

<b>ITEM:</b>		<b>RECOMMENDATION:</b>	APPROVAL
<b>REF NO:</b>	3PL/2018/1289/O	<b>CASE OFFICER</b>	Fiona Hunter
<b>LOCATION:</b>	SCARNING Oak Manor Scarning	<b>APPNTYPE:</b>	Outline
<b>APPLICANT:</b>	Caring Homes Group Bradbury House 830 The Crescent	<b>POLICY:</b>	Out Settlemnt Bndry
<b>AGENT:</b>	Caring Homes Group Caring Homes Group Bradbury House	<b>ALLOCATION:</b>	N
<b>PROPOSAL:</b>	Permission is sought for the development of 24 assisted care units within the grounds of Oak Manor Care Home.		
		<b>CONS AREA:</b>	N
		<b>LB GRADE:</b>	N
		<b>TPO:</b>	N

#### **REASON FOR COMMITTEE CONSIDERATION**

The application is a major as defined by the Council's scheme of delegation and therefore must be determined by planning committee.

#### **KEY ISSUES**

Principle of Development  
Impact Upon the Countryside and Setting of the Village  
Density  
Highways  
Trees  
Ecology  
Design, Scale and Residential Amenity  
Contamination  
Flooding and Drainage  
Housing Mix and Tenure  
Open Space and Infrastructure

#### **DESCRIPTION OF DEVELOPMENT**

Outline Planning Permission with all matters reserved, apart from details of access, for the erection of 24 assisted care residential units, of upto 1 ½ storeys.

#### **SITE AND LOCATION**

0.6ha site comprising overgrown meadow land to the east of Oak Manner Care Home, Scarning. The site is adjacent to the Care Homes car park and access is via the existing private drive which connects to Dereham Road.

To the north, east and south of the site is agricultural land.

**EIA REQUIRED**

No

**RELEVANT SITE HISTORY**

3OB/2007/0001/OB	Withdrawn	04-03-13	Modification of agreement to accept that the ownership of dwellings may be separate from ownership of nursing home
3PL/2007/1110/F	Permission	10-09-07	Erection of 20 bedroom single storey extension to existing care home
3PL/2008/0347/F	Permission	08-05-08	Erection of 20 bedroom single storey extension to existing care home (amendments to approved 3PL/2007/1110)
3PL/2008/1505/F	Permission	08-12-08	Addition of 3 single storey extensions to create day spaces, with landscaping to provide enclosed garden space
3PL/2009/0501/F	Permission	04-08-09	Construction of an entrance porch
3PL/2010/0035/O	Permission	16-02-11	24 assisted care bungalows
3PL/2015/1078/F	Permission	23-11-15	Erection of entrance porch/draft lobby to front of building
3TL/2010/0036/TL	Permission	26-08-10	Extension of time limit on pp 3PL/2007/1110/F - extension to existing care home
3TL/2011/0014/TL	Permission	06-05-11	Ext. of time on pp 3PL/2008/ 1505/F - add 3 single storey exts to create day spaces with landscaping to provide garden

**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.03	Employment
CP.04	Infrastructure
CP.05	Developer Obligations
CP.06	Green Infrastructure
CP.08	Natural Resources
CP.09	Pollution and Waste
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.13	Accessibility
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 S106 would be necessary to secure the units use persons with assisted living requirements. The household of each unit would be required to purchase a minimum of 2.5 hours of care per week from the Care Home. The units would be secured as rental tenure. The S106 would allow for the over 65s or other persons in need of care.

In addition, it would include a contribution requirement of £75 index linked per unit for library services.

#### **CONSULTATIONS**

#### **SCARNING P C**

The Parish Council agrees to this application, subject to a restriction being imposed that the properties cannot be sold as private residences. The Council would object if this condition was not imposed.

#### **ENVIRONMENT AGENCY**

No formal comment to make on this application.

#### **ANGLIAN WATER SERVICE**

The foul drainage from this development is in the catchment of Dereham-Rushmeadow Rd Water Recycling Centre that will have capacity.

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. No evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. This encompasses the trial pit logs from the infiltration tests and the investigations in to discharging to a watercourse. If these methods are deemed to be unfeasible for the site, we require confirmation of the intended manhole connection point and discharge rate proposed before a connection to the public surface water sewer is permitted. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency. We request that the agreed strategy is reflected in the planning approval.

**NORFOLK COUNTY COUNCIL HIGHWAYS**

No objection recommend parking condition.

**TREE AND COUNTRYSIDE CONSULTANT**

No objection subject to condition.

**ECOLOGICAL AND BIODIVERSITY CONSULTANT**

No objection subject to conditions.

**CONTAMINATED LAND OFFICER**

No objections subject to conditions.

**HOUSING ENABLING OFFICER**

In the event these units are confirmed to fall within planning class C2, no affordable housing would be required. In the event they do not fall within C2, affordable housing would be required in line with policy, and please reconsult the team in that event.

**OBLIGATIONS OFFICER, NORFOLK COUNTY COUNCIL**

Contributions required for fire hydrants and library.

**HISTORIC ENVIRONMENT OFFICER**

No archaeological works or conditions recommended.

**REPRESENTATIONS**

Neighbours were consulted on 13th December 2018 and again on 23rd January 2019. A site notice was erected on 17th December 2018.

One local representation has been received from a neighbour raising concern about the increased traffic and the associated increase in noise. In addition, they raised concern in respect of highway safety with specific mention of the bus stop opposite the care home entrance and speeding.

**ASSESSMENT NOTES**

**1.0 Principle of Development**

1.1 This application seeks Outline planning permission with access details for the development of 24 assisted care units associated and adjacent to Oak Manor Care Home in Scarning. The site falls outside the settlement boundary for the rural settlement as categorised by Policy SS1, which contains few or no services and facilities to meet the day-to-day requirement of their existing residents. Policies SS1, DC2 and CP14 direct new housing within existing settlement boundaries. There are no specific policies for housing for

older person or those with care needs.

1.2 The Council does not currently have a published 5 year land housing supply as required by the NPPF, currently reporting 4.77 years as of 31st March 2018. The NPPF is a strong material consideration in the determination of planning applications and paragraph 11 states that where an authority does not have an up-to-date five year housing land supply the relevant local policies, should not be considered up-to-date. Furthermore, housing applications should be considered in the context of the presumption in favour of sustainable development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted. On the aforementioned basis, other principle planning issues for the application are considered below.

1.3 The site is immediately adjacent to the built up part of Scarning which has few or no services apart from a good bus service (No. 10, 20 and XL).

1.4 The development would be well related to the existing care home and it would enable staff to work between the existing premises and to provide care for the new properties.

1.5 A planning balance exercise will therefore need to be undertaken due to the unsustainable location. This is done at the end of the report to consider all relevant matters.

## **2.0 Impact Upon the Countryside and Setting of the Village**

2.1 The site is 0.6ha and is located within the countryside, however, is immediately adjacent to the built up part of Scarning. The site is set away from the adopted highway and has existing screening to the north, east and southern boundaries by existing mature trees and hedges. Due to these aspects and features of the site, it will only be part visible from a small number of local or medium viewpoints including from the PRoW to the south (Scarning BOAT 8). The site is not in or near or Conversation Area or any Listed Buildings. In addition to these existing features, the development is proposed by the applicant to be limited to 1 1/2 storeys maximum which would be controlled by condition. Based on the foregoing, the harm in this respect is considered minimal and would only result in a very minor conflict with Policy CP 11.

## **3.0 Density**

3.1 In relation to density, the proposal equates to 40 dwellings per hectare. Policy DC2 stipulates that a density of 22-30 dwellings per hectare are appropriate in rural locations. This is therefore a non-compliance, however, given the C2 housing with care use, it not considered that this is a reason for refusal. For example, many of the units will be terraced, shared gardens are appropriate as it reduces maintenance responsibilities for the residents and less stretches of road will be required.

3.2 A further consideration is paragraph 123 of the NPPF which advises that where there is a housing land supply shortfall, decisions should avoid homes being built at low densities and developments should make the optimal use of sites. On this basis, the density of development is considered appropriate and is an efficient use of land.

## **4.0 Highways**

4.1 NCC Highways have not objected to application and have recommended a condition relating to the delivery of turning and parking areas. The access arrangements and parking at not suitable as currently submitted due to issues including lack of pedestrian access. The applicant has removed details of site layout, appearance and scale from the application so that an appropriate layout can be agreed at the reserved

matters stage.

4.2 A neighbour has raised concern in respect of highways safety due to the increased traffic in context of existing speeding and the site entrance being opposite a bus stop. Highways have not objected on this basis, and it is noted that the Care Home benefits from existing visibility splays onto Dereham Road. Furthermore the government mapping system shows no recorded incidents outside the care home, with only 1 incident in the vicinity from 2014 which was categorized as "slight". It is therefore considered that the increased in traffic in this location is acceptable.

4.3 The private access track is narrow and does not allow for vehicles to pass. To prevent vehicles having to back up including onto Dereham Road, the applicant has agreed to provide 3 passing places. This is considered to successfully deal with this matter and the tree officer has not objected to these proposals which were supported by a Arboricultural Impact Assessment. Whilst these passing places are outside the redline, they are within the applicant ownership and therefore are deliverable and should be required prior to first occupation.

4.4 Parking will be reserved for future consideration, however, it is likely that 1 space per dwelling would be acceptable for an extra car scheme. With a density of 40 dwellings per hectare delivering 1 car parking space per dwelling is achievable.

4.6 Based on the foregoing, the proposal is therefore considered to comply with Policy CP 4 and paragraph 108(b) of the NPPF.

## **5.0 Trees**

5.1 Trees and hedges border the site and a revised indicative layout has demonstrated that the site can be developed whilst retaining the only category B tree on site (no category A). The proposal complies with Policy DC 12.

## **6.0 Ecology**

6.1 The application has been supported by a Ecology Report. The reports sets out that there is potential for reptiles on site. The Council's ecology consultant has not objected to the application subject to conditions to protect reptiles from the development works and enhancement and mitigation measures. Subject to application of the recommended conditions, the ecological impact is acceptable and complies with Policy CP10.

## **7.0 Design, Scale and Residential Amenity**

7.1 Design will be reserved for future determination. In relation to scale, up to 1 and half storey is proposed. This is considered acceptable in the context of the care home and will reduce visual impact upon close and medium viewpoints.

7.2 The new units are away from any existing neighbours bar the on-site bungalow. There is sufficient space to protect the amenity for this bungalow and for the new residents. Three existing neighbours are adjacent to the private track entrance for the development connecting to Dereham Road. The track will have additional traffic from the development and associated vehicle noise. However, the vehicles will be driving at low speed and the introduction of passing places will enable users to quietly and quickly pass other site users. The increase in noise is considered within acceptable parameters and accords with Policy DC 1.

## **8.0 Contamination**

8.1 The Council's Contaminated Land Officer has reviewed the submitted information and have raised no objection subject to a condition for pre-commencement site investigation and remediation if necessary together with unexpected contamination. On this basis, the development is acceptable in relation to contamination and compiled with Policy CP 9.

## **9.0 Flooding and Drainage**

9.1 The site is within Flood Zone Risk 1 which has the lowest risk of flooding from rivers and sea as identified by the governments mapping system. The risk of ground water flooding is identified by the same system as very low with the northern site boundary as low to high.

9.2 The submitted Site Specific Flood Risk Assessment details an indicative drainage strategy of discharging water to the existing ditch network. Further works must be done to determine that drainage cannot be dealt with on site (as raised by Anglian Water), however, it is considered there is at least one way the surface water can be dealt with without causing risk of flooding on site or off-site. The information is insufficiently detailed to approve the drainage strategy at this stage, and it recommended that a detailed drainage strategy is required to be submitted with the reserved matters application as it likely to affect the site layout.

9.3 The LLFA have not commented on the application due to it falling under their threshold for comment.

9.4 The development is acceptable in respect of flooding and drainage and accords with Policy DC 13.

## **10.0 Housing Mix and Tenure**

10.1 The development proposes assisted care residential units, which fall within Use Class C2. The household of each unit would be required to purchase a minimum of 2.5 hours of care per week (or equivalent scaled up) from the Care Home. The units would be secured as rental tenure.

10.2 The development would provide for a specific need, and Care Home operators are well placed to understand demand in this location from applicants and enquirers they have received. The applicant has submitted a Demographic Research & Needs Analysis Report which details that within a 30 minute drive catchment area the population of over 65s in the area is expected to rise by 35.2% equating to 9,005 people by 2032. This in turn would result in a need for 759 enhanced extra care units. They further detail a limited number of existing extra care facilities in the catchment area.

10.3 The analysis does not appear to be correct, given that for the whole of Breckland the council are only expecting a need for 15,298 new homes between 2011 and 2036, and it is highly unlikely 9,005 of these are for older persons in a 30 minute drive from Scarning. Looking at other sources of information, the Norfolk County Council's Living Well, Homes for Norfolk document (July 2018) advises that Breckland has 1,042 extra care/ sheltered units as of 2015, however, has a need for 2,519 units. Looking forward to 2036 there is an estimated need of 4,562. The report specifically references Dereham as a location in particular need of extra care homes. As aforementioned, the site is 5 minutes drive from Dereham and would therefore would be within the catchment to serve the market town. On this basis, there is a demonstrable and strong need which is a strong material consideration and the development would serve a useful and pressing purpose.

10.4 The affordable housing would not be required for Use Class C2 Housing, as recently confirmed by the Planning Inspectorate via their decision reference: APP/J0405/W/17/3181140 for a 72 unit extra care proposal in Aylesbury Vale District Council. Housing have responded to this application and advised no

affordable would be required if falling within use Class C2. It is therefore confirmed no affordable housing could be required for the proposal and does not conflict with Policy DC 4.

### **11.0 Open Space and Infrastructure**

11.1 No public open space is proposed, however, shared or private gardens can be agreed at reserved matters stage. Policy DC 11 does not provide guidance on open space requirements for extra care housing, and it is considered unreasonable to impose a requirement for childrens play space or off-site sports as the residents are unlikely to give rise to any substantial need/ demand for these types of facility. On this basis, no obligation for open space is considered appropriate.

11.2 Norfolk County Council have requested 1 fire hydrant and library contributions. These are considered reasonably related and should be secured by planning condition and S106 as appropriate.

### **12.0 Conclusion/ Planning Balance**

12.1 The application does not accord with the adopted development plan as the site falls outside of the settlement boundary of Scarning. However, the Council does not currently have a 5 year land supply as required by the NPPF and this development would provide a reasonable contribution towards Breckland's Housing supply. Furthermore, it would provide extra care housing for which there is a strong and demonstrable unmet need, and is in proximity of Dereham which has been identified at most need within Breckland.

12.2 The site would be well related to an existing care home, which has economic and sustainability benefits due to the ability to share facilities and staff from this existing business and home. For example, shared office facilities, staff break rooms and staff. This reduces the need for vehicle moments for example, when a carer needs to visit a resident as they can walk across from the care home.

12.3 The site is not in a very sustainable location, however, is within 5 minute drive of the market town of Dereham and the village benefits from a regular bus service. As such, the location is considered a minor negative of the proposal.

12.4 The development is set back from the road and benefits from screening. It may be visible from some vantage points such as the PRoW, however, the intrusion will be minor due to the screening and low height of the development.

12.5 On balance, the harm arising from the development is not significant nor demonstrable, and as per guidance provided by paragraph 11 of the NPPF, should be approved subject to conditions and S106 agreement.

#### **RECOMMENDATION**

Approval subject to conditions and S106 legal agreement.

#### **CONDITIONS**

- 1 Outline Time Limit (2 years) Early Delivery**  
Application for Approval of all 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 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**

**Maximum Height**

No dwelling shall exceed 1½ storeys in height.

Reason for condition:-

To ensure the satisfactory appearance of the development in accordance with Policies DC16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**5**

**Construction Method Statement**

No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel washing facilities
- v. measures to control the emission of dust and dirt during construction
- vi. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason for condition:

The details are required prior to the commencement of the development in the interests of the amenity of the area and to ensure a safe development from the outset of the development.

**This condition will require to be discharged**

**6**

**External materials and samples to be approved**

Prior to any construction works above slab level details and samples of all external materials to be used 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**

**7**

**Hardlandscaping - details and completion**

Prior to any construction works above slab level details of the hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. Such approved works shall be completed in all respects before the occupation of the development hereby permitted and thereafter retained.

Reason for condition:-

To ensure the satisfactory appearance, drainage and usability of the development, in accordance with Policy DC01 and DC16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**This condition will require to be discharged**

**8**

**Tree Protection Plan**

The first reserved matters shall include the submission of an updated Tree Protection Plan and Arboricultural Impact Assessment.

No commencement of development shall take place until the tree protection works and any pre-emptive tree works required by the reserved matters approved Arboricultural Impact Assessment or Arboricultural Method Statement have been carried out and all tree protection barriers are in place as indicated on the Tree Protection Plan. Works shall not commence until written confirmation has been obtained from the appointed arboriculturalist to confirm that tree protection is in place as specified.

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.

Reason:-

In order to safeguard trees, in accordance with Policy DC 12 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

**9**

**Landscaping - details and implementation**

The reserved matters as specified by Condition 2 of this decision, shall include details of a landscaping and tree planting scheme, which shall take account of any existing trees or hedges on the site. The landscaping and tree planting shall be carried out in accordance with the scheme as approved during the planting season of the 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, and in accordance with 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:-

The details are not included in the current submission and having regards to Policy DC 16 and DC 12 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**This condition will require to be discharged**

10

**Precise details of surface water disposal**

As part of the first reserved matters application a surface water drainage scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme will be implemented and made available for use prior to first occupation of the development and shall be maintained in perpetuity.

1. Dimensioned plans and drawings of all aspects of the surface water drainage system;
2. Infiltration testing on the site in accordance with BRE 365, and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
3. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to greenfield rate equivalent 1 in 1 year, 1 in 30 year and 1 in 100 year rainfall events plus climate change.
4. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
5. Modelling of the pipe network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
6. Details of who will maintain each element of the surface water system for the lifetime of the development, and submission of a maintenance schedule. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority;
7. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality.

Reason for condition:-

The details are required to be submitted prior to the commencement of development to minimise the possibilities of flooding from the outset of the development. This condition is imposed in accordance with Policies DC 1 and DC 13 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**This condition will require to be discharged**

**11 Passing Places**

Prior to first occupation of the development the three passing places shown on approved plan reference 19 1641 TPP 01, titled Tree Protection Plan within the submitted Arboricultural Planning Report dated 07/03/2019 shall be provided in full and thereafter maintained in perpetuity.

Reason for condition:-

To facilitate the safe and free-flowing traffic entering and leaving the site from the adopted highway, and within the site, having regards to Policy CP 4 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**12 Internal Road Surfacing**

Prior to commencement of works above slab level, details of surfacing of the internal road and car park to serve the development and which connects from the development site to the adopted highway will be submitted to and agreed in writing with the Local Planning Authority. The approved details will be implemented in full prior to first occupation of the development and thereafter retained in perpetuity.

Reason for condition:-

Details required at an early stage to ensure that an appropriately surfaced internal road and car park is provided to serve the permitted 24 assisted care units for the benefit of the occupants, staff and visitors having regards to Policies CP 4 and DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**13 Parking and turning areas**

Prior to the first occupation of the development hereby permitted the proposed parking and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: -

To ensure the permanent availability of the parking/manoeuvring areas having regard to Policy CP 4 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**14 Contaminated Land - Desk Study/Site Investigation**

Unless otherwise first agreed in writing, the following details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved:

**A. Site Investigation**

A site investigation and risk assessment to determine the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options,

and proposal of the preferred option(s).

**B. Remediation Scheme**

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

**C. Implementation of Approved 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

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 has regard to Policy CP 9 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**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**

15

**Reptiles Method Statement**

No development shall take place (including any demolition or ground works or site clearance) until a method statement for reptiles has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved detail.

Reason: -

Details are required prior to commencement in the interests of safeguarding protected species and protecting and enhancing biodiversity in accordance with Policy CP10 of the Adopted Core Strategy and Development Control Policies Development Plan Document

2009.

**16 CEMP: Biodiversity**

No development shall take place (including demolition ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

- Risk assessment of potentially damaging construction activities;
- Identification of 'biodiversity protection zones';
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- Use of protective fences, exclusion barriers and warning signs.

The approved CEMP: Biodiversity shall be adhered to and implemented through the construction works strictly in accordance with the approved details, unless agreed in writing by the Local Planning Authority.

Reason:-

Details are required prior to commencement in the interests of safeguarding protected species and protecting and enhancing biodiversity in accordance with Policy CP10 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**17 Biodiversity Enhancement Plan**

Prior to development above slab level, a biodiversity enhancement plan shall be submitted and approved in writing by the Local Planning Authority, detailing the enhancement measures for biodiversity on site. The biodiversity enhancement plan should include details and locations of the enhancement measures outlined in principle in section 5 of the Preliminary Ecological Appraisal report (Waterman Infrastructure & Environment Limited; September 2018). The measures shall be carried out strictly in accordance of the approved scheme and delivered in full prior to first occupation of the development.

Reason:-

In the interests of safeguarding protected species and protecting and enhancing biodiversity in accordance with Policy CP10 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**18 Ecology Report Compliance**

The development must proceed in full accordance with the mitigation measures outlined in section 5 of the Preliminary Ecological Appraisal report (Waterman Infrastructure & Environment Limited; September 2018).

Reason: In the interests of safeguarding protected species and protecting and enhancing biodiversity in accordance with Policy CP10 of the Adopted Core Strategy and Development

Control Policies Development Plan Document 2009.

**19 External Lights**

No external lighting shall be installed without prior written approval from the Local Planning Authority. Only such approved lighting shall be installed. Such lighting shall be kept to a minimum for the purposes of security and site safety, and shall prevent illumination of mature trees and boundary hedges, and shall be:

- 1) fully shielded (enclosed in full cut-off flat glass fitments)
- 2) directed downwards (mounted horizontally to the ground and not tilted upwards)
- 3) be sensor operated
- 4) white light low-energy lamps (LED, metal halide or fluorescent) and not orange or pink sodium sources

Reason for condition:-

In the interests of amenity and reduce disruption to commuting/ foraging bats and to limit light pollution having regard to Policies CP 9 and CP 10 of the Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and paragraph 180 of the National Planning Policy Framework 2019.

**20 Fire Hydrants**

No development above slab level shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of a fire hydrant (served by mains water supply) serving the development. No dwelling shall be occupied until the approved hydrant(s) for that Phase have been provided in accordance with the approved scheme.

Reason for condition:-

In order to secure the provision of fire hydrants to serve the development.

**This condition will require to be discharged**

**21 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**

