the development to the rear. If moved the 30mph could be enforced by other means.

3.6 The applicants also state that a visibility splay of 120 metres can be achieved if x is reduced to 2.32 metres, as suggested above. The approved scheme for the cemetery reduced this to 2.0 metres.

3.7 Land control -The Highways Authority and a neighbour has raised concerns about splays falling on land outside the applicants control and trees and shrubs blocking visibility. The applicants state that the proposed visibility splays fall on available land, without trees and shrubs blocking visibility.

3.8 Footway - The Highways Authority has recommended that the application include footway improvements to the north of Warren Lane including extending along the frontage of Ellingham Road to provide safe crossing and accessibility to the open space for pedestrians. Without these improvements they have concerns about accessibility to the open space and services and facilities. Further footway to the frontage of the site would include works within RPA's likely to be detrimental to existing trees and the hedgerow, which are considered to form part of the character of the area.

3.9 The applicants state that there is a footway on the South side of Ellingham road as it approaches the site, with a gravel surface on highway land. The applicants state that they are happy to widen the path to the North of Ellingham Road, as this land remains in the control of the applicant. The Highways Authority state that plans showing the proposed footway improvements should be provided and have not been and that the proposal to improve the footway on the north means residents would have to cross this busy road to suitably access walking into town. Instead, improvements should be made to the footway on the southern side of Ellingham Road.

3.10 Frontage development - The Highways Authority has suggested having development fronting onto Ellingham Road, with driveways/direct access off Ellingham Road will assist with reducing speeds. This would however, involve the removal of significant hedgerow and trees and works within their RPA's to their detriment.

3.11 The applicant has stated that the highways comments to date have informed their latest submission. The Highways Authority has been consulted in this regard, their response will be provided to members at the Planning Committee.

3.12 The applicants have proposed in their design and access statement a new request stop is put in place on this bus route. The Highways Authority have stated that in order to be acceptable a stop should be provided on both sides of the road. An objector has raised concerns in this regard with regards to backing up traffic. As this is not a requirement of this permission and given the number of dwellings proposed, it is unlikely to be funded by this development and therefore is not taken into consideration in the planning balance.

3.13 Despite this, given the information received to date, the proposal is considered contrary to highways guidance with regards to providing safe and sufficient access to the highway, including visibility, contrary to policy CP4 of the Core Strategy. These concerns are unlikely to be resolved by the current proposals which fail to meet the highways authority visibility standards and footway provision is contrary to their advice. An objector also raises concerns with regards to safe access onto Ellingham Road. However, given that planning permission was resolved to be granted for the site to the rear for eight dwellings with insufficient access and visibility, this is a material planning consideration. However, this application remains undecided and development has not commenced. This proposal is for 12 dwellings, the approved development off

Warrens Lane was for 8 dwellings plus visitors associated with the burial grounds. Therefore, traffic movements are likely to be similar and this proposal includes improvements to the access of Warrens Lane with Ellingham Road. In this regard, although, the proposal would involve the use of a substandard access, the vehicle movements associated with this development are likely to equate to that already approved and therefore on balance are considered acceptable with the highways improvements proposed.

3.14 The matters of footway provision to the frontage of the site and visibility splays would result in works to or within the RPA's of significant trees, resulting in their loss or detrimental to their health. Therefore, the proposal would be considered contrary to policy DC12, which allows for the loss of significant trees only in exceptional circumstance and DC16, which seeks to protect the character of the area, which these trees and hedgerow form part of.

3.15 The works to provide an improved footway either on the southern or northern side of Ellingham Road can be the subject of a suitably worded condition.

3.16 The Highways Authority has raised concerns with regards to access to the proposed open space for properties to the rear/west of the site. Although this concern is noted and a footpath through the site would be preferable. Given the size of the site, it is considered that it is merely a short walk from the properties to the rear of the site to the proposed open space. In addition, Warren Lane will remain lightly trafficked despite this proposal and that of the adjacent site and therefore accessible for residents. Given the sites location outside of the town of Attleborough and the other side of A11 and its size and lack of facilities (non are required as part of Policy DC11) and other spaces available within the town then this open space is unlikely to attract significant use to warrant further footway provision.

3.17 The Highways Authority have also requested a further turning head within the site. As one has already been provided and there is limited space within the site, making efficient use of land in accordance with policy 11 of the NPPF, this is not considered necessary in this instance.

3.18 On balance, despite the intensification of a substandard access, the resultant access improvements from this development as well as the contribution to housing land supply and the lack of any other harm identified from this development, is considered to significantly and demonstrably outweigh the harm to highways safety when balance against the earlier adjacent approval. The proposal is therefore recommended for approval in this regard.

3.19 The proposed layout includes sufficient car parking to meeting the standards as required policy DC19 of the Core Strategy.

#### 3.20 Layout, Appearance and Scale

Policy 12 of the NPPF and DC16 of the Core Strategy seek to achieve a high quality design. Layout is a matter to be considered as part of this outline planning application. Appearance and scale will be considered at reserved matters stage.

3.21 The proposed layout has been amended on the advice of the case officer to provide open space to the frontage of the site to protect the trees and hedgerow and bring development outside of their RPA's. This open space, although a fairly narrow and elongated would be sufficient to meet the requirements of Policy DC11 of the Core Strategy. Dwellings have been orientated to front onto Ellingham Road, to be located behind the hedgerow and trees, similar to the pattern of the adjacent development along Ellingham Road but without direct access onto Ellingham Road, to protect the trees and hedgerow along the frontage, which are considered to contribute significantly to the character of the area, as set out above.

3.22 An access road to the frontage of properties off Ellingham Road runs to the east of the site behind the open space, although further reducing the open space, this ensures residents have direct access to car parking facilities to avoid car parking on the road and allows surveillance from dwellings of open space and car parking spaces, to the benefit of the public realm and for crime and safety reasons.

3.23 A further spur road serving another 8 dwellings runs to the rear/west of the site. This part of the development will largely be hidden from view by existing dwellings which front Ellingham Road. Again this western part of the development has been moved away from the rear boundaries of the site to protect trees and vegetation and provide sufficient amenity space without significant shading from trees putting undue pressure on them to be removed. One dwelling fronts onto Warren Lane to provide surveillance and represent the existing character of the Lane. Appearance is a reserved matter, however, a further two properties can be adequately designed to be dual fronted so as also provide surveillance and frontage onto Warren Lane in a pattern that exists currently.

3.24 Comments have been raised about the scale of development proposed. Scale is a reserved matter. Although a preference has been sought for single storey from a representation, it is not considered that two-storey dwellings would be out of character, given that development along Ellingham Road is primarily two-storey. In addition, another representation states the site rises and will be highly visible. It is not considered that the land rises so significantly to preclude development in this location. There is significant tree coverage to the frontage of the site and hedgerows to the northern boundaries as you approach the site. Although, dwellings here may be visible, they are not considered so out of character to warrant refusal of planning permission in this instance.

3.25 Landscaping is a reserved matter but given the proposed retention of trees and vegetation, as per the amended layout, then the proposal is likely to be considered acceptable in this regard also.

3.26 The amended layout and increase to 12 dwellings is considered to make a more efficient use of land, whilst preserving the green character of the area and frontage development pattern which exists in the street scene. The proposal is therefore considered to accord with Policies 11 and 12 of the NPPF and DC16 of the Core Strategy.

### 3.27 Amenity

Policy DC1 of the Core Strategy seeks all new development to protect the amenity of the area, neighbouring and future occupants.

3.28 The amended layout shows one dwelling fronting onto Warren Lane, facing existing residential properties. It is considered that two further plots could be dual frontage or include fenestration to front Warren Lane to maintain surveillance and the street scene. Given the intervening lane and the spacing and orientation of properties then negative overlooking or overbearing is likely to be avoided. Given that the proposed use is for 12 residential properties then it is unlikely to lead to significant noise and disturbance either.

3.29 The amended layout proposes to increase the number of dwellings from 11 to 12. This is supported by Policy 11 of the NPPF, which seeks to make effective use of land. There has been some reduction in the amount of amenity space available for the properties due to changes including two access points, an additional dwelling and ensuring trees and their RPA's are protected. However, sufficient amenity space remains to protect the amenity of future occupants. Subject to detailed designs, the proposed properties are also spaced sufficiently across the site to avoid unacceptable overlooking and overbearing amenity impacts for future occupants also. The proposal is therefore considered in accordance with Policy DC1 of the Core Strategy.

### 3.30 Heritage Assets

There is a Grade II Listed Building located to the east of the application site. Policy 16 of the NPPF, DC17 of the Core Strategy and Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, seek to protect the special interest and significance of heritage assets/Listed Buildings and their settings. Given the scale of development proposed, the distance of the proposal from this Listed Building, the intervening screening and vegetation surrounding the Listed Buildings and the separation from the building to the application site by the existing main Ellingham Road then the significance or setting of this Listed Building is not considered to be harmed by the proposals. Any limited harm would further be outweighed by the public benefit of providing 12 dwellings and affordable housing in this location. The historic buildings officer has been consulted in this regard and also raises no objections. The proposal is therefore considered in accordance with Policy 16 of the NPPF, DC17 of the Core Strategy and Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## 4.0 Environmental

### 4.1 Ecology

Policies 15 of the NPPF and CP10 of the Core Strategy require the protection and enhancement of biodiversity. No ecology information has been provided with the application. Our ecologist have been consulted in this regard and their comments will be reported to members of the planning committee.

### 4.2 Flood risk

Policy 14 of the NPPF requires seeks to direct new development away from areas at highest risk of flooding and for new development to not increase flood risk elsewhere. The site lies in flood zone 1, at the lowest risk of flooding. The applicants state that onsite soakways are of sufficient capacity and will be utilised and any hardstanding areas can be constructed using SuDS to ensure the management of surface water flows. Also, the increased boundary landscaping on the site will also help manage run-off as will the grassed garden areas. The advice of LLFA and Anglia Water has been sought in this regard. The LLFA have declined to comment.

The comments of Anglia Water, if received, will be reported to members of the Planning Committee. Despite this, it is considered that matters of flooding and drainage can be adequately dealt with by suitably worded conditions in accordance with Policy 14 of the NPPF.

### 4.3 Trees and hedges

The retention of trees and hedgerows is supported by Policy DC12 of the Core Strategy. There are significant trees to the frontage of the site, which are to be retained and hedgerows and trees to the boundaries of the site which are also to be retained, as explained above. These can be protected through the use of appropriately worded conditions and the Tree Officer is generally supportive of the proposals but sought clarification with regards to access and visibility splays impacting trees. Further information has been provided and any further comments from the Tree Officer will be presented to member of the committee. The development is therefore considered in accordance with Policy DC12 of the Core Strategy.

### 4.4 Contamination

Policy 15 of the NPPF states that planning decisions should take account of ground conditions and contamination risk. The applicant has submitted a contaminated land report and no objections have been raised in this regard, subject to the imposition of an unexpected contamination condition, which is proposed. For these reasons the proposal is considered in accordance with Policy 15 of the NPPF.

## 5.0 Section 106 Agreement

5.1 A section 106 agreement will be required to secure 25% affordable housing. The applicant proposes 25% affordable housing in line with that required by emerging Policy HOU 7. Whilst this emerging Policy is not yet adopted, it has been through Examination in Public, and the 25% requirement has not been amended as part of the current emerging Local Plan Main Modifications consultation. Whilst the Council contends that the emerging Policies have limited weight at this stage, this particular requirement has been underpinned by Council's Local Plan and CIL Viability Assessment, 2017. Furthermore, it is consistent with the NPPF 2019 and has no unresolved objections. Based on this, taking into consideration paragraph 48 of the NPPF 2019, it is considered a 25% affordable housing requirement is acceptable in this instance.

5.2 Securing and maintaining the proposed open space will also form part of the section 106 agreement.

6.0 Conclusion DATA ERROR!!!

## RECOMMENDATION

The proposal is recommended for approval subject to the conditions listed below and any other additional conditions proposed by statutory consultees during the remainder of the consultation and the signing of a section 106 agreement as set out above.

Any resolution to approve planning permission, is subject to no new material planning considerations being raised during the remainder of the consultation period, which expires on 10/08/2019.

## CONDITIONS

- 1 Outline Time Limit (2 years) Early Delivery**

Application for Approval of Reserved Matters must be made not later than the expiration of TWO YEARS beginning with the date of this permission, and the development must be begun within TWO YEARS of the FINAL APPROVAL OF THE RESERVED MATTERS or, in the case of approval at different dates, the FINAL APPROVAL OF THE LAST SUCH MATTER to be approved.  
Reason for condition:-  
As required by section 92 of the Town & Country Planning Act 1990 and in order to ensure the early delivery of housing.
- 2 Standard Outline Condition**

No development whatsoever shall take place until the plans and descriptions giving details of the reserved matters referred to above shall have been submitted to and approved by the Local Planning Authority and these plans and descriptions shall provide details of the appearance, layout, scale, access and landscaping of the development.  
Reason for condition:-  
The details are not included in the current submission.
- 3 In accordance with submitted plans NEW 2017**

The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.  
Reason for condition:-  
To ensure the satisfactory development of the site.
- 4 Materials**

Prior to the commencement of any works above slab level the type and colour of the

materials to be used in the external elevations of the building shall be submitted to and approved in writing by the Local Planning Authority. Only such agreed materials shall be used in connection with this approval.

Reason for condition:-

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**

**5**

**Contaminated Land - Unexpected 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.

**This condition will require to be discharged**