

ITEM:	1	RECOMMENDATION:	APPROVAL
REF NO:	3PL/2016/1397/F	CASE OFFICER	Debi Sherman
LOCATION:	DEREHAM Land at Greenfields Road	APPNTYPE:	Full
		POLICY:	In Settlemnt Bndry
		ALLOCATION:	N
		CONS AREA:	N
APPLICANT:	Orbit Homes (2020) Limited Orbit House Garden Court	LB GRADE:	N
AGENT:	EJW Planning Limited Lincoln Barn Norwich Road	TPO:	Y
PROPOSAL:	Residential development of 279 dwellings comprising 6 five-bedroom houses, 83 four-bedroom houses, 98 three bedroom houses, 74 two-bedroom houses, 4 two-bedroom bungalows, 2 one bedroom bungalows and 12 one-bedroom flats together with associated access, pedestrian and cycle links, landscaping and open space.		

DEFERRED REASON

The application was presented to meeting of the 30th July 2018 at which time the application was approved; subject to

Members agreeing the Heads of Terms of the S106 Agreement in relation to a contribution to meet the shortfall of off-site outdoor sports provision at a future Planning Committee meeting.

Following that meeting, the applicant has provided an updated offer addressing the requirements of Appendix E of Policy DC11 as set out below:

- Land Purchase: £188,500 (£725k per ha / 10,000 = £72.5 per sqm x 2,600 sqm)
- Laying Out: £39,260 (£15.10 x 2,600 sqm)
- Maintenance: £21,450 (£8.25 x 2,600 sqm)
- Total: £249,210**

DEREHAM TOWN COUNCIL has considered the revised offer and made the following comments:

The Town Council is content that the calculation made by Orbit homes by way of a commuted sum for the shortfall in outdoor sports areas, it is felt that £249,210 represents a fair sum for the 2,600sqm shortfall in sports areas for this site.

With regards to the 106 agreement the following points are important.

Where the money can be spent.

Because parts of the settlement of Dereham are contiguous with the parish boundary, referring in the 106 to the monies only being spent within the parish Dereham could limit the potential to identify additional land for sports, some suitable land may be in the parish of Scarning

Alternative wording for where the monies could be spent instead of "within the parish of Dereham" could be either:

- For the benefit of the residents of Dereham
- Within the parish or contiguous with the parish boundary of Dereham
- Within the parish of Dereham or within 500m of the parish boundary

How the money can be spent.

The commuted sum is in lieu of outdoor sports areas - it should therefore be conditioned that the money be restricted to improving outdoor sports provision, either purchasing additional land or improving and upgrading existing areas for sport. The Town Council would like to see this kept to as broad a definition as possible, so that if land becomes available all of the funds could go towards land purchase - but if land does not become available then all the funds could go towards improving existing sports provision.

Timings.

The full amount of the commuted sum should be paid over at 50% occupation of the site. The reasoned justification for this is that it will take a couple of years to identify new land and develop a project to improve provision for outdoor sports and then a couple of years to see that project through to completion. Having the funds committed at the 50% stage would mean that there was reasonable chance that improved provision for outdoor sports would be completed and available at the time the site is fully occupied. Delaying some of the payments beyond the 50% occupation would result in a delay between the improved sports being needed and it being provided.

The final figure for the commuted sum must be index linked from the date the committee agrees the terms.

Clawback.

The clawback should only apply 5 years from completion of the development- the reasoned justification is that it could take a number of years to identify new land and develop a project to deliver improved sports provision. Therefore as it was the developers choice to provide an off-site contribution rather than provide sports areas onsite, it is only fair and reasonable for the developer to allow a generous window of opportunity to address the shortfall created by this development.

Highway matter

A further issue has arisen regarding problems of parking close to the junction of Wheatcroft Way and Norwich Road, the matter is with the Highway Authority at this time to establish the best course of action to address the problem going forward. Any update received will be reported at the meeting.

RECOMMENDATION

Officers consider that the financial contribution offered by the applicant to be appropriate to reflect the costs of providing new outdoor sports facilities and recommend that Members agree the contribution with the terms of the S016 legal agreement delegated to the Director of Place.

THE REMAINDER OF THE REPORT IS AS PREVIOUSLY PRESENTED

The application was deferred at the meeting on the 18th December 2017 in order to relocate the proposed Multi Use Games Area (MUGA). The reasoning set out in the minutes read as follows:-

On the grounds that the location of the MUGA be re-engineered and re-positioned to allow greater distances from adjacent dwellings.

The scheme has been the subject of further revisions which are set out below

DESCRIPTION OF DEVELOPMENT -

The application mix is set out as below:

TOTAL - 279 dwellings of which 209 are market dwellings and 70 are affordable units

This is further broken down into -

FIVE BED - 6 in total all of which are market dwellings with no affordable units

FOUR BED - 83 in total of which 79 are market dwellings and 4 are affordable units

THREE BED - 98 in total of which 84 are market dwellings and 14 are affordable units

TWO BED - 78 in total of which 40 are market dwellings and 38 are affordable units

ONE BED - 14 in total all of which are affordable units and no market dwellings

There have been changes to the layout to reflect the changes to the numbers and mix of dwellings. The MUGA has been repositioned within the outdoor sports area in the south eastern corner of the site to ensure that it is at least 30m from the nearest boundary of any residential property.

The attenuation features have been reconfigured within the central green space in the site with a Locally Equipped Area Playspace (LEAP) and area for outdoor sport located adjacent to the southern boundary.

A further outdoor sports area and LEAP are located centrally within the site with a further 5no. Local Area Playspaces (LAP) positioned throughout different parts of the site.

The revised layout responds to outdoor playing space requirements of 1.66 ha based on the dwelling mix and the number of persons arising from the development and calculated in line with Policy DC11.

The proposal is set out as follows set against the requirements of DC11:

CHILDRENS PLAY SPACE

Requirement 0.55 ha - Provision 0.59 ha (inc two LEAPs) 107%

OUTDOOR SPORTS PROVISION

Requirement 1.11 ha - Provision 1.44 ha (inc a MUGA) 77%

The applicant states that overall 87% of the outdoor playing space requirements are met on site. The applicant has agreed to meet the 23% shortfall in outdoor sports provision via an off site financial contribution, calculated in line with Appendix E of DC11 at 50,710.40 pounds.

The attenuation basins located within the central green space linking the footpath crossing the A47 with Dereham Windmill provide 0.41 ha of informal open space but remain outside the calculations associated with outdoor playing space provision referenced in DC11. None of the outdoor playing space is located within these attenuation features.

ADDITIONAL CONSULTATION RESPONSES -

DEREHAM TOWN COUNCIL - At the recent Local Plan hearing sessions, the agent requested that this site be included as an allocation within the Local Plan - this was accepted by the LPA. Therefore as this is an allocation in the Local Plan and the previous outline application has lapsed it should be considered against the local plan policies. NPPF 216, allows for emerging local plan policies to be given considerable weight. If in accordance with the applicants wishes, this becomes a Local Plan Allocation then the outdoor playing space should be increased to 2.56 hectares per 1000 population rather than the 2.4 ha per 1000 people.

With regard to the revised layout. An area for sport must be laid out for sport and have sport as its primary purpose. With reference to plan ORB2013116A, the eastern open area for sport is clearly large enough to contain a sports pitch of some description, but the applicant must show how it will be laid out for sport. The central and western open areas for sport appear to be too small to contain any recognised sports pitches. So that these can be considered as areas for sport the applicant must show how these are going to be laid out for sport. The western most area for sport (located centrally within the development site) is not flat and is partly contained within an attenuation feature. The applicant must show how the area can be laid out for sport.

The open area for sport is contained within an attenuation basin, which will be inundated with water on such a regular basis that it would be unsuitable for sport for much of the time. The Town Council has commissioned a report from a sports turf expert, who has concluded that this area would be unavailable for sport for much of the time. Because the area would be unavailable for sport for much of the time it therefore ceases to have sport as its primary purpose and should not count towards sports provision. The report produced by Agrostis is attached to this email.

Running Route. This is a route not an area for sports, and therefore should not be counted towards an area for sports.

In summary. The revised layout still does not meet the requirements of either DC11 or ENV04 because the applicant has not demonstrated that all the proposed open areas for sport can be laid out for a sport and that the open area for sport which is also an attenuation basin would have sport as its primary purpose and would be available for sport for the majority of the time. The Town Council has now submitted expert evidence to demonstrate that this areas would not be suitable for sports.

Just one further comment on the above application. The LEAP 2 does need seem to have the 20m separation between the activity area and the nearest habitable room. The 20m separation is contained in the fields in trust guidance, beyond the 6 acre standard. While the FIT distance guidance is only guidance it is guidance to prevent situations that they had in Wymondham.

HIGHWAYS ENGLAND - No objection

HISTORIC ENVIRONMENT SERVICE - No additional comments

RAMBLERS ASSOCIATION - We have no objection in principle to the development itself, but are concerned that the plans do not take appropriate account of the status of the routes running to the north and south of the site. The whole length of this route, initially along Cherry Lane from the grounds of the Windmill, and clockwise round to the south west corner, is under consideration for designation as a Restricted Byway. Norfolk County Council has made a Definitive Map Modification Order, and this is currently being considered by the Planning Inspectorate. The sole objections under consideration concern the width of the route at various points - there are no objections in principle. Clarity is needed as to whether these routes will lie inside or outside the boundary of this development, and adequate provision must be made for their finally determined width. Until this is satisfactorily resolved, we remain opposed to the development.

NATURAL ENGLAND - The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

CRIME REDUCTION & ARCHITECTURAL LIASION OFFICER - I am pleased to see amendments which include the MUGA being located 30m from the nearest dwelling. This is very encouraging to prevent unnecessary demand on policing with regards to anti social behaviour and noise complaints from those nearby dwellings.

I see from the documents available on the planning portal that there has been much deliberation over the location and use of the attenuation areas. Within the Breckland area Norfolk Police see these areas misused and are a hotspot for anti social behaviour and congregation especially in the summer months. I appreciate as these are proposed 'dry basins' that the perimeters do not require securing for safety. Any plantation around these areas should not obstruct clear lines of sight in order to keep natural surveillance. I would like to reiterate that these areas primary purpose is for flood prevention and whilst agreeably it is anticipated that these areas will be rarely used in this capacity and should be enjoyed for outdoor sports and play at all other times, there needs to be appropriate signage at regular intervals around the basins perimeters as to their function and when not to use them.

LEAP areas: Provisions should be made so that these areas can be secured at night. This will reduce the amount of criminal damage, anti social behaviour and graffiti which occurs after dark. It is my recommendation that this area has 1.2m hoop topped fencing. The area should be gated to keep children in and the unauthorised out. This is absolutely essential for the LEAP area abutting the attenuation basin.

Consideration should be given for an area designated for older children such as a 'Teen Shelter' so that improper use of the younger children play areas is discouraged. This area will need to be subject to good surveillance but sited so that local residents will not suffer from possible noise pollution.

SPORT ENGLAND- The proposed development does not fall within either our statutory remit Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case but advise that consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place.

LEAD LOCAL FLOOD AUTHORITY - No objections to proposed amendments.

NORFOLK INTERNAL DRAINAGE BOARD - Where a surface water discharge is to be proposed to a watercourse within an Internal Drainage District (either directly or indirectly), then the proposed development will require a land drainage consent in line with Norfolk Rivers Internal Drainage Boards byelaws (specifically byelaw 3). Any consent will likely be conditional, pending the payment a surface water development contribution fee, calculated in line with the Boards charging policy. Whilst the consenting process as set out

under the Land Drainage Act 1991 and the Boards Byelaws are separate from planning, the ability to implement a planning permission may be dependent on the granting of these consents.

CONTAMINATED LAND OFFICER - No additional comments to make.

ENVIRONMENTAL HEALTH - No further objections or comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details, I would however request that the following conditions that relate to the development and its usage are included as conditions should the permission be given. In order to protect the residential properties and their gardens, the MUGA (multi use games area) should be located a minimum of 30metres from the boundary of the nearest residential property as recommended in the Field in Trust Guidance for Outdoor Sport and Play.

The public sewerage system has capacity issues in Dereham area; the proposed initial 50 dwellings can be occupied provided the 16 cubic metres of offline storage is provided. The remaining 235 dwellings are to remain unoccupied until the Anglian Water strategic drainage scheme for Dereham has been decided and is operational.

Development to proceed inline with the acoustic controls and mitigation measures outlined in the Sharps Redmore noise assessment, in particular the provision of a 5 metre high acoustic barrier along the site boundary with the A47, house design nearest the A47 to minimise windows of habitable rooms facing the A47 direction, double glazing and ventilation provided where excess of noise above the BS8233 standards.

I would also request that the management plan proposed via the S106 agreement should include the following A written procedure to investigate and resolve complaints of noise and antisocial behaviour. The procedure should be implemented when complaints are received of noise and antisocial behaviour that affects nearby residents. The procedure should include a means of recording complaints and any actions undertaken by those responsible for the management of the MUGA to resolve any justified complaints. The procedure and any associated records should be made available on request to officers from Breckland Council. Provision for effective signage to allow the easy identification of those responsible for repairs in respect of damage and wear and tear. Poorly maintained MUGAs will generate significantly more noise than well maintained ones and signage with contact phone numbers will increase the likelihood of damage and wear and tear being promptly reported.

PUBLIC RIGHTS OF WAY - It is noted that the applicant has made the concession to provide sufficient space to respect the widths of the claimed routes, which are subject to a Public Inquiry, in order for this not to affect the outcome of the Planning process, that is accepted. There is also included a pedestrian link from the claimed Restricted Byways in the bridge area to link into the central green space. It appears that the links through the green space will be pedestrian/cycle use, however it would be useful to have details on the intended status, surface, and future upkeep plans for these. It is not essential for this central area to have routes up to Restricted Byway standard but in order to cater for cycles we consider the proposed link might be a bit narrow and convoluted. Our main concern remains that the claimed routes still lie outside the development and as such will not be attractive or user friendly. Although we appreciate that the applicant is keen to avoid delays waiting for the results of the Public Inquiry, we consider the routes would be much better, safer and more attractive to use, if they were integrated into the development. The integration of these routes would enhance the commuter travel and recreational benefits of the routes and demonstrate that the applicant is committed to providing a good Green Infrastructure. We would consider that permission should be deferred until the outcome of the Public Inquiry regarding the claimed routes is known and the routes diverted if necessary, to be incorporated into the development. It is also noted that the proposals suggest bollards to prevent vehicular access onto Cherry Lane. While we have no objection in principle the bollard height and spacing will need careful consideration as the status of Restricted Byway does allow for horse and

cart use which must therefore legally be accommodated.

TREE OFFICER - The tree protection plan requires updating to remove the requirement for no-dig adjacent to T5. It is not clear if T1 which was shown to be retained in the original AIA to be retained is still part of the proposed layout, can this be confirmed.

HOUSING ENABLING OFFICER - The main concern continues to be that the affordable units are well below the Nationally Described Space Standard (NDSS). The 3B5P houses are 8m² below and the 2B4P houses are 7m² below. This issue has been raised and discussed with the applicant but has not been addressed or improved. I note that the applicant followed our recommendation to amend the mix of the affordable units and has reduced the number of three bed houses, replacing these with 1 bed flats; but even these newly proposed 1 bed flats are significantly below the NDSS. Whilst I understand that the NDSS have not been formerly adopted as planning policy, this standard continues to act as a benchmark for acceptance. Our team have recently consulted with local Registered Providers (RP) with the aim to agree a mutually agreeable space standard in terms of both development and future management. I can confirm that the proposed sizes within this application fall below the sizes that other RPs deem acceptable. Despite the fact that the applicant is an RP who is currently willing to take ownership of the affordable homes; in the event that the site is sold and the current applicant does not build out the site themselves, there is likely to be problems attracting an alternative RP because they would deem the units unsuitably small. It is particularly important that affordable homes are built to an acceptable size not just for future management but because affordable homes are usually occupied to full capacity (ie 4 people living in a 2 bed house) Unlike private sector homes which are often under occupied.

REPRESENTATIONS -

An additional 55 letters of objection have been received in relation to the development proposal. The majority of issues raised in these additional letters have already been identified in the main report and this updated report. Additional issues relate to:

- still no sports area
- still too many houses
- not addressing green spaces issues despite the MUGA being moved
- not enough green spaces and no Parkrun in 15 miles of Dereham
- traffic congestion & highway issues at junction
- density still too high, not in keeping with surroundings
- concerned the footpath will become a road
- proposed running track involves the windmill and Cherry Drift which does not belong to Orbit
- flats are not in keeping with the area
- is there going to be a bridge across the bridal path?
- hedge grubbed out by developer behind dwellings in Elderberry Drive
- field to rear of houses backing onto Fern Close have been under water for a large part of the winter
- inadequate play areas for proposed flats
- affordable properties should be mixed in with detached properties
- attenuation basins should not be used for play space
- concerns remain about Anglian Water's comments regarding capacity and unacceptable flood risk
- no plan for path/bridge to the south of the town

Ward Councillor A Webb - I am disappointed that the Applicant still has not made the effort to engage with the Community despite the Planning Chairmans recommendations. The latest version on the plans still do

not comply with the LPO requirements that the outdoor playing space should be increased to 2.56 hectares per 1000 population rather than the 2.4 ha per 1000 people. There is no description of how the areas proposed are to be laid out for sport and also they appear to include a running Track, which cannot be included. I also have concerns about the western area for sport which is partly contained within an attenuation feature. The 'open area for sport' is contained within an attenuation basin, which will be inundated with water on such a regular basis that it would be unsuitable for sport for much of the time so this cannot and should not be included in the calculations. Dereham Town Council has commissioned a report from a sports turf expert, who has concluded that this area would be unavailable for sport for much of the time. Because the area would be unavailable for sport for much of the time it therefore ceases to have sport as its primary purpose and should not count towards sports provision. I understand the Town Clerk has sent this report to you. I am also concerned that the most recent plans density is not compatible with the surrounding area.....surely this requirement must flow right through the estate, not just be applicable to the frontage houses? Finally I want to stress that residents are not against the development of this land, they just want a sustainable development which will not cause issue for either the existing residents or the new householders in the future.

In addition to my earlier comments, I am shocked to find that the applicant has now moved LEAP 2 closer to the affordable houses and not at the stated guidance levels of 20m from the facade of an occupied room. I am even more disappointed when I was told this was because the guidance was not so important for the affordable houses! Surely this should apply to all houses not just private.....we cannot have a 2 tier society! I note that the Norfolk County Council trails Officer has requested that permission should be deferred until the outcome of the Public Enquiry regarding the claimed routes of Cherry Lane and the Planning officer is ignoring this request and still proceeding with the application. Also there are 2 outstanding official Complaints regarding this application which have not been resolved. The applicant claims to have 'laid a Park Run of 1047m around the perimeter of the site'....not true! The land they have included does not belong to them, it also crosses 3 roads and there is no provision of any car parking for the runners.....which is essential for a Park Run. The area for sport is still an issue...there needs to be large enough areas provided as it appears that the paths and tracks have been counted towards the area for sport.....not good enough. Finally, to date, no effort has been made to engage with the Community despite recommendations by the Planning Committee. I know that this is not a statutory requirement but surely it would have been in the applicants best interest to work with the community to resolve the issues. The community has no objections to developers building on this land, they just want a plan which conforms with Breckland and other authorities rules and guidance....this plan does not, despite many changes, deliver.

ASSESSMENT NOTES -

Emerging Local Plan (LP)

The Town Council has made reference to the status of the emerging LP and the extent to which emerging Policy ENV04 should be applied to this development proposal. The emerging LP currently carries limited weight as it is still, at examination, in particular Policy ENV04 has been contested and as such it not appropriate to apply the requirements of this policy in the determination of this application.

Compliance with DC11 of the Adopted Core Strategy

The scheme has been revised and the layout altered to facilitate the re-siting of the MUGA, which was the reason for deferral when the application was last presented to committee in December 2017 and to re-organise and set out the quantum of open space on site.

Further information has been submitted by the applicant to illustrate the extent of the various elements of the proposed open space provision on site and how they consider it accords with Policy DC11. Further to this, Officers have examined the requirements of the Open Space policy DC11 in context of the Council's Open Space Assessment (OSA) 2015 and the guidance set out in the Fields in Trust (FIT) document 'Beyond the Six Acre Standard' October 2015.

It is acknowledged by the developer that following legal opinions providing interpretation of Policy DC11 and its requirements that the level of space for outdoor sports provision on site cannot be met, the shortfall is stated at 23%. The applicant has agreed to provide a financial contribution to meet the shortfall in line with the requirements of Appendix E of DC 11. The contribution has been calculated at 50,710.40 pounds. For clarification purposes, the running route has not been included in the outdoor sports provision calculation and the applicant states it is shown only for information.

In terms of children play space, the applicant has sought to demonstrate that provision required by policy DC11 is exceeded at 107%. The centrally located LEAP2 is positioned adjacent to dwellings. Whilst a minimum separation distance is not specifically set out in the Council's policy, the advice contained in the FIT guidance is that there should be a minimum of 20m separation between equipped play areas and the nearest habitable rooms of dwellings. In the proposed layout the proximity of the proposed LEAP2 to adjacent dwellings would be between 10-15m dependant on the final placement of the equipment. This highlights the potential for the future use of the LEAP to adversely impact on the amenity of the surrounding residents. However, it is recognised that LEAP2 would be in a location on site adjacent to family housing, the occupants of which could well value such a facility in the immediate vicinity. In this context, giving weight to the size and likely occupation of the surrounding dwellings, it is not considered that the relationship between the LEAP facility and neighbouring properties would be sufficiently detrimental to warrant removal of LEAP2 from the development proposal. Condition 17 requires the details of the play equipment and layout of the area to be agreed with the Council. This would give further opportunity to ensure the layout of the LEAP is fixed in a manner that maximises the separation distance to the adjacent dwellings.

The scheme does not meet the requirements of DC11. Overall, the relocation of the MUGA, the re-distribution of play space and outdoor sports provision, and the offer of the off site contribution for outdoor sports provision, needs to be taken account of in the overall planning balancing exercise which is explored further below in the concluding paragraph of this update report.

Surface Water Drainage

The proposed surface water drainage features are designed to take water from flood events of 1 in 100 years with 40% allowance for climate change. It is acknowledged that 1 in 1 year events will discharge into the storage areas (detention basins) for short periods after extreme flood events but would drain away within a short period of time. The attenuation features are not now included in the open space calculations associated with the requirements of DC11 but would remain dry for the majority of the year providing amenity value during those dry periods. No objections are raised by the LLFA.

Highway Matters

No objections have been raised to the proposed traffic calming measures subject to proposed conditions. Details have been provided of the proposed bollards on Cherry Lane.

Public Rights of Way

The issues relating to the Right of Way Order has now been determined by the Planning Inspectorate setting

out that route has status as a restricted byway the with a width of 3.6m being designated. The applicants have agreed to surface a width of 3m on land within their control. Concerns have been expressed that not all the restricted byway falls within the application site but there is no requirement to require that the whole of this section of the restricted byway should form part of the proposed development. The surfacing of the restricted byway can be dealt with under the hard landscaping condition in the event that planning permission is granted.

Affordable Housing Units

Concerns raised by the Strategic Housing Service are noted regarding internal space standards but there are no policies in the Adopted Core Strategy that require National Minimum Space Standards are adhered to and on the basis that the applicant would deliver and manage this scheme there are no objections raised in this instance.

Changes to the proposal

The changes to the layout plan, resulting from the further reduction in number of 5 units have resulted in improvements to the layout with associated increased open space provision. The overall density on site is 28 dwelling per hectare (dph) which falls well below the appropriate density levels (40 dph in urban areas) set out in Policy DC2 of the Adopted Core Strategy. Whilst it could be argued that the density achieved is sub-optimal for an allocated site in an urban location, in this instance, in the interests of good place making and the quality of the development a lower density is justified.

Environmental Health Officers have considered the scheme and suggested various conditions relating to foul water, noise management and management of the public open spaces (POS) within the site. These requirements can all be accommodated. The applicant has stated that the POS would be managed by a dedicated management company and suitable management strategies can be secured via the S106 agreement and conditions to ensure on going future management of the POS within the site.

Issues raised by the Tree Officer have been raised with the applicant and an update will be provided prior to the meeting.

Conclusion

The site is allocated for residential development in the Adopted Core Strategy. Further, the site has been demonstrated to be deliverable by the applicant and would provide 25% affordable housing.

It is acknowledged that whilst there is non-compliance with DC11, taking into account the relocation of the MUGA, the associated improvements to the layout of the proposed development, as well as the proposed off site contribution for outdoor sports provision, as part of the planning balancing exercise, it is Officers' planning judgement that there is overall compliance with the Development Plan.

Therefore, taking all matters into account, the scheme is considered to represent an appropriate development of this site taking into account its physical restrictions and the benefits in terms of affordable housing provision, green infrastructure provision and contribution to overall housing delivery and on this basis approval is recommended.

RECOMMENDATION

Resolve to GRANT planning permission subject to the completion of a S106 legal agreement and conditions.

The S106 to include -

- Affordable housing 25%
- Education Contribution 803,436 pounds
- Libraries Contribution 20,295 pounds
- Primary Healthcare Contribution 103,454 pounds
- Travel plan monitoring contribution
- Fire hydrant provision of 1 hydrant per 50 dwellings at 815 pounds per hydrant (rounded up)
- Management and maintenance at 8.50 pounds per sq m of Public Open Spaces
- Off site contribution of 50,710 pounds for outdoor sports provision

Delegated authority to the Executive Director of Place to REFUSE planning permission if the S016 agreement is NOT completed within 3 months of the date of the Resolution to Grant planning permission

THE MAIN AND PREVIOUS DEFERRED ITEM REPORT ARE SET OUT SEQUENTIALLY BELOW AS PREVIOUSLY PRESENTED TO COMMITTEE WITH UPDATED CONDITIONS LOCATED AT THE END OF THE REPORT

The application was deferred at the meeting on the 8th May 2017 in order to provide more information in relation to Adopted Core Strategy Policy DC11. Further the application was withdrawn from the agenda at the request of the applicant from the agenda on 31st July 2017 in order to undertake a viability assessment to support the affordable housing offer.

DESCRIPTION OF DEVELOPMENT -

The application has been amended as follows -

- reduction in overall number of units from 285 no. to 284 no. dwellings
- reduction in number of four bedroom houses from 87 no. to 85 no. of units
- reduction in number of three bedroom house from 113 no. to 100 no. of units
- increase in two bedroom houses from 73no. to 75no. of units
- introduction of 12no. one bedroom flats

This results in a proposal of 284 dwellings comprising 6 five-bedroom houses, 85 four-bedroom houses, 100 three-bedroom houses, 75 two-bedroom houses, 4 two-bedroom bungalows, 2 one-bedroom bungalows and 12 one-bedroom flats together with associated access, pedestrian and cycle links, landscaping and open space.

The changes in the dwelling mix have resulted in changes in the layout of the development including an increase in the overall provision of open space on site from 2.2 hectares to 2.8 hectares.

ADDITIONAL CONSULTATION RESPONSES -

DEREHAM TOWN COUNCIL - With reference to a letter from the applicant's agent dated 26th

June 2017. The applicant confirms that the development should provide 17,340 m² of Outdoor Playing Space. DC11 clearly states that Outdoor Playing space should be made of a minimum of 2 LEAPs of combined area of 5,780m² and an area for sports totalling 11,560m². I still have not seen the details of an area for sports totalling 11,560m². The reason a football pitch has been mentioned is that a football pitch can be around 8,000m² i.e. a football pitch could comfortably fit inside the area for sports required under DC11. So the applicant has absolutely not demonstrated that they have provided in excess of the requirements of DC11. I think it would be slippery slope if a MUGA is accepted in lieu of actual land. With regard to the provision of the MUGA close to residential properties, the agent states that it will be located 35m from the boundary of the nearest dwelling. Does this refer to the boundary of the dwelling or the facade of the dwelling. If you refer to the FIT guidance it clearly differentiates between the facade and the boundary. I believe the applicant may be confused on this matter and are measuring to the Facade rather than the boundary, can they show the distance to the boundary of the dwelling and the distance to the facade of the dwelling? As I have said before I have raised the issue of DC11 at every meeting I have had with the applicant, they have proceeded thinking that they know a smart trick to get round DC11 - DC11 is very clear, on this application there needs to be an outdoor sports area totalling 11,560m² and 2 LEAPs totalling 5,780m². It goes without saying that these areas should not be located in surface water attenuation basins.

DC11 clearly states that developers should provide Outdoor Play space, this is broken down into Outdoor Sports and Childrens Play Space. County all open space is clearly wrong. DC11 is built on Breckland Open Spaces Assessment, the definitions in the OSA are derived from the Companion Guide to PPG17. I have attached the Typologies from PPG17, this clearly demonstrates to me that all pieces of open space should not be counted towards Outdoor Play Space. Although PPGs are no longer planning documents people tend to refer to PPG17 and its companion for Typologies in the absence of any other official guidance. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7660/156780.pdf The Current PPG states that Authorities and developers may refer to Sport Englands guidance to assess the need for sports and recreation facilities Sport Englands Assessing needs and opportunities guide for indoor and outdoor sports facilities aims in part to replace PPG 17. In its introduction Sport Englands guidance states that it is important to note that the guide focuses on the needs for formal sports and recreation activities and the sports facilities required to meet these needs. the guide is not intended to be used for assessing play, informal activities and wider open spaces. <https://www.sportengland.org/media/3599/20140722-anog-published.pdf> The ACD report produced for the Orbit homes has not used either PPG guidance or Sport Englands Guidance it is therefore questionable what value can be placed on its conclusions if ACD have not followed a standardised approach

HIGHWAYS ENGLAND - No objection

HISTORIC ENVIRONMENT SERVICE - No additional comments

RAMBLERS ASSOCIATION - No additional comment, but earlier comments remain.

NATURAL ENGLAND - The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal

CRIME REDUCTION & ARCHITECTURAL LIASION OFFICER - Overall the layout is acceptable to Secured by Design criteria however it will be very important to ensure that all rear boundaries are adequately protected using 1.8m high fencing with lockable gates to the same height. Surveillance overall is quite good with an acceptable level of natural surveillance potential. The areas of

concern are the limited surveillance potential of the rear parking courtyards. To increase natural surveillance it is recommended that the surveillance through the rear and side fencing features either hit and miss panels or solid panels with vision splays inserted.

SPORT ENGLAND- The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case but advise that consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place.

LEAD LOCAL FLOOD AUTHORITY - No additional comments to make.

CONTAMINATED LAND OFFICER - No additional comments to make.

ENVIRONMENTAL HEALTH - No objections subject to conditions regarding the siting of the MUGA adhering to the FIT guidelines, and controls over lighting, noise and anti-social behaviour.

PUBLIC RIGHTS OF WAY - It is noted that the applicant has made the concession to provide sufficient space to respect the widths of the claimed routes, which are subject to a Public Inquiry, in order for this not to affect the outcome of the Planning process, that is accepted. There is also included a pedestrian link from the claimed Restricted Byways in the bridge area to link into the central green space. It appears that the links through the green space will be pedestrian/cycle use, however it would be useful to have details on the intended status, surface, and future upkeep plans for these. It is not essential for this central area to have routes up to Restricted Byway standard but in order to cater for cycles we consider the proposed link might be a bit narrow and convoluted. Our main concern remains that the claimed routes still lie outside the development and as such will not be attractive or user friendly. Although we appreciate that the applicant is keen to avoid delays waiting for the results of the Public Inquiry, we consider the routes would be much better, safer and more attractive to use, if they were integrated into the development. The integration of these routes would enhance the commuter travel and recreational benefits of the routes and demonstrate that the applicant is committed to providing a good Green Infrastructure. We would consider that permission should be deferred until the outcome of the Public Inquiry regarding the claimed routes is known and the routes diverted if necessary, to be incorporated into the development. It is also noted that the proposals suggest bollards to prevent vehicular access onto Cherry Lane. While we have no objection in principle the bollard height and spacing will need careful consideration as the status of Restricted Byway does allow for horse and cart use which must therefore legally be accommodated.

REPRESENTATIONS -

An additional 64 letters of objection have been received in relation to the development proposal. The majority of issues raised in these additional letters have already been identified in the main report and this updated report. Additional issues relate to:

- Position of the proposed MUGA in relation to existing properties
- Temporary foul sewerage storage unacceptable
- Traffic calming measures excessive and cause noise and disturbance
- Development does not comply with DC11 of the Council's Local Plan
- Alterations to layout adjacent to Wheatcroft Way do not achieved improvement
- Dwellings adjacent to Wheatcroft Way not in keeping with the character of that area
- One bed flats do not address needs of the area

- Insufficient evidence to prove not financially viable with higher open space provision
- Inadequate play space for flats
- Reduction in one unit inadequate and density still unacceptable
- Position of MUGA unacceptable, need a Health Impact Assessment to assess benefits of provision over potential for noise and anti-social behaviour resulting from use

Ward Councillor A Webb - Disappointed the number of units not reduced further, sacrificing space that allows for healthy living for a more dense development. No objections to the development but at lower numbers so it is compliant with statutory requirements to create a sustainable development.

Ward Councillor W Richmond - Request a pedestrian crossing on Crown Road for students of Neatherd High School and Dereham Sixth Form College. Should extend double yellow lines near to the Norwich Road junction also.

ASSESSMENT NOTES -

Update to Five Year Housing Land Supply

Following the application's first being presented to Members, the Council has revised its position in relation to its Five Year Housing Land Supply. Paragraph 47 of the NPPF states 'housing applications should be considered in the context of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites'. As the Council can no longer demonstrate an up to date five year housing land supply, policies SS1, DC02 and CP14 can not be given due weight in the decision making process. The application is therefore assessed against the benefits provided in relation to the sustainable development tests as set out in the NPPF.

The NPPF identifies three dimensions of sustainable development:

- Economic, in terms of building a strong economy and in particular by ensuring that sufficient land is of the right type and is available in the right places.
- Social, by supporting, strong and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services and
- Environmental, through the protection and enhancement of the natural, built and historic environment.

Paragraph 8 of the NPPF also stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore a balanced assessment against these three roles is required.

This site is an allocated site adjacent to the existing settlement boundary for Dereham and is considered to represent sustainable development.

Affordable Housing Provision and Viability

The changes to the dwelling mix were in response to comments from the Strategic Housing Service whereby there was a reduced need for affordable three bedroom properties and an identified need for smaller dwelling units, hence the inclusion of one bedroom flats.

The viability assessment produced by the applicant has been assessed and corroborated by the District Valuer (DV). The conclusions that the scheme is not viable above the provision of 25% has been confirmed by the DV and no objections are raised on this basis.

Compliance with DC11 of the Adopted Core Strategy

The scheme has been revised and the layout altered to facilitate an increase in the quantum of open space on site.

Information has been submitted to illustrate the extent of the various elements of the proposed play spaces. Further to this, Officers have examined the requirements of the Open Space policy DC11 in context of the Council's Open Space Assessment (OSA) 2015 and the guidance set out in the Fields in Trust (FIT) document 'Beyond the Six Acre Standard' October 2015.

The updated FIT standards refer to the need for formal outdoor space and informal recreational space. It makes specific reference to the dual use of features such as SuDS and the value they have in delivering recreational benefits by using attenuation and storage areas as play and sports areas. Reference is also made to facilities such as Multi-Use Games Areas (MUGA), acknowledging that relaxing quantum guidelines where facilities such as MUGAs are provided can be justified because they support a high intensity of usage.

The scheme now provides for 18,026 sq m of unencumbered public open space including outdoor sports provision. This excludes 3,455 sq m of open space containing flood alleviation measures and land with an area of 6,645 sqm that would contain the noise attenuation bunds. If the requirements for public open space are calculated as set out in DC11 16,920 sq m is required and if the 2015 Open Space Assessment is followed the requirement would be calculated at 18,048 sq m. The provision can now be met.

In addition to which the scheme now incorporates a full size MUGA (40m x 20m) as set out in the FIT Guidelines. The value of the MUGA can be doubled according to the FIT guidance as it can be used on a more intensive basis throughout the year. This being the case, the quantum of public open space would increase to 19,626 sq m, exceeding the Council's requirements.

The proposed scheme, as set out Section 5 of the main report provides levels of open space within the development that are considered acceptable. Revisions have been made to the layout that improve the quality of formal play and sport provision on site, which exceeds the requirements of DC11 by providing a Local Area Playspace (LAP) as well as two LEAPs and the MUGA. Further detailed information has also been submitted which provides more detail in terms of the quality of the facilities provided which is considered to confirm that in qualitative terms the formal play and sports area would add value to the development. Concerns have been raised by the Town Council regarding the location of the facilities, particularly the MUGA but it has been confirmed that their location meets the FIT guidance of 30m away from nearby properties.

It is worthy of note that the scheme allows for a direct footpath link between the footpath to the south of the A47 directly to Dereham Windmill. This is a valuable improvement to the green infrastructure network in the locality.

The revisions to the scheme have identified that the requirements of DC11 are met and indeed exceeded. There are no objections on this basis.

Foul Water Drainage

The agent has clarified that there would not be any changes to the foul drainage arrangements for any existing properties in the vicinity of the site. New arrangements would come forward as part of the planned improvements by Anglian Water Services that are due to be completed by the end of 2018.

Surface Water Drainage

The proposed surface water drainage features are designed to take water from flood events of 1 in 100 years with 40% allowance for climate change. It is considered that 1 in 1 year events are unlikely to discharge into the storage areas (detention basins) but heavier rainfall will overflow into the storage areas for short periods.

Highway Matters

No objections have been raised to the proposed traffic calming measures subject to proposed conditions. Details have been provided of the proposed bollards on Cherry Lane.

Public Rights of Way

Concerns have been expressed regarding the potential impact of the proposed bunds on the existing public right of way on the southern boundary. The Public Rights of Way (PROW) Officer notes that the PROW remains outside the application site and requests that the application is deferred pending the outcome of the impending PROW Inquiry as it considered more appropriate the PROW is incorporated into the scheme. The proposed green infrastructure associated with the development would link into and bolster the existing PROW network surrounding the site, supporting and facilitating its use. It is not therefore considered necessary or reasonable to delay a decision on the a planning application on this basis.

Changes to the layout plan

The changes to the layout plan, particularly in the Northern section of the site where 2no. block of two storey maisonettes have been introduced have resulted in improvements to the layout of this section of the site with increased open space provision. The overall density on site is 29 dwelling per hectare (dph) which falls well below the appropriate density levels (40 dph in urban areas) set out in Policy DC2 of the Adopted Core Strategy.

Concerns have been raised regarding the enlarging of the MUGA and its siting, particularly in relation to distances to adjacent dwellings. The FIT guidance references a distance of 30m as being appropriate, which is achieved to all affected facades of existing and new properties. It is acknowledged that the rear gardens of existing properties on Blackberry Close would fall within that 30m distance but it should be acknowledged that there is a substantial mature hedgerow intervening between the site and the rear gardens of these properties and a public right of way is currently located immediately adjacent those same rear garden boundaries which are publicly accessible at any time. There are no proposals to provide artificial lighting and surfacing would the subject of separate approval to ensure that impacts of use can be further mitigated. On this basis, it is considered that the wider benefits of providing the MUGA outweigh the limited potential for noise and disturbance associated with its use. At the time of writing this report, options are being explored regarding measures to actively manage its use to ensure that unreasonable noise and disturbance can be controlled.

Conclusion

The scheme has been subject to further negotiations and revisions to both clarify matters and improve the layout of the proposed development. On balance, taking all matters into account the scheme is considered to represent an appropriate development of this site taking into account its physical restrictions and the benefits in terms of affordable housing provision, green infrastructure provision and contribution to overall housing delivery.

RECOMMENDATION

Resolve to GRANT planning permission subject to the completion of a S106 legal agreement and conditions.

The S106 to include -

- Affordable housing 25%
- Education Contribution
- Libraries Contribution
- Primary Healthcare Contribution
- Travel plan monitoring contribution
- Management and maintenance of Public Open Spaces

Delegated authority to the Executive Director of Place to REFUSE planning permission if the S016 agreement is NOT completed within 3 months of the date of the Resolution to Grant planning permission

THE MAIN REPORT IS SET OUT BELOW AS PREVIOUSLY PRESENTED TO COMMITTEE WITH UPDATED CONDITIONS LOCATED AT THE END OF THE REPORT

REASON FOR COMMITTEE CONSIDERATION

The application is referred to Committee as a major development proposal.

KEY ISSUES

Principle of development and policy matters.
Local character, amenity and trees.
Access.
Ecology.
Other matters

DESCRIPTION OF DEVELOPMENT

Full planning permission is sought for 285 dwellings comprising 6 x 5-bedroom houses, 87 x 4-bedroom houses, 113 x 3-bedroom houses, 73 x 2-bedroom houses, 4 x 2-bedroom bungalows and 2 x 1-bedroom bungalows together with associated access, pedestrian and cycle links, landscaping and open space on 12.32 hectares of land to the south of Greenfields Road, in Dereham.

The proposed houses would be accessed via new accesses formed off Greenfields Road and Wheatcroft Road.

The application is supported by a number of documents and technical reports, including a Design and Access Statement, Phase 1 Habitat Survey, Overview of Existing Open Space and Play Facilities, Arboricultural Impact Assessment, Transport Assessment, Ecological Assessment, Landscape and Visual Impact Assessment, Flood Risk Assessment, Foul Water Strategy Report and Heritage Assessment.

SITE AND LOCATION

The application site is located to the eastern side of Dereham town centre between Greenfields Road and the A47.

The site is south of the Grade II listed Dereham Windmill and is bounded by Wheatcroft Way to the east and Greenfields Road to the west. It is currently laid to grass with mature hedgerows on the majority of site boundaries with the exception of those shared with existing dwellings.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3/PL/2011/0898/O - Construction of 220 homes with associated landscaping and infrastructure, approved 16th May 2014

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
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
PPS01 Delivering Sustainable Development
PPS03 Housing

NPPF With particular reference to paragraphs 14, 17, 24, 26, 27, 32, 34, 35, 49, 103 & 118
NPPG National Planning Practise Guidance

'Manual for Streets' 2007

Dereham Draft Neighbourhood Plan, (Draft only - given the stage it is at it is considered to carry no weight).

Preferred Site Options and Settlement Boundaries consultation document September 2016

OBLIGATIONS/CIL

Provision of 25% affordable housing.
Contributions towards education, libraries, primary health care.

CONSULTATIONS

AIR QUALITY OFFICER

Needs to refer to the Transport Assessment

DEREHAM T C

Issues and concerns raised regarding -

- density and number of units
- fragmentation and usability of open space
- on-going maintenance of open space
- potential PROW adjacent to Cherry Lane
- reliance on permeable paving as part of SuDS, frequency of use of the detention basins and value to the open space provision within the site
- concerns regarding the walking and cycling audit undertaken and the value of the measures proposed
- concerns about the impact of the development on the existing highway network, (Tavern Lane) and the value of undertaking improvement works could have to alleviate existing difficulties

ENVIRONMENT AGENCY

No objections subject to comments from the LLFA.

ANGLIAN WATER SERVICE

In order to accommodate 50 dwellings, 16m³ of storage will need to be provided, in order to accommodate 75 dwellings, 39m³ of storage will need to be provided. The remaining development portions will be included in the Dereham Growth Strategy, subject to conditions

HIGHWAYS ENGLAND

No objection

HISTORIC ENVIRONMENT SERVICE

No objection subject to conditions

RAMBLERS ASSOCIATION: NORFOLK AREA

No objections in principle, previous comments apply notwithstanding the changes made.

NATURAL ENGLAND

No objection, no requirement to undertake an appropriate assessment.

SPORT ENGLAND EASTERN REGION

The proposed development is not within the statutory or non-statutory remit of Sport England.

PUBLIC RIGHTS OF WAY OFFICER

Need to consider the form and linkages of the proposed southern boundary route and make them part of the green corridors.

LAWSON PLANNING PARTNERSHIP LTD ON BEHALF OF NHS ENGLAND

No objection subject to a financial contribution of 103,454 pounds.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to revisions to visibility splays and minor road alignment adjustments

OBLIGATIONS OFFICER, NORFOLK COUNTY COUNCIL

Spare capacity for Early Years and Secondary education provision.

Education - Primary 861,656 pounds; Sixth form, (secondary), 95, 145 pounds.

Library provision - 21,375 pounds

FLOOD & WATER MANAGEMENT TEAM

No objections subject to conditions

HISTORIC BUILDINGS CONSULTANT

No objections.

TREE AND COUNTRYSIDE CONSULTANT

No objections subject to the internal estate road being relocated beyond the root protection area of the TPO tree.

ENABLING OFFICER

Provision of 25% affordable housing not policy compliant and should be subject to viability testing. Concerns about the proposed mix of affordable housing and dwelling sizes.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

Important to maintain and enhance the wildlife corridors. No objections subject to conditions.

CONTAMINATED LAND OFFICER

No objections subject to conditions.

ENVIRONMENTAL HEALTH OFFICERS

No objections subject to noise and sewerage capacity conditions.

COUNCILLOR ALISON WEBB

My issues and concerns include the current sewerage position in Dereham with raw sewerage spilling onto pavements near schools and shops. Also, the density of housing proposed is significantly more than originally on the Outline Plans submitted and approved and I do not believe this is appropriate for this location. Additionally the status of Cherry Lane is still being clarified with NCC and this needs to be clear before approval is given.

COUNTRYSIDE ACCESS OFFICER NCC

Norfolk County Council has decided to make an order adding to the Definitive Map the claimed routes through and around the site as Restricted Byways. These routes are already 'accepted' by the applicant within the plans

NORFOLK WILDLIFE TRUST

No Comments Received

COMMUNITY DEVELOPMENT OFFICER

No Comments Received

REPRESENTATIONS

Twenty letters of representation have been received raising the following issues and concerns:-

- density and number of units
- out of character with surroundings
- impacts on sewerage capacity in the area and measures necessary to remedy the problems
- impact on schools capacity
- impact on primary healthcare provision
- traffic impacts of the development
- traffic impacts of linking Wheatcroft Way and Greenfields Road
- unsolicited on street parking
- disruption from construction traffic
- no visitor parking within the scheme
- direct impacts on neighbouring properties
- impacts of other proposals in the area, (45 dwellings)
- crime and disorder issues associated with the new residents
- loss of views of Dereham Windmill and devaluation of property

ASSESSMENT NOTES

1.0 This application is referred to Committee as a major development proposal.

2.0 Principle of development and policy matters.

2.1 Site is located within the settlement boundary for Dereham and the proposal is thus compliant with policy in the adopted Core Strategy. Further, the site is the subject of an extant outline planning permission for 220 dwellings. The site is located in close proximity to the town centre and associated facilities, schools, shops and public transport (bus) links. It is accepted that the location is a sustainable form of development, as defined in paragraphs 6-10 of the NPPF, and is acceptable in principle.

2.2 The site is classified as grade 3 agricultural land, whilst it is not clear whether it is 3a or 3b the site is within the settlement boundary and outline consent has already been granted for residential use. In any event, with a site area of 12.32 ha it is below the 20ha threshold for consulting Natural England.

2.3 The existing outline planning permission was subject to viability testing and was granted on the basis of 15% affordable housing provision. The current scheme proposes a level of affordable housing offered at

25%. The scheme would consist of 214 open market units and 71 affordable dwellings. Whilst this 25% provision falls below the Council's usual standard it represents an increase from the previous outline consent which secured 33 units. Although there is an increase in the number of dwellings now proposed by 65 units, 58% (38 units), of the uplift would constitute affordable housing. Furthermore, in terms of the affordable housing split, it has been confirmed the provision would comply with the Council's requirements for affordable rent and shared ownership. On this basis, no objections are raised.

3.0 Effects on local character & amenity

3.1 The site has the benefit of an existing outline planning permission for 220 dwellings and has been allocated as a development site within the Council's Adopted Core Strategy. In terms of visual impacts associated with the development of this site, there are no objections in principle. The site falls within the National Character Area 84 - Mid Norfolk as defined by Natural England. The submitted LVIA acknowledges that there would be Major visual effects resulting from the development in the immediate localised area but these effects would reduce to Moderate further afield. On this basis, it is concluded with a mitigation strategy including improvements to hedgerow planting and the green infrastructure network in place the impacts of the development can be reduced to an acceptable level.

3.2 The layout of the development has been the subject of revisions to address issues relating to how the development would relate to its surroundings, open space and highway layout issues. The scheme has been designed to reflect the form and layout of existing development along Greenfields Road, particularly the areas fronting onto Dereham Windmill which would be characterised by low density detached housing. The density increases into the development including a number of courtyard areas but these are largely within the site and would not adversely affect the character of Greenfields Road. Whilst Greenfields Road is predominately large detached houses higher density areas are present to Wheatcroft Way to the north east of the site and the proposal represents a reasonable transition. The overall gross density at 35 dwellings per hectare is considered acceptable and whilst there may be elements of the site that are more intensively developed, the layout is considered appropriate in an urban location such as this.

3.3 As stated above, the scheme has been revised to take account of potential impacts on adjacent existing residents, the effects of the development are not considered materially harmful and as such would be acceptable in terms of amenity.

3.4 The site lies alongside the A47. In order to mitigate the external noise effects on proposed residents, landscaped attenuation bunding is proposed. The bunds would protect amenities of the new residents against noise from A47. The existing bunds along the south boundary of the site would be utilised with additional 2.1m high fencing on top to mitigate noise impacts. A new section of 2m high bunds are proposed in the south eastern section of the site with 3m high fencing proposed to top it. The maximum overall height along any section would be 5.23m. This is considered acceptable in context of the existing landscaping in this part of the site and would have been required for any development scheme in such close proximity to the A47.

3.5 Additional traffic movements would result in some additional disturbance to existing residents, particularly during the first phase of development. However, given the likely volume, speed and distribution of such traffic, it is not considered that such disturbance would cause significant harm nor exceed that which

might reasonably be expected within a built up area.

3.6 It is considered therefore that the proposal would be compatible with the established pattern and character of surrounding development and would be a logical addition to the existing built up area. The application proposal would not conflict therefore with Core Strategy Policies CP11, DC01, DC02 or DC16, nor the guidance in paragraphs 17, 58 and 109 of the NPPF.

4.0 Trees

4.1 The site is laid to grass but well landscaped around its boundaries with the addition of an existing mature hedgeline that runs along the existing field boundary linking Greenfields Road with Wheatcroft Way. It is proposed to retain this hedgerow and incorporate it into the development by making it a wildlife corridor. In addition to the boundary hedging there is a single Oak tree, centrally located within the site, which is the subject of a TPO. The layout has been altered to ensure that the tree is protected and would be located within the area of public open space.

5.0 Public Open Space

5.1 The calculated requirement for public open space is 18470 sqm. The scheme provides 22319sqm of open space which exceeds the requirements by 3849 sqm. The proposed provision is comprised of;

14484sqm unencumbered open space (flat / level)
1876 sqm containing flood attenuation features
5959 sqm containing a noise attenuation bund

5.2 The Council's Open Space Assessment 2015 is not clear as to when open space is considered unsuitable. There have been concerns expressed regarding the fragmented nature of the proposed open space on site but it does provide scope to site the two LEAPs and LAP in different areas of the site to facilitate an even distribution of play space as well as further areas of open green space that have value from a visual amenity perspective. It is important to note that the main area of Public Open Space would enable direct access from the existing public footbridge across the A47 directly to the Dereham Windmill, which can currently only be accessed via a more circular route.

5.3 The inclusion of the bunds in the open space calculation again would provide both visual amenity and some informal open space and habitat creation adjacent to the existing footpath that runs along the southern boundary of the site which is considered to be of value in open space terms.

6.0 Ecology

6.1 The site lies approximately 1km of the Bradley Moor SSSI and Norfolk Valley Fens SAC as well in proximity to other statutory designated nature conservation sites. An ecological appraisal has been undertaken which assesses the impacts of the development. The site would be shielded from these sites by existing housing development and the A47 and would not cause significant additional recreational pressures as public rights of way are limited to the designated sites in question, consequently an Appropriate

Assessment would not be required. Ecological issues within the site itself are addressed by the Ecological Appraisal and subject to the submission of an Ecological Management Plan, ecological impacts can be mitigated.

7.0 Access / Highways / Public Rights of Way

7.1 The access to the site would be created via linkages to Greenfields Road and Wheatcroft Way to the primary road network. There is no evidence to suggest that the surrounding road network would not have sufficient capacity to cater for the extra traffic generated from the proposal. Further, assessments have previously been made of the traffic impacts associated with 220 dwellings and it is not considered that an additional 65 units would make a material impact in highway safety terms. The Highway Authority has no significant objections, recent revisions have sought to address some concerns relating to visibility splays and turning areas which have not materially affected the main layout.

7.2 As referenced above in para 5.3 there is a public footpath adjacent to the southern boundary of the site which runs around the edge of the site to its northern boundary. It has been the subject of a claimed PROW, which is likely to be accepted by the Public Rights of Way Team at NCC. The proposals show the development would be sited clear of the PROW but there is some dispute as to the 'width' of the PROW and whether the bund would encroach but the PROW is largely outside of the site at this point along the A47.

7.3 Issues have been raised regarding the provision of non-motorised linkages to the wider area but no concerns have been raised by NCC taking into account the proposed connections into the local Green Infrastructure network and Public Rights of Way network. It is considered that the measures proposed would be adequate to mitigate the effects of the development.

7.4 On this basis, it is considered that the proposal is acceptable in transport terms and would be consistent with NPPF paragraphs 32, 34 and 35.

8 Flood Risk / Drainage / Sewage

8.1 The site is Flood zone 1 (low risk). The EA has not raised objections. The submitted Site Specific Flood Risk Assessment has been revised to take account of concerns raised by the LLFA. Following the submission of a revised Flood Risk Assessment no objections are raised by the LLFA subject to a surface water drainage strategy condition.

8.2 In terms of foul water drainage, Anglian Water have acknowledged that the current foul drainage capacity of the Dereham Water Recycling Centre is limited and only has capacity for the first 50/75 new dwellings. A condition has therefore been recommended that the occupancy of the development is restricted to those levels until the planned improvement for foul sewer collection is complete in 2018. It has been confirmed that such a restriction would not represent a barrier to development when taking into account the timescales involved and the anticipated build out rates of the development.

8.3 Taking into account the above, the development would not conflict with paragraphs 103 and 109 of the

NPPF.

9.0 Heritage

9.1 The development has been considered in context of its impact on the nearby designated heritage asset, Dereham Windmill. The Historic Buildings Officer has not raised objections in light of the sensitive way in which the development has been designed adjacent to the listed building. It is considered that there would be no material harm to the significance of the heritage asset, in accordance with paragraphs 131 and 132 of the NPPF.

9.2 The Norfolk Historic Environment Service has raised some queries regarding the submitted desk based assessment because of the potential presence of previously unidentified heritage assets of archaeological interest. Therefore it is recommended that conditions are imposed that require a written scheme of investigation, site investigation and post investigation assessment. On this basis, the development would accord with paragraph 141 of the NPPF.

10.0 Other Matters

10.1 Matters relating to a lack of capacity in primary healthcare provision in Dereham has been raised. NHS England have been consulted and raised no objections subject the provision of a financial contribution towards the improvement of facilities in the town to accommodate the new residents. The contribution would be made via the S106 Agreement prior to development commencing. The applicant has agreed to meet these costs. On this basis, they raise no objections to the scheme.

10.2 There are also implications for education provision in the town. NCC have advised that there is spare capacity in Early Years and Secondary provision but a requirement for primary education and sixth form education provision would be required to mitigate the need for additional school places. The applicant has agreed to meet these costs which would be provided via the S106 Agreement.

10.3 A contribution towards library provision in the area has been requested and agreed, which would also be provided via the S106 Agreement.

11.0 Conclusion

11.1 The site is located within the settlement boundary of Dereham and is the subject of an existing outline planning permission for 220 dwellings, it is therefore sustainable in principle. The proposal would result in an additional 65 dwellings being constructed on site but 58% (38 units), of those additional properties would be affordable housing units providing a total of 71 of such homes. Local services and facilities would be readily accessible and could expect to derive support from new residents. The environmental and social impacts of the development have been considered and can be adequately mitigated. There is no substantive evidence to suggest that the proposal would have a significant adverse effect on local infrastructure. Potential impacts on local ecology have been scrutinised and found to be acceptable. The development would also make a significant contribution towards the supply of housing, including affordable housing.

11.2 Taking all these matters into account, it is concluded that the proposal would represent sustainable development, as defined in the NPPF and would not conflict with the objective of development plan policies.

12.0 RECOMMENDATION

12.1 The application is recommended for Approval.

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 plans**

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.
- 3 Archaeological condition**

A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved in writing by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organisation to undertake the works set out within the written scheme of investigation.

B) No development shall take place other than in accordance with the written scheme of investigation approved under Part (A)

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under Part (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason for condition -
Details are required to be submitted prior to the commencement of the development to ensure the potential archaeological interest of the site is investigated and protected from the outset of the development, in accordance with Policy DC 17 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged
- 4 Construction Management Plan**

That development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Planning Authority. The construction methodology shall contain:

- (a) A photographic condition survey of the roads, footways and verges leading to the site.
- (b) Details of construction access and associated traffic management to the site.
- (c) Arrangements for the loading, unloading and turning of delivery, construction and service vehicles clear of the highway.
- (d) Arrangements for the parking of contractor's vehicles
- (e) Arrangements for wheel cleaning
- (f) Arrangement for the storage areas
- (g) Hours of work
- (h) The control of dust and emission from construction
- (l) The storage and re removal of excavation material
- (j) Noise mitigation measures during construction and demolition

The development shall be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

Reason for Condition:

To ensure the implementation of the development does not lead to damage to the existing highway and to minimise disruption to neighbouring properties in accordance with Policy DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

5 External materials to be approved

Prior to the commencement of any works above slab level precise details of the colour of the external materials 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

6 In accordance with Arboricultural Impact Assessment

Operations on site shall take place in complete accordance with the approved Arboricultural Impact Assessment (AIA), Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) supplied by ACD, ref: ORB20131aia:ams, taking into account the minor change which brings the road outside the root protection area of the TPO tree; T7 2008 no.34 as shown on drawing SL01 Rev R. No other operations shall commence on site in connection with the development until the tree protection works and any pre-emptive tree works required by the approved AIA or AMS have been carried out and all tree protection barriers are in place as indicated on the TPP. 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 for condition -

In the interests of the visual amenity and landscape quality of the development in accordance with Policies CP 11 and DC1 of the Adopted Core Strategy and Development

Control Policies Development Plan Document 2009.

7 Fencing/walls - details and implementation

No development above slab level shall take place until a detailed scheme setting out the proposed boundary treatments for both publicly accessible areas and private amenity areas has been submitted to and approved in writing by the local planning authority. The scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with an agreed phasing plan and shall be implemented prior to first use/occupation of the areas to which they relate. The development shall be retained and maintained in accordance with approved details thereafter.

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

8 Trees/hedges to be retained

The existing trees/hedges on the site shall be retained. Should any die or be removed without the written consent of the Local Planning Authority, they shall be replaced during the next planting season with a tree(s) or hedging of a species, size and in the same location to the satisfaction and written agreement of the Local Planning Authority.

Reason for condition:-

In the interests of the visual amenity and landscape quality of the development in accordance with Policies CP 11 and DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

9 Indicated soft landscaping to be implemented

The landscaping shown on the plan accompanying the application shall be carried out during the first planting season October/March immediately following the commencement of works on site. Any trees or plants which within a period of 5 (five) years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason for condition:-

In the interests of the visual amenity and landscape quality of the development in accordance with Policies CP 11 and DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

10 Hard landscaping scheme to be submitted

No development shall commence until proposals for the hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The hard surfacing scheme shall include details of all hard surfacing for publicly accessible areas including footpaths, cycle links and sections of the restricted byway that are located within the site. The approved scheme shall be implemented prior to their first use/occupation and retained and maintained in that form thereafter.

Reason for condition:-

In the interests of the satisfactory appearance of the development and in order to protect the amenities of nearby residential occupiers in accordance policies DC1 and DC16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

11 Lighting Pollution

Full details of all external lighting provision which shall be designed to prevent light pollution of the night sky and the surrounding area shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work. Only that lighting which has been so agreed shall be erected or installed.

Reason for condition:-

To ensure the protect the amenities of the locality in accordance with Policies CP 10, CP 11 and DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009. .

This condition will require to be discharged

12 Foul Water Strategy

No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved foul water strategy unless the Local Planning Authority gives written consent to any variation.

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

13 Non-standard foul drainage condition

The public sewerage system has capacity issues in Dereham area; the proposed initial 50 dwellings can be occupied provided the 16 cubic metres of offline storage is provided. The remaining 235 dwellings are to remain unoccupied until the Anglian Water strategic drainage scheme for Dereham is completed and is operational.

Reason for condition

To prevent foul water flooding or pollution and to protect amenity of residents. 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

14 Surface Water drainage condition

Prior to commencement of development, in accordance with the submitted Site Specific Flood Risk Assessment / Drainage Strategy (Richard Jackson Engineering Consultants Project Reference No.46513 dated May 2018) and subsequent, detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

I. Surface water runoff rates from the site will be attenuated to a combined maximum discharge rate of 14.5l/s as stated within Table 5.1 of the FRA / Drainage Strategy.

II. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change, flood event.

III. Detailed designs, modelling calculations and plans of the of the drainage

conveyance network in the:

- 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.

- 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.

IV. The design of detention basins will incorporate an emergency spillway and any drainage structures will include appropriate freeboard allowances.

V. Plans to be submitted showing the routes for the management of exceedance surface water flow that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period.

VI. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding including from the proposed drainage scheme (this would include above ground storage areas). Finished ground floor levels of properties should also be a minimum of 150mm above surrounding ground levels.

VII. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

VIII. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.

Reason:

To prevent flooding in accordance with Policies DC 1 and DC 13 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009 and 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.

15 Noise attenuation condition

Development to proceed inline with the acoustic controls and mitigation measures outlined in the Sharps Redmore noise Comments assessment, in particular the provision of a 5 metre high acoustic barrier along the site boundary with the A47, house design nearest the A47 to minimise windows of habitable rooms facing the A47 direction, double glazing and ventilation provided where excess of noise above the BS8233 standards.

Reason for condition

To protect the amenities of the residents. This condition is imposed in accordance with Policy DC 1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

16 Public Open Space Strategy condition

Prior to the occupation of any of the dwellings, a strategy setting out procedures to investigate and resolve complaints of noise and antisocial behaviour within public open spaces areas on site shall be submitted to and approved in writing by the local planning authority. The strategy should include appropriate signage detailing usage and demonstrate how complaints relating to noise and antisocial behaviour will be dealt with including a

procedure of recording complaints and any actions undertaken by those responsible for the management of the public open spaces to resolve any justified complaints. Any associated records should be made available on request to officers from Breckland Council.

Reason for condition

To protect the amenities of the residents. This condition is imposed in accordance with Policy DC 1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

17

LEAP layout condition

Notwithstanding the submitted details, no dwellings shall be occupied until detailed plans identifying the type and location of play and other associated equipment proposed in the approved Locally Equipped Areas of Play (LEAP) has been submitted to and approved in writing by the local planning authority. The LEAPs shall be laid out in accordance with the approved details and retained and maintained in that form thereafter.

Reason for condition -

In order to ensure that the LEAPs are laid out in the most appropriate manner to minimise adverse noise and disturbance impacts on the amenities of adjacent residential occupiers in accordance with Policy DC 1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

18

Ecological Management Plan

No development shall commence until an Ecological Conservation Management Plan (ECMP) has been submitted to and approved in writing by the Local Planning Authority. The ECMP shall accord with the recommendations set out in the submitted Ecological Appraisal dated November 2016. The Plan shall set out the measures proposed for protecting the net biodiversity of the site as a result of

development and shall include:

a) Contractor responsibilities, procedures and requirements.

b) Full details of appropriate habitat and species surveys (pre and post construction), and review where necessary, to identify areas of importance to biodiversity both during construction and post development, including consideration and avoidance of sensitive stages

of species life cycles, such as the bird breeding season, protective fencing and phasing of works to ensure the provision of advanced habitat areas and minimise disturbance of existing features.

c) Details of measures to ensure protection and suitable mitigation to all legally protected species and those habitats and species identified as being of importance to biodiversity both during construction and post development, including consideration and avoidance of sensitive stages of species life cycles, such as the bird breeding season, protective fencing and phasing of works to ensure the provision of advanced habitat areas and minimise disturbance of existing features.

d) Identification of habitats and species worthy of management and enhancement together with the setting of appropriate conservation objectives for the site.

e) A summary work schedule table, confirming the relevant dates and/or periods that protection measures shall be implemented or undertaken by.

- f) A programme for Monitoring to be carried out during the construction phase.
- g) Confirmation of suitably qualified personnel responsible for overseeing implementation of the ECMP commitments including a specification of the role.
- h) A programme for long-term maintenance, management and monitoring responsibilities.

All species and habitat protection, enhancement, restoration and creation measures shall be carried out in accordance with the approved Ecological Conservation Management Plan.

REASON: To ensure that the development of the site conserves and enhances ecology in accordance with policy CP 10 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

19

Contaminated Land - Site Investigation/Remediation

Unless otherwise 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 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. This condition is

imposed in accordance with 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

20 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 Policy CP 9 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

This condition will require to be discharged

21 Provide access and parking

Before any dwelling is first occupied the road(s), footway(s) and cycleway(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:-

(a) To ensure the orderly development of the site.

(b) To ensure a satisfactory form of estate layout and a satisfactory standard of highway design.

(c) In the interests of highway safety.

22 Visibility splays

Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Reason for condition:-

In the interests of highway safety.

23 Works to the highway network

Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until detailed schemes for the off-site highway improvement works as listed below have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

1. A 20mph zone / traffic calming scheme for the entire length of Greenfields Road, including all existing and proposed roads that take access from it.
2. Amendments to the layout of the Station Road, Norwich Street, Norwich Road, Matsell Way signal controlled junction, including the provision of MOVA and CCTV, as shown on drawing 46513/PP/SK01.
3. Provision of improvements to the Restricted Byway along the length of Cherry Lane (south of the retained allotments) and the southern site boundary through to Greens Road to create a continuous asphalt shared use foot / cyclepath. Such improvements to also include provisions to prevent vehicular use of this route, turning provision at the limit of vehicular access on Cherry Lane and safe and convenient crossing points of the new access roads.
4. Waiting restrictions at the junction between Greenfields Road and Norwich Road. Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in this condition shall be completed in accordance with the approved details unless the Local Planning Authority gives written consent to any variation.

24 Travel plan not agreed at planning stage

Prior to the commencement of the construction of the first dwelling hereby permitted an Interim Travel Plan shall be submitted, approved and signed off by the Local Planning Authority in consultation with the Highway Authority, such a Travel Plan shall accord with Norfolk County Council document `Guidance Notes for the Submission of Travel Plans`
Reason for condition:-

To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

This condition will require to be discharged

25 Travel plan not agreed at planning stage

No part of the development hereby permitted shall be occupied prior to implementation of the Interim Travel Plan referred to in condition 19. During the first year of occupation, an Approved Full Travel Plan based on the Interim Travel Plan referred to in condition 19 shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason for condition:-

To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

This condition will require to be discharged