

ITEM: 1	RECOMMENDATION: APPROVAL
REF NO: 3PL/2015/1490/O	CASE OFFICER: Debi Sherman
LOCATION: DEREHAM Land off Shipdham Road, Westfield Road and Westfield Lane	APPNTYPE: Outline POLICY: Out Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT: Glavenhill Strategic Land (Number 1) Limited C/O Lanpro Services Limited Brettingham House	
AGENT: Lanpro Services Ltd Brettingham House 98 Pottergate	
PROPOSAL: Residential development for a minimum of 291 dwellings, link roads, open space and recreational space. AMENDED PROPOSAL to include demolition of existing railway bridge at Westfield Lane and construction of a replacement two-way railway bridge (instead of traffic signalling works at the junction of South Green and Tavern Lane).	

DEFERRED REASON

INTRODUCTION

This application was considered at the Planning Committee meeting of 15th January 2018 where it was resolved to refuse planning permission. An extract of the minutes is set out below:

DECISION: Members voted 7 x 4 not to accept the Officer's recommendation of approval.

REASONS:

1. the intrusion of built development into the open countryside and the creation of a hard edge to the Town of Dereham; and
2. significant visual impact and harm to the character and appearance of the site and surrounding landscape.

DECISION: Members voted 5 x 5 (plus one abstention) not to accept the Officer's recommendation of approval and refuse the application.

The vote was tied 5 x 5. The Chairman was entitled to his casting vote and voted that the application be refused on the above stated two grounds together with a highway ground, including the impact of the junction on a 'C' Class road being used as an entrance/access point to the development. It was agreed that the final wording for the decision of refusal would be drafted by Officers in consultation with the Chairman

The scheme has been under consideration since that time with a view to seeking to address concerns raised by Members.

DESCRIPTION OF DEVELOPMENT

The proposal has altered by referencing up to a maximum of 291 dwellings, incorporates details of a proposed roundabout within the site and the demolition of the existing single-track bridge over the railway line and erection of a replacement bridge in a similar location to enable two-way traffic to pass over the bridge with no waiting restrictions.

POLICY CONSIDERATIONS

NPPF published in July 2018 with particular reference to Paragraphs 11, 14, 72, 86, 89, 108, 109, 110, 163, 175,-176, 189-190 & 197.

CONSULTATION RESPONSES

DEREHAM TOWN COUNCIL

1. With regards to the visual intrusion into open countryside and the creation of a hard edge to the Town:

The revised application, although it is an outline application, the indicative layout will often be used as the basis for the detailed application.

The Town Council still objects to this application on the grounds that it would create a hard edge to the Town, impacting on the character and appearance of the site, it objects to the indicative layout on this basis. If Breckland are minded to approve the application then, it should be done on the basis that the indicative layout is not acceptable and the detailed design should give considerable consideration to how the development would minimise the potential visual impact and harm to the character and appearance of the site and surrounding landscape.

2. With regards highway's matters, including the impact the single-track railway bridge.

In the applicants Addendum to the Planning Statement dated September 2018, the applicant places great emphasis on the fact that this site is allocated in the local plan and the Local Plan is at such an advanced stage that emerging policies should be considered. In the applicant wishes for Local Plan policies to be used to judge this application than then all local the Local Plan policies should be applied, not just the policies that are favourable to the applicant.

The Breckland Transport Study carried out by White Young Green (WYG) forms part of the evidence base for the Local Plan and is a material consideration for any application.

2.1 Westfield Road.

The WYG study stated at 8.6.5 that; "for developments in the south of Dereham no additional traffic should be placed on Westfield Road". There are no measures in the indicative layout of the link road preventing additional traffic traveling along Westfield Road.

- The indicative layout therefore is not compliant with the Local Plan evidence base, because there are no measures preventing vehicular access onto Westfield Road.

2.2 Cycle Links.

The WYG Study at 12.4.2 also stated that for developments to the south of Dereham, there should be good cycle links. Good cycling links are also required as part of Local Plan Policies GEN 2 and TR01. The NPPF is very explicit on the need that sustainable transport is a real option, this is reflected in the Planning Practice Guidance's for Travel Plans and Transport Statements.

To meet the requirements of Breckland Policy GEN 02 and TRO1, the NPPF and PPGs, the developer should have

1. identified desire lines for cyclists accessing specific destinations, from the development site, including the high schools and town centre
2. carried out a review using a standard methodology such as the Cycling level of Service tool kit
3. identified any factors which may make the routes unattractive to cyclists.
4. Proposed improvements to the network which would enable residents from the development site to safely and conveniently access services.

There is a particular issue in Dereham with traffic volumes and congestion (See LTN 2/08) many routes have critical factors that would make them unattractive to cyclists (see the Cycling Level of Service tool). With regards to cyclists, highway safety is not simply a matter of reviewing the accident data and saying there have not been many accidents therefore the roads are safe for cyclists (as some applications have got away with). LTN 2/08 along with other guidance such as the Cycle Level of Service, are very clear that it is the perceptions of danger that deter people from cycling. This is especially true for female cyclists; a lot of research has identified perceptions of danger as the biggest single barrier to women cycling on a regular basis.

The application is not compliant with Breckland Policy GEN 02 and TRO1, the NPPF and PPGs with regard to sustainable transport. The Application should be refused until a clear review of cycling is carried out.

It is well established that perceptions of danger is the biggest single barrier to women cycling on a regular basis. This is; therefore, an equality issues for which Breckland Council have a duty to consider. The application proposes a roundabout but does not include details of how the roundabout can be safely used by cyclists.

If a roundabout is to be included, it must be designed to accommodate cyclists and follow Sustrans design guidance for roundabouts.

2.3 Impact on the road network.

The Local Plan Policy 'Dereham Housing Allocation 2' stipulated that development on this site will be permitted 'subject to the development contributing towards required highways improvements in Dereham having regard to the Dereham Transport Study'.

The Dereham Transport Study identified three road improvement schemes (listed below) that would be required to make the highway function effectively with the additional growth proposed in the Local Plan. South Green / Tavern Lane Junction.

The Dereham Transport Study identified that this junction would soon be over capacity and a new signalised junction would be required. The Applicant recognised that a signalised junction would be required to mitigate the impact this development would have on the Highway. The applicant included such a scheme in its original application.

So a signalised junction at South Green was identified as being needed in the Dereham Transport Study and accepted as such by the applicant. The Planning Committee identified that the railway bridge at Westfield Lane also required improving, for the application to be acceptable.

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The applicant is proposing construct the railway bridge on Westfield Lane rather than the signalised junction at South Green. Such a proposal is contrary to the Dereham Transport Study and the Local Plan. Both a new railway bridge on Westfield Lane and a signalised junction at South Green are required to make the development acceptable. Two schemes have been identified as being needed - two schemes should be delivered. The application should be refused on the grounds that it will not mitigate its impact on the highway network.

The proposed new railway bridge.

The proposed bridge is to be welcomed, given that we were previously told it was impossible.

To be acceptable the bridge needs to be wider to accommodate two footways and a cycle lane to link to potential cycle infrastructure on Yaxham Road. The bridge must also be able to accommodate bus services.

Tavern Lane / Yaxham Road Junction.

The Dereham Transport Study (that forms the evidence for the Local Plan) identified that significant improvements would be required at this junction, to accommodate the projected traffic growth. These improvements were split into short-term small-scale improvements and improvements to take account of all the local plan growth. The short-term improvements were to change the timings of the lights and reconfigure the pedestrian crossing. These works have now been completed. The long-term solution was a signalised roundabout at Tavern Lane, this will cost in excess of £3million, but Breckland Council have not secured any developer contribution towards this roundabout nor has Norfolk County Council allocated any funding towards it or even included it in any of its strategic road improvement plans. Both authorities endorsed the Dereham Transport Study, so its recommendations should not be ignored.

The signalised roundabout has been identified as being needed within the next 8 years - but neither authority have identified how it will be funded. No further development in Dereham should be approved until funding has been secured to deliver the road infrastructure identified by Breckland Council and Norfolk County Council as being needed.

2.4 Link Road.

If the proposal is for a link road, then a link road should be constructed. The proposal in the outline application, is not configured as a link road, but as a residential estate road, designed to reduce vehicle speeds.

If a link road is needed then it should be designed as a link road, link roads only function as such if they are a quicker alternative route. If they are designed to be slow, as is the case here, then they do not function as a link road and little traffic is diverted.

If Breckland Council are minded to approve the application, then it must be subject to the indicative link road is unacceptable and the final link road being designed to maximise its effectiveness in moving traffic between Shipdham Road and Yaxham Road.

WINBURGH & WESTFIELD PARISH COUNCIL

My Council has already made its objections to this application clear as part of the original consultation. Rebuilding the bridge will help alleviate the pinch-point on Westfield Road, but does nothing to meet the many other objections. Indeed, by delivering traffic to the B1135 more easily it will in fact make the problems

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here even greater.

To summarise, my Council's concerns include:

- The impact of the additional dwellings on the traffic and availability of services in Dereham.
- Traffic surveys presented appear to have taken place at times avoiding the busiest periods in Dereham.
- From this development traffic heading to Shipdham, Watton and Thetford will take the single-track road through Westfield to get to the A1075, which will become a rat run. Similarly, traffic heading to Wymondham will use the B1135 southwards through Whinburgh, which also involves crossing a narrow bridge with a sharp bend on either side. Traffic heading for Norwich will try to use the B1135 to access the A47. At peak times the roundabout is already blocked solid (the attempt to re-phase the traffic lights having had no discernible effect) with queues stretching south well past the Westfield Road junction.
- Construction of a new bridge will do nothing to lessen the impact of the intrusion of built development into the open countryside.
- Similarly, this change will not lessen the significant visual impact and harm to the character and appearance of the site and surrounding landscape in any way.

My Council continues to object strongly to this application and asks that Breckland Planning Committee listen to the electorate, and refuses permission, and thus remove this sword hanging over our residents.

SHIPDHAM PARISH COUNCIL

Issues with traffic going onto Tesco roundabout, which is already very congested. Not happy with demolition of Westfield Road bridge, which has only recently been renovated.

HIGHWAYS AUTHORITY

Further to my formal response on the 17 January 2017, additional information has been submitted by the applicant and an amendment consultation dated 25 September 2018 has been undertaken.

The applicant is now in a position to provide a full road and pedestrian bridge over the mid Norfolk railway. The scheme submitted is purely indicative and will be subject to detailed design and consultation. In addition, the applicant has proposed the delivery of a roundabout on the A1075 Shipdham Road. This is instead of the signalisation of South Green/Tavern Lane.

Whilst previously the highway authority had accepted that the signalisation of South Green/Tavern Lane was an important piece of mitigation, the highway authority also considers that the provision of a roundabout will also bring significant benefits to that section of the A1075 in that not only will it provide a gateway feature for the town but will also act as a speed reducing feature. Therefore, on balance the highway authority is happy to accept the delivery of a roundabout in lieu of signalising the South Green/Tavern Lane junction.

In light of the above and in accordance with the earlier recommendation, the highway authority recommends no objection subject to conditions relating to the following -

- Management and maintenance of streets
- Details of roads, footways, cycleways, lighting, foul & surface water drainage
- Footways/cycleways constructed prior to occupation of dwellings
- Phasing plan to be agreed for footways and cycleways
- On site parking for construction workers
- Agreement of construction traffic management plan and access route
- Agreement of details of proposed roundabout at 50th occupation
- Agreement of details of proposed replacement two-way bridge at 150th occupation

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ENVIRONMENT AGENCY

No additional comments to make.

CONTAMINATED LAND OFFICER

No further comments, previous comments apply.

AIR QUALITY

Previous comments apply.

STRATEGIC HOUSING

The scheme offers 40% affordable housing, no objections are raised on this basis.

RAMBLERS ASSOCIATION

Previous comments remain relevant apart from the section relating to Bradley Moor.

NORFOLK RIVERS DRAINAGE BOARD

Recommend that the application to discharge is made prior to the determination of the planning application.

NATURAL ENGLAND

No comments to add.

LEAD LOCAL FLOOD AUTHORITY

No objections subject to proposed conditions.

ENVIRONMENTAL PROTECTION

No objections.

HIGHWAYS ENGLAND

Unlikely to have any further impact on the strategic road network.

LETTERS OF REPRESENTATION

A further 35 letters of representation have been received, the majority of the issues raised have been addressed elsewhere in the main report, but the following additional issues raised are summarised below:

- Railway bridge has a blind summit, necessary because of clearance required for operational railway underneath. Pedestrians generally walking on Yaxham Road to catch a bus or walk to school - normally on the North side of the bridge. Plans show footway on South side of the bridge only. Pedestrians will have to cross on both ends to use the footway. Insufficient pedestrian visibility - just 500mm on the North side of the bridge. Pedestrians may try to stay on the North side and become compromised. Footway should either be on the North side or even better, on both sides.
- Who will maintain the proposed bridge?
- Will create a 'rat run' along School Lane and Westfield Lane
- Schools traffic blocks up the area which the bridge will not help
- Not going to be safe turning right into another roundabout at Yaxham Road/Westifeld Lane junction (Hopkins Homes - Dumpling Green).
- Coalescence of Dereham and Westifeld should be resisted
- Upgrading the estate road to a distributor road changes the proposed layout, no indication of the proposed

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priorities at the new junctions, no capacities provided of the proposed bridge are provided, need to know extent of proposed parking restrictions. No updated transport Assessment review has been provided and no consideration of the effects on traffic flows through Shipdam and Yaxham.

- Distributor road defined as 'low to moderate capacity road which serves to move traffic from local streets to arterial roads'. There will an increase in commercial vehicle loadings which could require the upgrading of surface water treatment and disposal.
- Inadequate provision for cyclists as bridge width only 5.5m and footpaths only 1 m in width.
- Concerns about siting of football pitches next to the railway line.
- Should be removed from the Breckland Local Plan and refer instead to the Dereham Town Plan which includes the Dimpling Green development
- New bridge is welcomed but removal of the improvements to Tavern Lane are irrational and will lead to congestion
- New traffic survey data required because of recent works to lights at Tavern Lane junction
- Impacts on the areas of ecological interest have not been considered, Potters Fen and Scarning Fen.
- No approach made to the Mid Norfolk Railway regarding the proposed bridge
- Traffic impacts require a bypass of Shipdham
- Tavern Lane junction and impacts on the A47 remain an issue
- Widening of the bridge removes a traffic calming measure
- How will 500-600 additional cars be accommodated?
- Crime on the increase in Dereham already will add to this
- Amended proposal will result in the loss of a historic and characterful bridge that is part of the railway heritage
- Assurances wanted regarding impacts on property closest to the bridge

ASSESSMENT NOTES

EMERGING LOCAL PLAN

The current application, when debated previously by Members in January of this year, was identified as a preferred allocation for 290 dwellings in the Emerging Local Plan (ELP). The assessment undertaken as part of the site allocation process has been ongoing since 2014 when the 'Issues and Options' document was produced by the Council which was the subject of public consultation. This was followed by the 'Preferred Directions Consultation' and a number of Local Plan Working Groups to consider the sites put forward during the earlier consultation process. The identified sites have also been subject to Sustainability Appraisal (inc Strategic Environmental Assessment) process to ensure that the allocations accord with the principles of sustainable development.

The site is identified in the 'Breckland Local Plan Preferred Site Options and Settlement Boundaries 2016' as a 'Preferred' site. The 'Key Development Considerations' referenced in this document relating to this site are identified as follows:

- The site is proposed as a preferred allocation for 290 dwellings
- The principle access to the site will be from Shipdham Road
- An access link should be provided from Shipdham Road to Yaxham Road
- Appropriate landscaping to the south of the development
- On-site open space should be secured through the application
- Development should contribute towards required highways improvements in Dereham having regard to the Dereham Transport Study

Since that time, the EIP has been the subject of a number of Examination in Public (EIP) hearing sessions during which the District's housing allocations have been examined and assessed. This site was discussed during those sessions.

In the case of this site, the EIP Inspector took the view that the matters raised during the EIP session were specific to the planning application rather than the principle of the allocation. At the time of writing this update report, there is no information from the EIP Inspector that any changes are proposed to this site or the other housing allocations in Dereham. It therefore follows that the principle of this site coming forward for development has been accepted and the weight which can be attributed to the allocation for residential development is greater than at the time the application was previously considered by Members. This represents a material consideration in the determination of the application.

VISUAL IMPACT/CHARACTER AND APPEARANCE

It was acknowledged and examined in Paragraph 3.2 of the main report (see below) that the development of the site is acceptable and can be adequately accommodated within the site. Further to this, following the amendment to the description of development incorporating an upper limit of 291 no. dwellings, there is now certainty over the maximum number of units that would come forward. On this basis, the scheme would have an overall gross density of no more than 11.37 dwellings per hectare (dph). The indicative layout proposes significant open space 'buffer zones' towards the south and east of the development site. The net developable areas identified on the indicative parameter plans are shown to range in density from 27-29 dph to 33-35 dph. These density ranges are appropriate in an edge of town location. Further, the built development element of the scheme would be seen with the back drop of existing residential and commercial development, which currently forms the southern edge of Dereham.

The applicant has referenced significant mitigation measures on land to the south of the application site, incorporating restoration of the River Tud and the re-introduction of grazing land along its northern banks. Further, there are measures proposed on land to the east for various ecological mitigation measures that would represent overall improvements to the biodiversity of the area. Officers are advised that these measures would be delivered via a Unilateral Undertaking, the details of which are being prepared at the time of writing this report.

HIGHWAYS MATTERS

The resolution to refuse planning permission also focussed on the use of the 'C' class road being utilised as an access/egress from the development site. In response to these concerns, the applicant has offered a package of alternative highways measures.

The application has been subject to three main revisions which have the subject of re-consultation.

- 1.A new two-way road bridge crossing the Mid Norfolk Railway line (previously it was proposed to provide priority signalisation for single file traffic and erect a separate footbridge to provide access for pedestrians). This solution would improve the use of Westfield Lane onto/from Yaxham Road. The proposed revision involves the demolition of the existing narrow 19th century railway bridge (explored in the section below) and the erection of a new bridge that would have a carriageway width of 5.5m and a 1.8m wide footpath on its southern side, thus providing a combined vehicular and pedestrian bridge.
- 2.A new roundabout has been proposed within the site at its junction with A1075 Shipdham Road to provide an improved junction on the western boundary of the site.
- 3.The previously proposed off site highway works involving the signalisation of South Green/Tavern Lane has been removed from the development proposal.

The Highway Authority have been consulted and assessed the impact of the removal of the proposed signalisation works at the Green Lane/Tavern Lane junction against the proposal for the roundabout and new two-way bridge. They have acknowledged that the revised scheme in the form of the roundabout will provide significant benefits to that section of the A1075 as a gateway feature and as a speed reducing measure. It is on this basis that the requirement to carry out the signalisation at Green Lane/Tavern Lane can be removed and no objections are raised by the Highway Authority on this basis.

The proposed two-way bridge over the railway has been assessed by the Highway Authority and considered acceptable subject to a detailed design coming forward via planning conditions. It is noted that concerns are expressed regarding the design of the bridge, but the design specification would be subject of full detailed design approval by the Highway Authority. No objections are raised on this basis. The agent advises that the Mid Norfolk Railway has been fully consulted during this process and would also be involved at design specification stage.

Concerns continue to be raised regarding the cycling routes and connections with the wider cycle network. No objections have been raised by the Highway Authority to this aspect of the scheme and it is considered that the opportunities for cycle connections facilitated by the development are acceptable in context of the wider development proposal.

LOSS OF NON-DESIGNATED HERITAGE ASSET

The railway bridge has been identified in the Environmental Statement as a non-designated heritage asset. Its loss there has to be assessed, in accordance with Paragraph 197 of the NPPF and a balanced judgement made regarding its loss in context of its significance. A statement of significance is currently being prepared to address these aspects, but the agent has advised that their own heritage consultant has assessed the bridge and confirmed that much of the original structure has been replaced or is in a poor state of repair. It is also understood that Mid Norfolk Railway are seeking replacement of the bridge. An update will be provided on the Supplementary Agenda.

OTHER MATTERS

The majority of the issues raised by third parties have been raised and addressed previously or assessed as part of this update report. There are updates to the contribution requirements from Norfolk County Council (NCC) which the agent has acknowledged are acceptable without affecting viability. A request that has come forward from NCC to extend the existing Public Rights of Way Network in the locality, which would come forward as part of the mitigation package and can be secured via the S106 agreement and potentially the Unilateral Undertaking (UU).

CONCLUSIONS

The scheme has been amended with a view to addressing the resolution to refuse at the Committee on 15th January 2018. The amendments relate to changes to the highway infrastructure associated with the development and the clarification of the upper limit on the number of dwellings that would come forward as a result of the scheme.

There has been no new specific information to address Members concerns regarding potential intrusion into the open countryside or creation of a hard edge of the development but the scheme is in outline form with matters such as layout, scale and appearance being reserved for future consideration. Officers remain of the

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view that these aspects can be dealt with under a Reserved Matters submission in the event that outline permission is forthcoming.

The inclusion of the proposed roundabout and new two-way combined pedestrian/vehicular bridge over the railway at Westfield Lane is considered to represent an improvement, although the omission of signalisation of the Green Lane/Tavern Lane signalisation works must be balanced against these improvements.

In carrying out the planning balancing exercise, regard has also been paid to the advanced status of the Emerging Local Plan and continued allocation of the site for 290 dwellings which represents a change in circumstances since the application was last before Members and a material consideration.

Overall, taking into account the above and advice set out in the NPPF, particularly Paragraph 11, it is acknowledged that the Council does not currently have a five year housing land supply, and the adopted development plan policies are out of date. As such, weighing up the various elements of the scheme it is considered the adverse impacts of the development would not significantly and demonstrably outweigh the benefits of the development, when assessed against the policies of the Framework taken as a whole. It is on this basis that the proposal remains recommended for approval.

RECOMMENDATION

Recommend APPROVAL subject the following S106 and UU obligations and conditions as set out in the CONDITIONS section at the end of the main report.

- Provision of on-site affordable housing at 40%
- Contribution to Library Services 21,825 pounds sterling
- Contribution to Early Years and Primary Education on a pro rata basis 1,210,976 pounds sterling
- NHS contribution of 91,740 pounds sterling
- Public Open Space Maintenance Contribution
- Off site works associated with the restoration of the River Tud circa 182,5500 pounds sterling
- Onsite Open Space totalling 12.63 ha
- Offsite green space to be reverted to low intensity grazing land totalling 13ha
- Works to improve the off-site PROW network

The previous reports are set out in full below.

15th JANUARY 2018

Consideration of this application was deferred by the Planning Committee at the meeting on 3rd February 2017 for further highway information in consultation with Highways England and their technical advisors AECOM.

This update report provides details of the historical highway context of the site and the negotiations that have taken place since the deferral between the transport consultants representing the Applicant and Highways England/AECOM, together with the conclusions reached at this stage.

An update is also included on policy matters that have changed since the original report was last presented to Members.

Access/Highways

Back in 2015, following a scoping exercise, it was agreed between the Applicant and Norfolk County Council that the local impact of scheme, in terms of Shipdham Road and Yaxham Road as well as Westfield Lane, would be assessed as part of the Transport Assessment submitted with the planning application, whilst the wider network effects would be assessed as part of the Dereham Transport Study (DTS), which was just being commissioned. The application site was included as a preferred option for housing in the Consultation Draft of the Local Plan and this resulted in it also being included as part of modelled transport options in the Dereham Transport Study.

The Base Case findings in the 2015 Dereham Transport Study showed that Tavern Lane/Yaxham Road was already operating at capacity. The Applicant therefore contends that is an issue for Norfolk County Council as the highway authority to resolve, dating back to that time. The initial findings of the Dereham Transport Study also showed that background traffic growth has had a far more dominating impact on the operation of the local road network than the number of vehicles associated with new housing. Therefore, in order to better understand effect of housing growth, the Dereham Transport Study also assessed traffic effects of housing growth against base traffic flows only. Furthermore, a 2026 scenario was also tested which included assumed traffic growth.

Data produced for the Dereham Transport Study in August 2016 demonstrates that only when background traffic growth is included does demand exceed capacity at any junction other than Tavern Lane/Yaxham Road in the town. With mid or high growth levels of new housing (defined as being in excess of 1000 new homes or in excess of 1600 new homes respectively) the junction which is most affected is South Green/Tavern Lane. The suggested improvement to the South Green/Tavern Lane junction is the installation of traffic signals. This is likely to be relatively straightforward to implement if needed. However, careful analysis is needed as the modelling in the Dereham Transport Study shows that there are a number of thresholds which must be met before a requirement for this particular intervention can be justified. Nevertheless, the Applicant agreed with Norfolk County Council in January 2017 that there would be a contribution exclusively to the improvement of the South Green/Tavern Lane junction such that this could be delivered in its entirety once/if needed.

Since the February meeting of the Planning Committee Highways England has been consulted and it has been noted that the A47 slip roads junction with Tavern Lane was not included in the scope of the Dereham Transport Study. There was no information available to assess impact of the recommendations in the Transport Study on the A47, such as if the South Green/Tavern Lane junction is signalised. In considering this scenario on behalf of Highways England, AECOM enquired about the possibility of an effect on the A47 slip roads junction. The Applicant was therefore asked by Highways England to address this issue. In subsequent discussions between the parties it has been resolved that, provided there would be no impact on eastbound through traffic due to vehicles queuing on the slip road, Highways England would raise no objection to the planning application since most concerns have arisen as a result of the findings of the Dereham Transport Study instead. A submission presented to Highways England in October 2017 showed that modifying the capacity assessment to represent a more limited A47 slip roads junction would not reduce capacity and so queuing on to the A47 eastbound would not occur. Highways England has accordingly confirmed no objection while noting that development of any improvements to the South Green/Tavern Lane junction should properly take in to account any effect on the A47 slip roads junction.

The application has now been referred back to the Norfolk County Council Highway Authority which also raises no objections as, on balance, the scheme is judged to accord with the highway policies identified in the original report below. On the basis of this progress it is recommended to Members that the application should not be refused on highways grounds.

Policy Matters

The application site continues to be identified as a preferred option for housing allocation in the Local Plan which was formally submitted for examination to the Secretary of state on the 30th November 2017. On adoption of the Local Plan this site would form part of the Council's forward looking housing land supply.

A Statement of Five Year Housing Land Supply was presented to the Planning Committee on 31st July 2017 and since this application was last considered by Members. Breckland's current situation is that the Council is unable to demonstrate a five year supply of housing land. In order to boost the supply of housing in the short term, in addition to the new Local Plan, the Council will need to have regard to this position when considering applications for development on sustainable sites which fall immediately adjacent to settlement boundaries. Whilst this will only apply where sites meet all other relevant requirements of the Development Plan, the current circumstances are a material factor weighing in favour of the principle of the proposals set out in this application. The five year land supply statement is reviewed on at least an annual basis, using the base date of 31st March each year.

The Yaxham Neighbourhood Development Plan has now been made but this does not directly affect the application site.

The previous report is reproduced in full below. The recommendation is that the application is approved subject to conditions (a fully updated schedule will be included in the supplemental report to be presented to Members at the meeting) and a Section 106 Agreement to cover the heads of terms set out in paragraph 9.1 below.

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

Outline permission is sought for residential development of 25.6 hectares of land to the South of Dereham situated between Shipdham Road and Yaxham Road.

Whilst permission is sought for access only with all other matters reserved indicative layout drawings have been submitted which show 291 houses together with road and public open space.

The proposed houses would be accessed from a new priority junction onto Shipdham Road, Westfield Road and Westfield Lane.

The application constitutes EIA development and is accompanied by an environmental statement which

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encompasses a number of documents and technical reports, including a Baseline Ecological Survey and Mitigation Strategy, Arboricultural Impact Assessment, Contaminated Land Assessment, Noise Survey, Transport Assessment, Utilities / Services Appraisal, Archaeological Evaluation and Flood Risk Assessment

The application is also supported by a Design & Access Statement, Planning Statement and a Statement of Community Involvement.

SITE AND LOCATION

The application site is located to the southern side of Dereham between Shipdham Road and Yaxham Road, Straddling Westfield Lane south of Westfield Road and Boyd Avenue / School Road. Existing residential development lies to the north of the site on Westfield Road and Boyd Avenue. The site is bounded to the south by the River Tud and to the east by the Mid Norfolk Railway. The site extends to around 25.6 hectares in total and is presently comprised of greenfield agricultural land.

The site is host to a large number of mature and semi mature trees as well as hedgerows to field boundaries.

EIA REQUIRED

Yes - the application is supported by an Environmental Statement

RELEVANT SITE HISTORY

No relevant site history

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

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.

SS1 Spatial Strategy

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.12 Trees and Landscape

DC.16 Design

NPPF With particular reference to paragraphs 14, 17, 24, 26, 27, 32, 34, 35, 49, 103 & 118

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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

Not Applicable

CONSULTATIONS

PHILLIP DUIGAN

This application does have merit in how it deals with the provision of Open Space and Recreational Facilities. There is currently a deficit of both south of the A47. There are concerns though on the effects on Traffic. The development would put extra pressure on the Westfield Lane Railway Bridge but does not offer a solution which is in the control of the developer. The effects of the extra traffic at the Tavern Lane Lights needs to be assessed. This development would be long way from the centre of the town and many of its facilities. Sites to the north and east of the town would be better related to the town centre the landscape to the south of Dereham is attractive and of quality; this development should not compromise this.

CLLR KATE MILLBANK

Traffic is the main issue and this will not easily be solved.

A whole new road to the south taking traffic straight to the A47 would help but at some cost. Lack of Doctors surgeries and a lack of doctors

Dereham and Breckland do need and will get more housing, the neighbourhood plan will allow Dereham residents a say in where new housing is allocated.

Of the three large housing applications that have been made in the Toftwood area I feel that this one has had the most thought and consideration given to it.

The developers have consulted with local councillors and residents and taken on board the need for more open space and play areas in the area as well as the type of housing, spacing and landscaping needed to help it blend into the countryside to the south.

I have reservations about any housing because of the added strain on Dereham's traffic system in this area but would support this scheme in favour of the others that have been put forward.

CLLR LYNDA TURNER

Support this application because of the need for open space and recreational facilities in the Toftwood area.

Pleased to see a relief road included, to alleviate the pressure on Shipdham Road and School Lane, Toftwood.

My only suggestion at this stage of Outline Planning Permission would be to suggest a linking footpath, cyclepath, between the edge of the proposed development and Shipdham village itself. To enable residents from Shipdham to access the open space/recreational facilities via foot or cycle, rather than cars.

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There will be questions about school places and doctors surgery capacity etc. but in principle I support this application in its outline format.

DEREHAM T C

No indication of what maximum number of dwellings will be, not possible to assess sustainability without this

Applicant has not demonstrated the proposal will be delivered within five years and contribute to the five year housing land supply and should be refused.

While there are some services in walking distance most are not, there is no assessment to demonstrate that cycling could be encouraged.

Transport Assessment, (TA), does not consider Saturdays, congestion at weekends is worse and TA needs to address this.

TA does not analyse impact of Tavern Lane junction which operates at capacity for much of the peak and no measures are put forward to mitigate this.

TA does not address width of Westfield Lane, Westfield Road and School lane.

TA shows that traffic flow on Shipdham Road will exceed that which requires cycle lanes.

Query cycle parking arrangements

Lights over railway could affect cyclists, the bridge is a significant barrier and a better solution should be found.

Walk to school audit only considers secondary schools, most houses are outside of the 3km distance which most children will walk.

Review of transport network should be undertaken to encourage sustainable transport solutions including cycling.

Applicant has not demonstrated site is sustainable.

Issues turning right into Shipdham Road will be made worse, especially for cyclists.

No evidence link road will have a positive impact.

TA contains assumptions not supported by facts.

Will cause unacceptable intrusion into the countryside, causing coalescence of the two settlements of Dereham and Westfield.

76% of site is grade 2 and 3a, moving soil into gardens will not support food production for the future generations.

Limitations of foul water system in Dereham are well known, any solution will take at least three years to resolve. Needs to be a clear understanding how this will be dealt with.

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Surface water system requires maintenance by individuals. Infiltration into the ground should be considered.

Key location for Southern and Central Green Infrastructure corridor.

Consideration should be given to bats, nesting birds and hedgehogs.

SHIPDHAM PARISH COUNCIL

Object on the following grounds;

- Increased traffic on already gridlocked roads and junctions.
- GP surgeries / schools / infrastructure unable to cope with increased demands.

WHINBURGH & WESTFIELD P C

Objects on the following grounds:

Sustainability - Concerned that Westfield will simply become part of the outskirts of Dereham.

Drainage River Tudd flows downstream through this parish, which will put dwellings in this parish at risk.

Employment - Majority of residents in the new development would need to join the A47 commuter run to Norwich, which would have to be done by car.

Traffic - Roads leading to the A47 junction roundabout are at capacity, with all the surrounding minor roads being used extensively as rat-runs. Adding the extra vehicles from this development will render the major roads impassable, leading to even more traffic using back streets and a resultant unacceptable risk to local residents and other road users.

Railway Bridge - It appears that a large proportion of the traffic leaving the development would be directed over the narrow hump-backed railway bridge, which does not have the capacity to take it.

Supporting infrastructure - Insufficient infrastructure in terms of services like schools, doctors surgeries, emergency services, etc., in Dereham and the surrounding villages. Development will therefore have an unacceptable adverse impact on the existing residents. My Council accepts that the developer would have to provide a contribution towards expanding schools and some other services, but this assumes that the capacity for expansion exists. Further distances travelled to schools will create a greater pressure on roads from the school run.

Loss of agricultural land.

Footpaths - The plans show the development of a number of footways across the development, but these appear to have been put in with little or no reference to the existing footpaths across the site and the adjacent land. My Council assumes that NCC will be commenting on any impact on existing public rights of way.

YAXHAM P C

Objects to this application on the following grounds:

- Yaxham wishes to remain a small rural village and fear that this development will simply render Yaxham the outskirts of Dereham;
- The green gap between settlements should be maintained to preserve the identity of Yaxham as a small rural community;

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- Drainage - Concerns about the flood mitigation risk and the legality of the proposals to influence the flow of the River Tudd, lack of filter beds and the effect the proposals will have on the surrounding land, which includes the like of Badley Moor which is a SSSI.
- The assumption that the run off from houses, walkways and roads will be the same as the current green field site is concerning. We have seen many flooded developments across the country in the last few years, many of which were no doubt built on flood plains.
- The current user of the land has previously commented on the unfavourable effect of much smaller developments into the River Tudd. The presence of Bullhead fish, Linnet, Yellowhammer, Reed Bunting and Lapwing amongst others has been noted on the land directly affected by this proposed development;
- Lack of employment - Dereham does not have a shortage of people to fill local jobs. The majority of people who will reside in the new development will therefore have to commute to Norwich or elsewhere which will increase local vehicular traffic;
- Lack of capacity of supporting infrastructure - Schools, Doctors Surgeries and Emergency Services in Dereham and the surrounding areas are already stretched and do not have the capacity to support a large development.
- A development of the size proposed would require a massive new provision in this area, which in the current climate is unlikely to happen.
- Traffic - the proposed new road is a feeder road which will simply add to the congestion on existing roads. Many local roads, particularly those leading to the A47 are at capacity which leads to the surrounding minor roads being used as rat-runs. The addition of the extra vehicles from this development will render the major roads impassable leading to a further increase in traffic on our small local roads which leads to an unacceptable level of risk to local residents and other road users;
- Railway Bridge - the narrow hump-backed railway bridge already operates beyond its ideal capacity. The council is concerned that a large proportion of the traffic from the proposed development would be directed over the bridge.
- Loss of agricultural land
- Landscape Impact
- Footpaths - the footpaths proposed as part of this development seem to have been proposed with little regard to the existing footpaths on this and the surrounding / adjacent land.

ENVIRONMENT AGENCY

BRECKLAND COUNCIL - PLANNING COMMITTEE -

A method of foul drainage is shown as unknown. The mains sewer runs along Westfield Road. We will object to this application if connection to the mains is not proposed.

The site is located above a Secondary Aquifer. However, we do not consider this proposal to be High Risk. Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination

MID NORFOLK RAILWAY PRESERVATION TRUST

Neither approve or opposed to the principle of the application.

Westfield Lane bridge - This is a single track bridge with a 3ton weight limit. It is already heavily used. If it is to become one of the exits / entrances to this development, particularly if the proposed relief road is built, it will need significant improvement including;

- Mitigation to manage the risk of accidents occurring on top of the structure.
- High containment kerbing and barriers on both approaches to the bridge to both limit access by large vehicles and to remove the risk of vehicle incursion onto the railway.
- Given increased traffic onto the structure, pedestrians will be exposed to a higher level of risk due to the narrow deck and footpath provision, recommend that the development incorporates a separate footbridge.
- Norfolk Highways will need to consult with MNR on any proposed alteration to the bridge which could affect its structural integrity.
- Future maintenance costs relating to much increased use of this bridge must be covered by funding from a source other than MNR.

The sports pitch and proposed public access land is angled towards the railway. It is essential that suitable high fencing bordering the pitch is installed to prevent balls coming onto the line.

The general trespass risk will need managing and this will involve upgrading the boundary fence and considering possible situations at the station interface.

Drainage

Buried services, (water), pass under the railway parallel to the bridge on the south side.

Railway drainage runs on both sides of the line south towards the River Tud. It discharges into a ditch on the applicants side of the boundary. This will need to be protected with the new development and consideration given to access for maintenance. Run-off from the development must not be directed towards the railway.

Yaxham Road Level Crossing

291 dwellings plus a relief road leading from Shipdham Road will create extra traffic on Yaxham Road. This road is already extremely busy for much of the day with traffic backing up across the automatic crossing under the A47 bridge. It is vital that this crossing be upgraded, and a minimum requirement will be the provision of LED traffic lights to improve visibility and safety. This will need to be done in conjunction with the linked crossing on Greens Road. Breckland has 15,000 pounds earmarked for this, towards a likely cost of 75,000 pounds.

We would also ask that a traffic assessment be undertaken to cover the wider context of the adjacent junctions to reduce the risk of blocking back over the crossing. Improved signage to raise awareness of the crossing, traffic camera enforcement of the crossing and box junction offences should also be considered.

HISTORIC ENVIRONMENT OFFICER

The environmental statement contains a desk based assessment and magnetometer survey report, which adequately describe the known heritage assets on site. As noted in the environmental statement, an archaeological field evaluation by trial trenching is currently underway, and the results will be submitted as an addendum to the environmental statement.

Further comments 24/5/16;

The Historic Environment Service have seen a draft of the trial trenching report, and based on those reports, while there are heritage assets of archaeological interest on site, none are of sufficient significance to affect the principle of development.

Further details of these assets will be presented in the evaluation report.

If planning permission is granted, we request that it be subject to conditions, in accordance with Paragraph 141 of the NPPF to secure a written scheme of investigation.

THE RAMBLERS

Scheme does not deliver a significant amount of open and recreation space and strongly doubt the extent of public access which will materialise.

The main access route through the housing is the spine road, with two additional pedestrian secondary routes, isolated from each other and connected only by the spine road; the tertiary pedestrian routes do not link them.

No paths run through the semi public area, which would be where access to the green space might have been expected. Routes through here could also have offered a connection between Whinburgh FP1, (which runs south east from Dereham Road in the centre of the site) and Shipdham FP1, (which runs west from a point just beyond the south western corner of the site).

For these reasons, The Ramblers opposes this application

Further comments 16/5/16;

Ecology Technical Note incorrect in relation to "Recreation at Badley Moor
This land is a s193 Common designated under the Law of Property Act 1925:
<http://www.legislation.gov.uk/ukpga/Geo5/15-16/20/section/193>.

The land is not closed to the public, though the access provided by the landowner, (the applicant in their case), is less than satisfactory, by virtue of its being a stile, rather than the existing gate which would provide full access but is kept locked.

NATURAL ENGLAND

Internationally and nationally designated sites

Due to the fact that detailed information on potential effects to the Norfolk Valley Fens SAC has not been

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provided in relation to the enhancement site, recreation and air quality and it is not clear whether this development can be accommodated in the area, (in terms of abstraction and foul drainage), there is currently insufficient information to determine whether the likelihood of significant effects can be ruled out. Therefore we consider your authority will need to carry out an appropriate assessment to consider effects to both the Norfolk Valley Fens SAC and the river Wensum SAC.

Sites of Special Scientific Interest - Objection

This application is in close proximity to Badley Moor and Potting and Scarning Fens SSSIs. Natural England objects to this development on the grounds that the application, as submitted, has potential to damage or destroy the interest features for which the above sites have been notified. If the foul drainage infrastructure at Dereham is not available and agreement is not reached with the Environment Agency concerning abstraction levels, this also has potential to affect SSSIs further afield, such as Mattishall Moor SSSI, (linked by a drain to the river Tud) and the river Wensum SSSI.

Protected Species

Advised to apply standing Advice

Other advice

We would expect the Local Planning Authority, (LPA), to assess and consider impact upon;

- local sites, (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

Further comments 8/7/16;

Internationally designated sites - No objection

Anglian Water have produced an addendum detailing a proposed solution to mitigate the impact of the proposals on the sewerage network and provide a feasible and functional foul drainage system through increasing the capacity of the system. We strongly recommend that a suitably worded planning condition is implemented to ensure that no development is brought forward until the foul drainage solution is agreed and implemented, and an agreement is reached with the Environment Agency regarding abstraction.

- Recreational disturbance impacts

On the basis of the additional supporting information, Natural England agrees that recreational disturbance impacts to designated sites can now be ruled out.

- Air quality impacts

Agree that impacts from both the residential and enhancement aspects of the development to the designated sites appear unlikely.

Nationally designated sites

No objection with conditions

This application is in close proximity to Mattishall Moor, Badley Moor, Potter and Scarning Fens and the River Wensum Sites of Special Scientific Interest, (SSSIs). However, for the reasons given in the above advice, (i.e. on recreational disturbance, hydrology and air quality), Natural England is satisfied that there are unlikely to be adverse effects on these sites as a result of the proposal being carried out in strict accordance with the details of the application as submitted, and with the inclusion of our recommended condition below. We therefore advise your authority that these SSSIs do not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the Wildlife and Countryside Act 1981, (as amended), requiring your authority to re-consult Natural England.

NORFOLK WILDLIFE TRUST

We have considered the details and can see a number of potentially positive aspects in relation to County Wildlife Sites and the River Tud. However, Natural England has a number of concerns and that they have asked for further information.

Further comments 11/7/16;

Have no reason to disagree with the assessment made by NE. However, we fully support their view that a strong condition is put in place to ensure that no development is brought forward until foul drainage is agreed and implemented and an agreement reached with EA regarding abstraction. We also agree with the view of NE that recreational impacts on Badley Moor and on NWT Potter and Scarning Fen can be ruled out.

In addition to enhancement proposals with regard to Badley Moor SSSI, some elements of the river and wetland restoration proposals relate to County Wildlife Sites, (CWS), along the River Tud. There are a number of proposals and a report from independent ecologists that provides an ecological and hydrological assessment of the proposals which concludes that the proposals will enhance the ecological value of the CWS.

Have some concerns regarding recreational impacts on Lolly Moor County Wildlife Site, which is a Norfolk Wildlife Trust reserve and directly accessible by car and foot from the proposed development.

If the development is approved this should be on condition that enhancement relating to Badley Moor and CWS 2168 and 2170 is put in place, as proposed. In addition measure should be put in place to mitigate for recreational impacts on Lolly Moor CWS.

NORFOLK COUNTY COUNCIL HIGHWAYS

Expressed concern that the application had been submitted in advance of the Dereham Transport Study.

Concerns were raised regarding the following:

- specification of the proposed link road;
- provision of appropriate visibility splays;
- the need for any new link road be the priority route across the southern side of Dereham connecting Shipdham Road and Yaxham Road.
- lack of information on pedestrian / cycle access - There is no information provided as to how pedestrian / cycle facilities can be improved;
- lack of information on public transport serving the site;
- further assessment and modelling of trip distribution and assignment and impact on surrounding junctions;

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- lack of assessment of the impact of signals over the bridge on Westfield Lane, on the distribution of traffic and feasibility of providing the signals.

Therefore, the Highway Authority recommend refusal due to insufficient highways and transport information to demonstrate that the proposed development will not be prejudicial to the satisfactory functioning of the highway. Contrary to Development Plan Policies NPPF Paragraph 32.

Revised Comments dated 17/1/17;

The proposals would provide an upgrade to the bridge over the Mid Norfolk railway line, including signals together with a footbridge adjacent to the existing railway bridge. The development will also provide a new link from Yaxham Road to Shipdham Road and this will involve changing the priority of Westfield Lane and Westfield Road.

The applicant proposes to provide land at the junction of the new link road and Shipdham Road for the future provision of a roundabout. The extent of the land dedication is yet to be agreed but needs to ensure that an appropriately sized roundabout with footways and cycleways can be delivered. The future roundabout will also serve as an entry feature into Dereham and will help facilitate reductions in speed.

The Dereham Transport Study identifies that this development will have the most significant impact on the South Green / Tavern lane junction. A scheme has been devised as part of the study to minimise the impact of this application, (Figure 13 of the Dereham Transport Study), which this application should deliver.

Given the evidence provided in the Dereham Transport Study and that contained within the applicants submission, the Highway Authority does not consider that the impact of the development will be severe in accordance with the National Planning Policy Framework. The development mitigates its impact at the adjacent junctions and delivers network improvements in line with the Dereham Transport Study. The off-site works, (the signalization of the railway bridge and of South Green / Tavern Lane), will be delivered by a Section 278 Agreement. Therefore, the Highway Authority has no objection subject to conditions.

OBLIGATIONS OFFICER, NORFOLK COUNTY COUNCIL

Education Provision

Total education contributions of 980,089.

The contributions will be put towards the following projects to increase school capacity:

- Toftwood Infant School to contribute to extension to increase capacity of school (419,184 pounds);
- Toftwood Junior School to contribute to extension to increase capacity of school (465,760 pounds);
- Dereham 6th Form Centre to contribute to extension to increase capacity (95,145 pounds).

Library Provision

A development of 291 dwellings would place increased pressure on the existing library service particularly in relation to library stock, such as books and information technology. It has been calculated that a development of this scale would require a total contribution of 17,460 pounds, (60 pounds per dwelling). This contribution would be spent on a specific project towards the provision of library equipment / furniture e.g. book shelves; tables; computer desk at Dereham library.

Fire Hydrant Provision

One hydrant per 50 dwellings.

Green Infrastructure Provision

Connections into the local Green Infrastructure, (GI), network, including Public Rights of Way and ecological features, should be considered alongside the potential impacts of development. Mitigation should therefore be included within the site proposal. Maintenance / mitigation for new and existing GI features may require a contribution or commuted sum, in order to allow the local GI network to facilitate the development without receiving negative impact and equally, allow the development to integrate and enhance the existing network.

ANGLIAN WATER

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.

The foul drainage from this development is in the catchment of Dereham Rushmeadow Water Recycling Centre, which currently does not have capacity to treat the flows from your development site. Anglian Water are obligated to accept the foul flows from your development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the planning authority grant planning permission.

Development will lead to an unacceptable risk of flooding downstream. However, a development impact assessment has been prepared in consultation with Anglian Water to determine a feasible mitigation solution.

Request a condition requiring compliance with the agreed drainage strategy.

The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board regarding proposed surface water disposal. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

ENVIRONMENTAL HEALTH OFFICERS

No objections subject to conditions to alleviate environmental concerns.

CONTAMINATED LAND OFFICER

Recommend approval providing the development proceeds in line with the application details and the implementation of the recommendations of the contamination report and subject to conditions to alleviate environmental concerns.

LAWSON PLANNING PARTNERSHIP LTD ON BEHALF OF THE NHS

Request contribution of 91,740 pounds towards extension, refurbishment and reconfiguration or relocation of existing practices.

FLOOD & WATER MANAGEMENT TEAM

No objection subject to conditions.

ASSET MANAGEMENT

The proposals show that as part of the Open Space provision it is intended to provide play areas, a sports pitch and the planting of hedges, trees & woodland.

The S106 Agreement should provide an opportunity for the Council to decline to take on the open space if it

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chooses and for the developer to make other arrangements for the management of these areas.

In addition, the proposals indicate that some drainage features will occupy the open space and refers specifically to swales and retention ponds. The Council is not a drainage authority and would not consider adopting any part of the drainage infrastructure.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

Comments awaited.

AIR QUALITY OFFICER

Breckland Council must meet the requirements of the Local Air Quality Management, (LAQM), process as set out in Part IV of the Environment Act,(1995), the Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007 and the relevant Policy and Technical Guidance documents. The LAQM process places an obligation on all local authorities to regularly review and assess air quality in their areas and to determine whether or not the air quality objectives are likely to be achieved.

There is no consideration of the impact on the town centre. There will be traffic from the development passing through the town and this will likely lead to an increase of traffic related nitrogen dioxide, (NO₂). There also appears to be potential for new bottlenecks and associated elevated concentration of NO₂ but there may be measures under discussion with other Agencies to mitigate this, (eg.widening of the bridge at Westfield Road).

Ask for further Air Quality assessment using the latest measured concentrations for Dereham town centre available on the Breckland website.

Given the uncertainty inherent in modelling, we would ask that the modelling be validated, post development, by actual measurement to be agreed with Breckland Council Air Quality officers.

NATIONAL PLANNING CASEWORK UNIT

No comments to make.

NORFOLK RIVERS INTERNAL DRAINAGE BOARD

The site is close to the boundary of the Norfolk Rivers IDB throughout and passes into the IDB district on its Eastern edge. Although we welcome the proposed restoration of the EA managed River Tudd in this location, we would like to draw attention that this discharges into our district and IDB managed system.

An understanding of the likely increases in rate and / or volume of flow into the district is therefore required, along with the impacts to downstream system. This may require hydraulic modelling of the system and as such an allowance for this should be made by the developer.

Any increases in flow to the IDB system will also require a surface water discharge payment and land drainage consent.

THE OPEN SPACES SOCIETY

The Open Spaces Society objects most strongly to the proposed development of 291+ houses in open countryside south of Dereham. We note that it is claimed that the development will deliver a significant amount of open and recreational space. However we strongly doubt that this will be of any benefit to the public since it does not link with the existing public rights-of-way network and therefore has not been thought through strategically. We note that the same landowner is refusing to allow public access to Badley Moor common, despite the land being subject to legal rights to walk and ride, and therefore have no confidence that the current application will deliver public access. We fear that the result will be that the public will be prevented from enjoying these areas. We therefore urge you to reject this application.

GARVESTONE, REYMERSTON & THUXTON PARISH COUNCIL

Object to on the following grounds;

- Negative effects on the surrounding villages
- Undue pressure on infrastructure such as schools, GPs, roads, sewerage and on the Westfield and Whinburgh road bridges over the railway.

DAN SELF ON BEHALF OF BRECKLAND ASTRONOMICAL SOCIETY.

The design of any necessary lighting can and should be done so that no light directly shines above the horizontal.

**TREE AND COUNTRYSIDE CONSULTANT
ENVIRONMENTAL PLANNING**

No Comments Received
No Comments Received

REPRESENTATIONS

172 letters of objection received, comments as follows;

- Necessary infrastructure not in place
- Inaccuracies in application submission
- Westfield Road needs to be widened and railway bridge improved
- Parking in street
- Highway and pedestrian safety
- Flooding
- Loss of agricultural land
- Loss of Greenfield land
- Question population density of new development
- Lack of investment in / impact on shops
- Lack of infrastructure
- Doctors / Dentist / Hospital / Schools will not cope
- Traffic impact / congestion
- Lack of sewer capacity
- Impact on wildlife / protected / endangered species
- Brownfield sites should be developed instead
- Development should be to North of Dereham
- Football pitch should not be sited next to railway cutting
- Lack of open space / play facilities
- Impact on amenity / peaceful environment
- Unsustainable
- Loss of village identity
- Lack of employment in Dereham for new people

- Size / scale / overdevelopment
- DATA ERROR!!!

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 The site is located adjacent to Dereham and is bound on the northern side by existing housing. The site straddles Westfield Road and would be served by a priority junction formed onto Shipdham Road to the west and another to Westfield Lane to the east as well as access onto Westfield Road in the centre of the site. The Council has recently confirmed that it has a five year housing land supply which means that its policies relevant to the supply of housing land can be considered up to date and that the Council is in a strong position to resist proposals for housing in inappropriate locations which would not be sustainable. Whilst the application site is outside of the current settlement boundary for Dereham the site is allocated as a preferred location for development in the Preferred Site Options and Settlement Boundaries consultation document which acknowledges that it is in a sustainable location for housing development. The site is well located and due to the number of houses proposed would represent an exceptional material consideration for Members to take into account given that they would represent the early release of a preferred site providing a significant contribution to the 5 Year HLS

2.2 The NPPF defines sustainable development in broad terms by reference to economic, social and environmental considerations and indicates that planning should seek gains in relation to each element. The provision of housing to meet local needs is identified as a key component of sustainable development and in this respect the NPPF seeks to boost significantly the supply of housing.

2.3 The site in question is currently in agricultural use and as such is Greenfield. Whilst the loss of Greenfield land is regrettable it is inevitable if the Council is to achieve its housing growth aspirations. The land is shown on Natural England's Agricultural land classification maps as being Grade 3 - moderate quality agricultural land, however the applicant's own assessment clarifies that 42.4% of the site is grade 2, (very good) and 34.5% grade 3a, (good) to which policy CP08 and paragraph 112 of the NPPF apply. Policy CP08 states that development should avoid the unnecessary loss of high grade agricultural land, however, all of the draft allocations for Dereham are on grade 2 or grade 3 agricultural land and the loss of some higher grade agricultural land would thus appear inevitable to deliver the planned level of growth for Dereham. Whilst the area of land to be lost exceeds the threshold for consultation with Natural England at 20 HA this has not raised any comment or objection.

2.4 Whilst the application is submitted in outline the indicative layout plans show that the development would be consistent with the predominantly residential character of the area and its design and layout would be compatible with its surroundings. The proposal would make a significant contribution to the supply of housing in the area and the construction of the development would provide some economic benefits, albeit short-term. These considerations weigh in favour of the proposal.

2.5 In terms of affordable housing the applicant is fully compliant with the requirement to provide 40% affordable housing which, together with the other necessary contributions towards education, healthcare facilities, library facilities and open space should be secured by a Section 106 Agreement.

3.0 Effects on local character, amenity and trees

3.1 Whilst the application has been submitted in outline with access only included at this stage the applicant has submitted an indicative layout plan from which some conclusions can be drawn regarding the possible impacts of the development of the land.

3.2 The proposal site is currently in use as agricultural land, the supporting Landscape Environmental Impact Assessment, (LVIA), within the environmental statement identifies the landscape as 'landscape character type 'B6 Wensum and Tud Settled Tributary Farmland' under the 'Breckland Landscape Character Assessment' 2007 which is characterised by a gently undulating arable landscape interspersed with tributaries.

The LVIA considers that in close views from Boyd Avenue the development would have a moderate adverse impact, rising to a major adverse impact for views from Dowling Close and Mill Court at the western edge of the application site.

Further afield the impact of the proposal would be reduced as intervening features interrupt views of the site and the impact of the development is seen in a broader context with the LVIA identifying variable views to the site from distances of around 200 and 500 metres from nearby footpaths and roads and filtered glimpsed views from distances over 1000 metres.

The LVIA identifies mitigation of any potential negative impacts through the quality of design, primarily taking account of Density, built form and Green Infrastructure. The overall scheme has been prepared with a very strong landscape design philosophy and notably a deep buffer zone is included to the River Tud. The LVIA identifies that whilst the proposed development would fundamentally alter the landscape character within the development site itself, the design and layout of the development is of a high standard and the resulting townscape and associated green infrastructure would have a strong, distinct and positive character.

It is to be expected that the development would result in some landscape impact but these are well managed and appropriate mitigation has been identified. Given the imperative to deliver additional housing in Dereham the landscape impacts which do arise from the development are considered to be justified by the need for the proposal.

3.3 It is considered that the submitted indicative site layout shows that a well designed scheme can be achieved within the site. A mix of house types is shown which would not be inappropriate to the character of the wider area which is comprised of a mix of detached, semi detached and terraced dwellings.

3.4 The submitted tree survey identifies 117 individual trees, 7 groups of trees and 6 distinctive hedgerows comprised of a mix of category A, (high value), B, (moderate value), C ,(low value) and U, (unclassified). The indicative layout and arboricultural impact assessment identify 2 category A trees would be removed as well as 7 category B, 9 category C and 3 category U, together with 3 groups of category C trees and 3 hedges.

3.5 Whilst this level of loss would be considered significant on a smaller site given the scale of the proposals within this application and the significant space available for quality landscaping and replacement planting is also shown within the indicative layout for additional tree planting and landscaping.

3.6 Whilst development of the scale proposed would inevitably have some impact on the amenities currently enjoyed by neighbouring residents in terms of placing dwellings where there was previously an agricultural field this is not an unusual situation and it is considered that an acceptable layout and design can be achieved which would avoid any significant harm. The submitted indicative plan shows good separation distances could be maintained between existing and proposed dwellings to help reduce overlooking, together with the retention of existing vegetation and the scope for planting of new boundary screening. It is possible that some disturbance would be caused due to the increased activity and traffic, but given the scale of the development, this would not be considered excessive.

3.7 It is considered that a reserved matters scheme could be designed which would be in keeping with the character and appearance of the area and would not be likely to result in any significant adverse effects on residential amenity. The proposal would thus accord with Core Strategy Policies, DC01, DC02, DC12 and DC16, and with relevant guidance in the NPPF.

4.0 Access / Highways

4.1 Access to the development would be gained via a new priority junction formed onto Shipdham Road to the west and another to Westfield Lane to the west as well as access onto Westfield Road in the centre of the site.

4.2 The application site is in a relatively sustainable transport location for housing development with the centre of the site being located approximately 3km from the Town centre, 1.26 km from the nearest doctors surgery, 4km from Dereham hospital, 600m to Toftwood Junior School, 3km to Dereham 6th Form College and 3.75km to Dereham Neatherd High School.

4.3 A number of concerns have been raised in relation to traffic generation from the proposed development both in this application and in relation to the sites status as a preferred option for housing in the Preferred Site Options and Settlement Boundaries consultation document September 2016. The application is supported by a Transport Assessment, (TA) and likely levels of growth in Dereham and the surrounding area have been assessed in the 'Dereham Transport Study'. In relation to traffic generation NPPF paragraph 32 states that 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.

4.5 In terms of understanding the traffic impacts of possible future housing growth in Dereham and the surrounding area the Council commissioned the Dereham Transport study which was published in August 2016. The Dereham Transport study identifies three areas of improvement works which it states are required to accommodate additional anticipated growth in Dereham;

1 Tavern Lane / Yaxham Road Signals

Option 1 - Upgrades to the existing signalised junction including signal staging and improvements for pedestrians.

or

Option 2 - Signalised Roundabout

2 Tavern Lane / South Green - Widening of South Green on southern side, signalised pedestrian crossing, Re - alignment of merge from A47 slip road onto Tavern Lane Westbound.

3 A47 / Yaxham Road Roundabout - Widening of A47 slip Road to allow 2 lanes, approach lanes and markings to balance queues.

4.6 The TA, submitted with this application identifies that there would be no adverse residual affects resulting from the development and that roads that could be considered sensitive in the vicinity of the site will be largely unaffected by the proposed development, provided appropriate mitigation regarding traffic routing is in place during the development.

4.6 The principal mitigation identified in the applicants TA consists of the link road which the applicant argues has the ability to make a significant contribution by forming part of a relief road to the south of Toftwood. The applicant also identifies the bridge over the railway on Westfield Lane as this has to be shared by vehicles, pedestrians and cyclists. In order to assist with this the applicant proposes that traffic signals is introduced to make the bridge one way at a time. The applicant has also stated that they are willing to contribute to a separate pedestrian bridge over the railway adjacent to the existing to take pedestrians out of the carriageway.

4.7 NCC Highways initially expressed concerns that the application had been submitted in advance of the Dereham Transport Study together with concerns regarding the visibility onto Shipdham Road as well as a lack of information regarding how the link road would tie in with Yaxham Road and existing roads / junctions. Highways also had concerns regarding how pedestrian / cycle access was to be improved and how the development would tie into public transport. Further work was also required to demonstrate the impact of the development on both adjacent junctions and the Tavern lane / Yaxham Road junction and detail of how the introduction of traffic signals over the bridge on Westfield Lane would operate and whether this would have any impact on the distribution of traffic.

4.8 Further to these concerns the applicant has submitted an addendum report to the TA which contains a response to the Highway authorities comments and an update in relation to the Dereham Transport Study together with;

- updated cycle lane specification
- speed survey and revised visibility splays to Shipdham Road, (other junctions upgraded to same specification)
- Link road redesigned to provide continuous link between Shipdham Road and Yaxham Road
- Connectivity plan produced and clarification that walking and cycling will be further addressed in the travel plan
- Summary of discussions with the bus operator 'Konectbus' who is keen to explore options for extending services into the site
- Westfield Lane / Yaxham Road junction modelling undertaken

In terms of the impact of the development on the Tavern Lane / Yaxham Road junction the applicant has considered this in the context of the Dereham transport study and refers to an approach which was

discussed with the Council of providing a contribution towards the measures contained within the Dereham Transport study.

4.9 The Highway Authority subsequently issued a revised response in January 2017 stating that they had no objection subject to conditions and provided that the following mitigation was provided;

- Upgrade to the bridge over the Mid Norfolk railway line, complemented by a footbridge which would be adjacent to the existing railway bridge.
- New link from Yaxham Road to Shipdham Road, changing the priority of Westfield Lane and Westfield Road as shown with a 2m verge and 3m footway / carriageway on one side and a 2m verge and 2m footway on the other side.
- Provision of land at the junction of the new link road and Shipdham Road for the future provision of a roundabout.

4.10 Further to the above mitigation measures which are offered by the applicant Highways also requested that due to the impact of the development on the South Green / Tavern Lane junction the mitigation scheme identified in figure 13 of the Dereham Transport study should also be provided as opposed to a contribution towards the cost of all of the measures within the Dereham Transport study. Following discussions with the applicant they have indicated that they are willing to provide this scheme.

4.11 Given the evidence provided in the Dereham Transport Study and that contained within the applicant's submission, the Highway Authority does not consider that the impact of the development will be 'severe' in accordance with the National Planning Policy Framework provided the identified mitigation measures are secured and the development mitigates its impact at the adjacent junctions and delivers network improvements in line with the Dereham Transport Study.

4.12 The off-site works, (the signalization of the railway bridge and of South Green / Tavern Lane), can be conditioned as these will have to be delivered by a Section 278 Agreement. The precise delivery mechanism of which of these and the pedestrian bridge over the railway, the cost of which may be shared with the Yaxham Road application 3PL/2010/1361, if this is forthcoming, will then be determined as the works are brought forward.

4.13 The Council can only require development to mitigate its own impacts, the applicant has identified the need to upgrade to the bridge over the Mid Norfolk railway line, together with provision of a footbridge. The new link from Yaxham Road to Shipdham Road and changing the priority of Westfield Lane and Westfield Road together with provision of land at the junction of the new link road and Shipdham Road for the future provision of a roundabout would also assist in mitigating the impact of the development. It is, however, clear from the Dereham Transport Study that the development would have an impact upon the South Green / Tavern Lane junction and that the mitigation measures on this junction identified in the Dereham Transport study are required.

4.14 The proposed development mitigates its impact at the adjacent junctions and delivers network improvements in line with the Dereham Transport Study. The impact of the development is not likely to be 'severe' and is considered to be acceptable in accordance with the National Planning Policy Framework.

4.15 In light of the above it is considered that the proposal would not be likely to have a severe traffic impact or lead to a situation which is prejudicial to Highways safety and on balance, the proposal is acceptable on the grounds of Highway Safety and the proposed development would comply with policy CP4(e) of the adopted Core Strategy DPD and paragraphs 17, 32, 34 and 35 of the NPPF.

5.0 Ecology

5.1 The application site is located in close proximity to the Norfolk Valley Fens SAC and the river Wensum SAC as well as Badley Moor and Potting and Scarning Fens SSSIs. The site is also upstream of Mattishall Moor SSSI, (linked by a drain to the river Tud) and the river Wensum SSSI.

5.2 The Environmental Statement submitted with the application identifies a 75m wide corridor associated with the River Tud to provide a buffer to the proposed new built environment together with retention of key habitats and habitat creation as mitigation and enhancement measures to be implemented with the proposed development. The applicant concludes that the proposals would not be likely to result in a significant effect on the SAC's and that the development could proceed with minimal impact on the local conservation status of any protected, principally important or rare species within the area.

5.3 The Council's Ecologist has been consulted and comments are awaited and will be reported to Members at the meeting.

5.4 Following submission of further information Natural England have no objection to the proposals on the basis of any impact on statutory nature conservation sites including Mattishall Moor, Badley Moor, Potter and Scarning Fens and the River Wensum Sites of Special Scientific Interest, (SSSIs), provided the development is carried out in strict accordance with the details of the application as submitted and with the inclusion of recommended conditions.

5.5 Subject to appropriate conditions to secure a landscape environmental management plan the proposal would not be likely to have an adverse effect upon matters of ecological interest and the proposal is thus in accord with policies CP10 of the adopted Core Strategy DPD and paragraph 118 of the NPPF.

6.0 Flood Risk / Drainage

6.1 A Flood Risk Assessment has been submitted which identifies that the site contains flood zones 1, 2 and 3. This is, however, to be expected as the southern part of the site is occupied by the River Tud and all of the proposed residential development is located in flood zone 1 with the lowest risk of flooding.

6.2 As part of the development proposals the applicant includes mitigation measures which include watercourse improvement works consisting of channel widening and debris clearance as well as forming open ponds along the length of the river and realignment of part of the river channel to alleviate the constriction caused by 2no. existing 90 degree bends the river. Neither the Environment Agency or the NCC

flood risk team object to the application subject to conditions.

6.3 The proposed development will create foul flows and it is proposed that these foul flows should be discharged to the local public foul sewer network. However, a desktop study undertaken by Anglian Water, (AW), has indicated that a direct connection to the public foul sewerage system is likely to have a detrimental effect on the existing sewerage network in the local area as Dereham Water Recycling Centre currently does not have capacity to treat the flows from this development site. Anglian Water are obligated to accept the foul flows from development with the benefit of planning consent and we would therefore take the necessary steps to ensure that there is sufficient treatment capacity, should the planning authority grant planning permission.

6.4 Anglian Water have indicated to the Council that they have a strategy in place to deal with the anticipated increase in flows from development in Dereham by 2019 which includes utilising increased capacity at Swanton Morley. As such by the time the current proposed development is likely to be occupied Anglian Water should have addressed the issues regarding foul sewage capacity in Dereham. Anglian Water request a foul drainage condition to ensure the necessary mitigation measures are agreed and implemented before the commencement of development.

6.5 Whilst foul drainage provision remains a concern it appears that Anglian Water are working to resolve this issue and use of conditions will prevent the commencement of the development until a scheme has been agreed and prevent any development above slab level until adequate drainage arrangements are in place.

7.0 Other Matters

7.1 Local infrastructure - concerns have been raised about the ability of the general infrastructure to cope with additional housing. However, no objections have been raised by statutory consultees in this respect. Financial contributions can be secured by way of a S106 Agreement to the expansion / improvement of local school accommodation, as well as to local library services and health services.

7.2 In terms of the potential for contaminated land on site the Council's Contaminated Land Officer has no objections subject to appropriate survey and mitigation measures. Given the use of the site is agricultural rather than industrial it is considered that there is a low probability of contamination and that it would be reasonable to apply conditions in this instance.

8.0 Conclusion

8.1 Whilst the Council can now demonstrate a five year housing land supply the Council must continue to support those applications which represent sustainable development in appropriate locations. The site is acknowledged to be in a location which is both sustainable and suitable for housing development, hence it's allocation as a preferred site in the 'Preferred Site Options and Settlement Boundaries' consultation document dated September 2016. Whilst local concerns are acknowledged, there is no substantive evidence to suggest that the proposal would have a significant adverse effect on local infrastructure, highway safety and convenience or residential amenity.

9.0 RECOMMENDATION

9.1 Permit subject to conditions and a S106 Agreement to secure;

Provision of on site affordable housing at 40%,(116 dwellings)

Contributions to Library services £17,460

Contributions to local Primary Schools on a pro rata basis £980,089

Public Open Space Contribution

NHS contribution £91,740

Offsite works involved with the restoration of the River Tud, (£182,500)

Onsite open Space totalling 12.63ha

Offsite green space to be reverted to low intensity grazing land totalling 13ha

Land to be safeguarded for a potential roundabout on Shipdham Road if deemed necessary in the future

An offsite highway improvement scheme to Westfield Lane comprising the signalisation of the bridge and a new footbridge.

CONDITIONS

- 1 Outline Time Limit (3 years)**

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

The development must be carried out in strict accordance with the application form, and approved documents and drawings.
Reason for condition:-
To ensure the satisfactory development of the site.
- 3 Standard Outline Condition**

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

Prior to commencement of development, in accordance with the submitted FRA 'Proposed Residential Development Land East and West of Westfield Road Toftwood, Dereham, Norfolk' (RLC Reference 41431), detailed designs of a Surface Water Drainage Scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

I. Provision of surface 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% annual probability rainfall event including allowances for climate change. The design of surface attenuation features should incorporate an emergency spillway and appropriate freeboard allowances, set at a minimum of 300mm.

II. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:

- 3.33% annual probability critical rainfall event to show no above ground flooding on any part of the site.

- 1% annual probability 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.

III. Finished ground floor levels of properties should be a minimum of 300mm above anticipated flood levels, in 1% annual probability event plus climate change, from all sources of flooding (including the drainage system).

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

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

VI. Plans showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% annual probability. This will include surface water which may enter the site from elsewhere.

VII. The proposed maximum restricted discharge rate is 45.0l/s (total for all nine land parcels at 5.0l/s for each land parcel) as stated within Section 6.38 of the FRA. However, this should be less than or as close as practicable to the greenfield runoff rates for all events up to and including the 100% annual probability plus climate change rainfall event.

Reason:

To prevent flooding in accordance with NPPF paragraph 163,165 and 170 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 SuDS proposed operates as designed for the lifetime of the development.

5

Non-standard condition

No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the

Highways Act (1980) or a Private Management and Maintenance Company has been established.

Reason:

To ensure safe, suitable and satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable standard.

6

Non-standard condition

No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.

Reason: This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development.

7

Non-standard condition

Prior to the occupation of the final dwelling all works shall be carried out on roads/footways/cycleways/street lighting/foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority.

Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.

8

Non-standard condition

All footway(s) and cycleway(s) shall be fully surfaced in accordance with a phasing plan to be approved in writing prior to the commencement of development by the Local Planning Authority.

Reason for condition: - In order to ensure the provision of satisfactory roads, access, parking and turning areas on site, in the interests of highway safety. In accordance with policy CP4 of the Core Strategy and Development Control Policies DPD and the policies within the NPPF.

9

Non-standard condition

Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works as indicated on Drawing No. 141431 RLC-00-00-DR SK102 Rev P2 (roundabout) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

10

Non-standard condition

Prior to the 50th occupation of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority.

Reason: To ensure that the highway network is adequate to cater for the development

proposed.

11 Non-standard condition

Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works as indicated on Drawing No. 141431-SK03-Rev P3. have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

12 Non-standard condition

Prior to the 150th occupation of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in Part C of this condition shall be completed to the written satisfaction of the Local Planning Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed.

13 Non-standard condition

Full specification details of fencing to prevent balls from straying onto the railway line adjacent to the sports pitches shall be provided with reserved matters application. The approved fencing shall be erected prior to the first use of the playing pitch and retained and maintained in that form thereafter.

Reason for condition - In order to ensure that the use of the recreation open space/playing pitches does not adversely impact on the operation of the adjacent railway, in accordance with Policy DC1 of the of the Core Strategy and Development Control Policies DPD and the policies within the NPPF.