

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2020/1027/F	CASE OFFICER	Chris Hobson
LOCATION:	SWAFFHAM Old School House, 18 Market Place	APPNTYPE:	Full
APPLICANT:	A.R. and V. Investments Ltd c/o Homefields Peddars Lane	POLICY:	In Settlemnt Bndry
AGENT:	John Putman The Hollies 4 Station Road	CONS AREA:	Y
PROPOSAL:	Change of use including alterations to listed buildings, demolition of two existing buildings and erection of 6 no. Town houses with revised access to form 18 no. Dwellings. (Amended Description)		
		LB GRADE:	Grade II
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is for a major development and this application forms a resubmission of a recent application for development on a site that was also heard at Planning Committee.

KEY ISSUES

The key issues are considered to be:

- Principle of Development;
- Heritage Considerations;
- Viability Considerations and Planning Obligations;
- Housing Mix and Tenure;
- Design, Scale and Appearance;
- Residential Amenity;
- Transport, Access and Highways Matters;
- Flood Risk and Drainage Implications;
- Arboricultural Considerations;
- Ecology Implications;
- Other Material Considerations.

DESCRIPTION OF DEVELOPMENT

This application is a resubmission of a previously refused scheme for the redevelopment of the site, comprising of change of use including alterations to listed buildings and erection of 8 no. town houses with revised access to form a total of 20 no. dwellings, reference 3PL/2019/0195/F.

Full planning permission is now sought for the change of use of and alterations of listed buildings at the site to form a total of 18 dwellings, including six new town houses. The Grade II Listed 18 and 20 Market Place to form a five bedroom dwelling and a four bedroom dwelling. Change of use of the former school classroom

blocks towards the southern edge of the site, which are curtilage listed, to form six dwellings (five x two bed terraces and one x one bed terrace). Conversion of the Old Gymnasium facing Whitsands Road which is also listed by being within the curtilage to form four dwellings, comprising of three no. four bedroom dwelling and one two bedroom dwelling. Together with the erection of six new build townhouses in the central part of the site.

The proposal includes works to the site accesses and subdivision to form private gardens, communal space and parking courts. The new build town houses all follow a common architectural style. A red brick is proposed as the wall material with a zinc clad roof.

The Listed Building no. 18 Market Place is 8.5m in height (to ridge) with red brick and and grey slate. The adjoining listed property 20 Market Place is 8.3m in height (to ridge) with red brick and incised imitation stone render. These key described key features will not be altered by the change of use.

The curtilage listed classroom block includes a 2 storey building and single storey buildings with red brick walls and slate roof (higher element) and clay pantile roof (lower element). These key described key features will not be altered by the change of use.

The Curtilage Listed Gymnasium facing Whitsands Roads is a two storey property with red brick and cream render walls and dark grey tile roof. These key described key features will not be altered by the change of use.

The proposals also involve the demolition of two buildings within the centre of the site to make way for the new town houses. These comprise a 20th century prefabricated building and kitchen and WC building both also listed by way of being within the curtilage of the listed buildings at nos. 18 and 20 Market Place.

An accompanying application (reference 3PL/2020/1028/LB) is being considered which seeks listed building consent for the associated works.

SITE AND LOCATION

The site is the former Hammond School Site, a former boarding grammar school with accommodation and gymnasium and large grassed lawn area and extends to 0.42ha. The site was later used as Hammonds sixth form, and the gymnasium was used for and licensed for public entertainment, theatre, music and dance.

The Grade II Listed Buildings at nos. 18 and 20 Market Place are thought to date from the 18th Century. Number 18 is known as The Old School House and Number 20 is known as Old Bank House. Two structures within the site are also listed which is Gate Piers and wall to the north of No.18 and Gate Piers and wall at Whitsands Road. The first use of the these properties was as private dwellings and pleasure garden to the rear.

A single storey classroom building dating to 1900 joins the rear of the original townhouse at 20 Market Place. The later two storey classroom block is though to be erected in 1912 due to a dated stone, although there form appears on ordnance survey mapping from 1905.

The Gymnasium for the school was erected in 1931 and later went onto be used as a hall licensed for public entertainment, theatre, music and dance.

The site as existing has two further curtilage listed buildings located towards the centre of the site; a single

storey kitchen and WC building attached to the West end of the taller classroom block and an insubstantial and deteriorating prefabricated timber framed workshop block in the centre of the site.

A key feature within the centre of the site is a large category B Beech Tree.

Having now experienced a significant period of lack of use and vacancy the buildings and site in general appear untidy and need of repair, and have been subject to a number of recent incidents of vandalism and anti-social behaviour.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/1991/0864/LB Permission 09-12-91

Demolition of existing toilet block

3PL/2020/1028/LB - Change of use including alterations to listed buildings, demolition of buildings, and erection of 6 no. Town houses with revised access to form 18 no. Dwellings. (Amended Description) - Under consideration.

3PL/2019/0195/F - Change of use including alterations to listed buildings and erection of 8 no. Town houses with revised access to form 20 no. Dwellings - Refused for the following reasons:

1. Insufficient assessment of the impact to the identified Heritage Assets had been submitted in support of the application, and therefore the application does not meet the requirements of paragraph 189 of the National Planning Policy Framework 2019.

The development would cause less than substantial harm to the Listed Buildings and Conversation Area due to the degradation of the historic layout of the site together with the scale and massing of the new build units which are overbearing. The elevation design of the new build units is also considered unacceptable and would neither respectfully reflect the existing design of heritage assets or contrast in a complimentary manner. In these circumstances paragraph 196 of the National Planning Policy Framework (2019) advises that the harm should be weighed against the public benefits of the proposal. Due to the poor level of residential amenity for the future occupants, overshadowing to a neighbours gardens and damage to a category B tree it is considered that there is no substantial public benefits that outweigh that harm. A further consideration is that the aspect of the proposal causing the harm, which is the new build element, is not needed to facilitate the re-use of the Listed Buildings. The development is therefore contrary to Breckland Council Core Strategy and Development Control Policies Development Plan Document (2009) Policy DC 17 as well as having regards to paragraph 196 of the National Planning Policy Framework (2018) and the Planning (Listed Building and Conservation Areas) Act 1990.

2. The development would cause significant overshadowing to 5 Settlers Courts garden and create a sense of enclosure to 3 and 4 Hollywell Gardens properties. In addition, the new residential units (both new build and conversion) would have poor amenity due to overshadowing and overlooking of private rear gardens. The proposal therefore fails the requirements of the Breckland Council Core Strategy and Development Control Policies Development Plan Document (2009) Policy DC 1 and paragraph 127 of the National

Planning Policy Framework 2019.

3. The development would compromise the health and integrity of a large category B Beech Tree in the center of the site and therefore conflicts with Core Strategy and Development Control Policies Development Plan Document (2009) Policy DC 12 and National Planning Policy Framework (2019) paragraph 170.

3PL/2019/0196/LB - Change of use including alterations to listed buildings and erection of 8 no. Town houses with revised access to form 20 no. Dwellings - Refused for the following reason:

1. Insufficient assessment of the impact on the significance of identified Heritage Assets had been submitted in support of the application, and therefore the application does not meet the requirements of paragraph 189 of the National Planning Policy Framework 2019.

The development would cause less than substantial harm to the significance of Listed Buildings and Conversation Area due to the degradation of the historic layout of the site together with the scale and massing of the new build units which are overbearing. The elevation design of the new build units is also considered unacceptable and would neither respectfully reflect the existing design of heritage assets or contrast in a complimentary manner. In these circumstances paragraph 196 of the National Planning Policy Framework (2019) advises that the harm should be weighed against the public benefits of the proposal. Due to the poor level of residential amenity for the future occupants, overshadowing to a neighbours gardens and damage to a category B tree it is considered that there is no substantial public benefits that outweigh that harm. A further consideration is that the aspect of the proposal causing the harm, which is the new build element, is not needed to facilitate the re-use of the Listed Buildings. The development is therefore contrary to Breckland Council Core Strategy and Development Control Policies Development Plan Document (2009) Policy DC 17 as well as having regards to paragraph 196 of the National Planning Policy Framework (2018) and the Planning (Listed Building and Conservation Areas) Act 1990.

3PL/2017/0346/F - Conversion of buildings to 6 dwellings with on site parking - Withdrawn

3PL/2017/0635/LB - Changes to fenestration & internal alterations associated with change of use of antique centre into 6 dwellings - Withdrawn

3PL/2017/0636/LB - Alterations to fenestration, removal of staircase & internal alterations associated with change of use to the old gymnasium to four town houses (amended proposal) - Approved

3PL/2017/0347/F - Conversion of the Old Gym into four town houses, provision of car parking and associated works (amended proposal) - Approved

3PL/2016/0571/CU - Change of use of school gym to residential - Withdrawn

3PL/2013/0380/CU - Change of use to mixed use, antique/craft emporium, ancillary cafe, assembly/leisure, residential - Approved

3PL/2013/0380/CU - Change of use to mixed use, antique/craft emporium, ancillary cafe, assembly/leisure, residential - Approved

3PL/2010/1365/F - Redevelopment of the Hammonds High School Site of 18 The Market Place, Swaffham, to provide 14 dwellings - Withdrawn

3PL/2010/1366/LB - Redevelopment of the Hammonds High School Site of 18 The Market Place, Swaffham,

to provide 14 dwellings - Withdrawn

POLICY CONSIDERATIONS

The following policies of the Breckland Local Plan, 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

COM01	Design
COM03	Protection of Amenity
ENV02	Biodiversity protection and enhancement
ENV04	Open Space, Sport & Recreation
ENV06	Trees, Hedgerows and Development
ENV07	Designated Heritage Assets
ENV08	Non-Designated Heritage Assets
ENV09	Flood Risk & Surface Water Drainage
GEN01	Sustainable Development in Breckland
GEN02	Promoting High Quality Design
GEN03	Settlement Hierarchy
GEN05	Settlement Boundaries
HOU01	Development Requirements (Minimum)
HOU02	Level and Location of Growth
HOU06	Principle of New Housing
HOU07	Affordable Housing
HOU10	Technical Design Standards for New Homes
INF02	Developer Contributions
LBC	Planning(Listed Building & Conservation Areas) Act 1990
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework (Revised 2021)
NPPG	National Planning Practice Guidance
TR01	Sustainable Transport Network
TR02	Transport Requirements

OBLIGATIONS/CIL

A S.106 Agreement would be necessary to secure the following planning obligations:

- The approval of a phasing plan for the entirety of the development including for the repair works to the listed buildings, prior to the commencement of development;
- Approval of a schedule of repair works to the listed building prior to the commencement of development;
- The payment of the Heritage Bond (financial contribution) to be paid in phases to the Council which would then be repaid to the developer to fund the repair of the listed buildings in accordance with the stages approved in the phasing plan and schedule of works;

- A Viability Review mechanism and the payment of any overage towards the provision of Affordable Housing off-site, up to £63,000;
- Education contribution of £25,260;
- Library facilities contribution of £75 per dwelling, (£1,350);
- GIRAMS Mitigation contribution of £185.93 per unit, (£3,347);
- Laying out and maintenance of Communal Open Space within the site.

CONSULTATIONS

SWAFFHAM TOWN COUNCIL

Swaffham Town Council would like to raise a number of comments as follows:

1. Plot 10 changes - incorrectly marked on West Elevation drawing - DRG No 2065 TH7.e
2. Clarification is sought on overall no of properties; current drawings show 17 however 19 quoted on application.
3. Whilst the Council find the new elevation design to plot 7 an improvement it is strongly felt the massing on plots 5 & 6 as a block causes harm to the overall historic site aspect.
4. As the site is at the heart of the medieval town and is likely to contain archaeology vital to understanding its history and development we strongly support the recommendations of Historic England.
5. We also urge the recommendation for conditions to ensure that the listed buildings are brought back into use as a priority.

FLOOD & WATER MANAGEMENT TEAM

After reviewing the revised Flood Risk Assessment and Drainage Strategy we now have no objection subject to conditions being attached to any consent if this application is approved and the Applicant is in agreement with pre-commencement conditions.

HISTORIC BUILDINGS CONSULTANT

No objection to the proposed amendments - as per recent discussion with Historic England and Case Officer.

HISTORIC ENVIRONMENT SERVICE

The proposed development affects a group of former school buildings which include two grade II listed 18th century houses fronting on to the market place. The proposed development will affect the significance of these heritage assets and both the designated and non-designated structures are worthy of recording in their current form prior to their residential conversion. The site occupies a position fronting onto the medieval market place, occupying an area which has been occupied since at least the medieval period, and extending back to Whitsands Road - a thoroughfare of probable medieval or postmedieval date. Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that the significance of these could be adversely affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological work in accordance with National Planning Policy Framework (2019) para. 188 & 199. We suggest that the following conditions are imposed:-

1. Programme of historic building recording;
2. Archaeological Written Scheme of Investigation (WSI) including post investigation measures as necessary.

TREE AND COUNTRYSIDE CONSULTANT

There does not appear to be a drawing to go with the TS&AIA so I am not sure if the report relates to the amended proposal. Please could drawing be provided.

Officer Note: The requested plan has been submitted and consultation carried out with Tree Officer. Updated comments are awaited and will be reported to Planning Committee.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

If you are minded to approve this application, we recommend that you provide informatives and conditions to include the following:

- The proposed development shall proceed in accordance with the recommendations in section 5 of the Bat Roost Assessment (Phillips Ecology; April 2021) including but not limited to the works required for T3 will be carried out under the supervision of a bat licenced ecologist and the soft felling of trees with low bat roost potential.
- Biodiversity Enhancement Condition;
- The applicant is advised that Bats are protected species under the Wildlife & Countryside Act 1981 and the Conservation of Habitat and Species Regulations 2017 (as amended). The granting of planning permission does not absolve the applicant/developer/successors in title from obtaining a licence issued by Natural England pursuant to Regulation 55 of the Conservation of Habitat and Species Regulations 2017 (as amended) and complying with the terms and conditions of any licences.

CONTAMINATED LAND OFFICER

Based on both the accuracy of the information provided and the current records of contaminated land issues we hold to date, I recommend approval providing the development proceeds in line with the application details and subject to conditions to secure full site investigation and remediation scheme as necessary.

ENVIRONMENTAL HEALTH OFFICERS

Based on the information provided to me at this time; there are no objections on the grounds of Environmental Protection, providing the development proceeds in line with the application details. However, due to the location of the development and its proximity to nearby residential homes and businesses I recommend the following conditions to manage works during the construction phase:

- 1) No power tools, vehicles or machinery shall be used on the site between the hours of 18.00 and 07.30 Monday to Saturday and between noon on Saturday and 07.30 on Monday, or at any time on a Bank Holiday.
- 2) No burning of waste materials on any part of the site.
- 3) Details of methods to be used to lessen the impact of dust and noise during any demolition and construction should be agreed with the authority before any works commence.
- 4) No loading or unloading of vehicles bringing materials on to or taking away from the site between the hours of 18.00 and 07.30 Monday to Saturday and between noon on Saturday and 07.30 on Monday, or at any time on a Bank Holiday.

ANGLIAN WATER SERVICE

The foul drainage from this development is in the catchment of Swaffham Water Recycling Centre that will have available capacity for these flows.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management.

CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER

In previous iterations of applications for this site, access control was strongly recommended by Norfolk Constabulary to secure the proposed site from anti-social behaviour. I am therefore disappointed that no crime prevention measures to address these concerns have been included in this latest application. There is not adequate access control designed for the development, and once again I strongly recommend for access control measures identified below to be included for this proposal. Without it Norfolk Constabulary would unfortunately not be able to support the application.

- Gated vehicular access
- Gated pedestrian access
- Site security during construction phase
- Secure rear access gates for all dwellings (minimum height 1.8m, sliding bolts top and bottom and locks keyable from both side) many rear boundaries are exposed so this level of security is essential.

Further comments following discussions with officers:

This development is very closed off from natural surveillance opportunities and I am therefore very keen to ensure that ownership and defensible space is afforded for this development to deter the criminal activity being suffered in this location. Should the access control be implemented in line with our recommendations Norfolk Constabulary would support the application.

HOUSING ENABLING OFFICER

Having reviewed this application and amended documents, Vacant Building Credit would be applied to the scheme giving a net requirement of 1.26 affordable units. However, as it is not viable to provide the policy requirement a clawback provision will be required as part of the S106 agreement. This will ensure that, should the scheme not be completed within three years from date of planning approval, or if they exceed benchmark profit, then half of any profits in excess of the percentage stated in the independent review shall be paid as a commuted sum to provide affordable housing in the district, up to an amount where the scheme has made the equivalent of a policy compliant affordable housing contribution. A commuted sum of 63K will be payable, being the standard 50,000 per equivalent dwelling, plus 13,000 for the remaining 0.26 unit requirement.

HISTORIC ENGLAND

Historic England has previously provided comments on this scheme in our letter of the 25th of May 2021 in which we raised some concerns regarding the proposal. At that point in time the Listing Team were conducting a full listing review of site as part of the High Street Heritage Action Zone scheme which looked at all the buildings on the plot. This resulted two amendments to existing list entries, firstly both number 18 and 20 Market Place were given individual list entries and secondly the Rear Gate Pier was amended to include the historic boundary wall which dates to 18th century. Following the Listing assessment a site meeting was held on 2nd November with the agent and the Council to discuss the amended list entries and the concerns we raised in our letter of advice. Amended plans have now been submitted to the Council which reflect what was discussed on site. The new plans largely address our concerns and Historic England has no objection to the application should the council be minded to grant planning permission.

Historic England has no objection to the application on heritage grounds and welcomes the amended plans which address our previous concerns. We suggest that the council seek either a Section 106 or place a condition on any consent in order to secure the repair of Number 18 and 20. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 189, 197, 199 and 200.

AIR QUALITY OFFICER

No objections.

OBLIGATIONS OFFICER, NORFOLK COUNTY COUNCIL

No Comments Received

ECONOMIC DEVELOPMENT

No Comments Received

NORFOLK COUNTY COUNCIL HIGHWAYS

No Comments Received

HISTORIC ENGLAND

No Comments Received

REPRESENTATIONS

The application has been publicised by way of notification to surrounding property owners/occupiers, notice displayed on the site, notice in the local press, publication on the weekly list.

The Council has received one representation in support of the application and two raising objections. The objections highlight the following matters:

- Loss of privacy and overlooking from proposed dwellings into house and private garden.
- Request that all upstairs/first floor windows be made 'high level' or 'opaque glass' - to protect our privacy.

ASSESSMENT NOTES

1.0 Principle of Development

1.1 Policy GEN01 seeks to deliver sustainable development through amongst other things protecting and enhancing the natural, built and historic environment; and making the best and most effective use of previously developed land, buildings. In the interests of the character and beauty of the countryside, policy GEN05 seeks to restrict development outside of adopted settlement boundaries.

1.2 The policy guidance in section 11 of the NPPF seeks to make efficient use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 120(c) of the NPPF states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes. Section 5 of the NPPF also seeks to make as much use as possible of previously-developed or 'brownfield' land.

1.3 The site comprises a collection of historic buildings and more modern 20th century buildings within Swaffham Town Centre and the Swaffham Conversation Area. The site is not located within the primary shopping area nor along a primary or secondary frontage within the town centre. Despite planning permission being granted for a series of different forms of development and reuse, the former school site and buildings have been largely vacant since 2009 when its use as a sixth form centre ceased, with only part of the site being briefly used as an antiques and craft centre since then. The buildings and site are now in a state of disrepair and it is acknowledged that the appearance of the frontage buildings (both grade II Listed) is having a detrimental impact on the character and appearance of the town centre and Conservation Area.

1.4 With respect to the current or lawful use of the site it is unclear whether the more recent permissions granted in 2013 were lawfully implemented and therefore it is likely that the lawful use of the majority of the site, apart from the gymnasium building, reflects the last comprehensive use for education purposes (Use Class D1 non-residential institutions). The gymnasium building lawful use is considered to be D2 Assembly and Leisure due to its most recent use as a dance hall, theatre and music venue.

1.5 Planning permission (reference 3PL/2017/0347/F) was granted on 8th December 2017 for the conversion of the gym building to residential comprising of four dwellings. Whilst this permission has lapsed the principle of residential use of the gymnasium building has recently been considered acceptable. From the application supporting documents it is also evident that planning permission was previously granted for the conversion of the listed properties facing Market Place for residential use. Whilst again the permission has also lapsed and limited weight can be attributed to these permissions, the principle of conversion of these buildings for residential purposes was also previously considered acceptable.

1.6 The site is located within a mixed use part of Swaffham Town Centre with residential properties bordering the site to the north and south and on the western side of Whitsands Road. Whilst commercial and retail uses dominate to the east along Market Place and the Square, given the sympathetic land uses to the north and south and that the site was previously used for education purposes and is not within the primary shopping area the proposals are not considered to compromise the vibrancy and retail function of the town centre.

1.7 Furthermore, the proposed residential use of the site is considered appropriate as it would support the vitality and vibrancy of the town centre, the various businesses, amenities and services within the town centre and broader town, would be located in a highly sustainable location and the proposals would more effectively and efficiently re-use previously developed land.

1.8 In delivering new homes within Swaffham Town Centre a highly sustainable location with access to a variety of services and amenities within walking distance the proposals would accord with the policies within the adopted Local Plan and NPPF that seek to boost the supply of new homes and make the best and most efficient use of previously developed land and those in sustainable locations. The provision of additional homes and the conversion of the former School site buildings to residential use is therefore considered acceptable in principle and in line with the policies contained within the Breckland Local Plan and NPPF.

2.0 Heritage Considerations and Enabling Development

2.1 Section 66(1) of the Planning (Listed Building and Conservation Areas Act) 1990 (as amended) states that the Local Planning Authority "shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses". With respect to Conservation Areas Section 72 of the above act requires that LPA's to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

2.2 Policy ENV07 of the Breckland Local Plan (adopted) states that "The significance of designated heritage assets (including their settings), such as listed buildings, scheduled monuments, registered parks and gardens and conservation areas, will be conserved, or wherever possible enhanced." The policy goes on to state that "Development that will affect any designated heritage asset will be subject to comprehensive assessment and should conserve or, wherever possible, enhance the architectural and historic character, appearance and setting of the asset."

2.3 Policy ENV07 goes on to state that "The conversion of listed buildings for economic or residential purposes in locations that would otherwise be unacceptable will be considered where this would ensure the retention and ongoing conservation of the building. Proposals will be considered having regard to national policy and relevant guidance."

2.4 With particular regard to the Swaffham Conservation Area Policy HBE3 of the Swaffham NP states that "Development proposals within the Conservation Area should preserve or enhance its character or appearance. In particular, proposals that respond positively to creating an attractive public realm, local townscape and the quality and appearance of the conservation area will be supported".

2.5 Paragraph 199 of the NPPF states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation ..".

2.6 Of particular importance to this application is paragraph 202 of the NPPF which states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate,

securing its optimum viable use."

2.7 The site comprises the grade II Listed Buildings of 18 Market Place, 20 Market Place and the grade II Listed gate piers and wall along Market Place and grade II Listed gate piers and wall on Whitsands Road which are all listed of national importance in their own right. The site also sits immediately adjacent to a Grade II* Listed Building at Oakleigh House to the north and together these assets also have value as a group of historic buildings. As a result the site is located in a very sensitive location and the proposed development has the potential to impact on a number of designated and undesignated heritage assets.

2.8 Following the previous refused application and during this current application the Council has worked alongside Historic England and the applicants to develop a revised scheme and application package. This work has involved the reassessment of the listed buildings on site by Historic England and amendments to the layout and design of the proposed new build townhouses, and also the retention of the majority of the historic boundary wall which forms part of the listed gate piers towards on to Whitsands Road. Whilst a section of the historic wall would be lost and there would subsequently be harm caused to the significance of the heritage asset, the loss is necessary to provide the access and parking areas and provide the new build town houses, which are enabling the funding for the repair works to the listed buildings of 18 and 20 Market Place. It is also noted that the majority of the wall would be retained and where the wall would be lost the new build townhouses have been designed to follow the line of the historic wall. The resultant harm is therefore not considered substantial when considering the tests set out in the NPPF.

2.9 The enabling development of the new build townhouses also necessitate the loss of the modern detached prefabricated building and a kitchen and WC block both dating to the 20th century which are curtilage listed and have value as part of the group of buildings that reflect the sites earlier use as a school. However, these buildings have limited historic and architectural interest in themselves and as such the harm from their loss is considered less than substantial. Otherwise, the revised proposals are considered to provide for the sensitive re-use and refurbishment of the grade II Listed Buildings at 18 and 20 Market Place and the most significant curtilage listed buildings being the classroom and gymnasium buildings.

2.10 With regards to the impact on the setting of nos. 18 and 20 Market Place, the introduction of the additional single, two and three storey built form of the town houses would disrupt the openness and views to and from these listed buildings. However, it is noted that the views to and from the listed buildings are currently disrupted by existing buildings and walled enclosures within and around the site. The proposals seek to retain an enclosed area of open space to the rear of nos. 18 and 20 Market Place, which would reflect the historic character and setting of these townhouse. As a result, the degree of harm is considered less than substantial. With regards to the impact on the setting of the Grade II* Listed Oakleigh House, given that the setting of this nationally important heritage asset has already to a degree been compromised by the new bungalows to its rear at Settlers Court, and the existence of intervening buildings, it is not considered that the new build townhouses would cause any significant harm to its setting and important views to and from Oakleigh House.

2.11 The Councils Historic Buildings Officer has raised no objections to the revised scheme and application. Historic England have also now raised no objections to the revised scheme subject to a condition or section 106 Agreement that requires the new dwellings to be built out in phases in order to fund the repairs and works to nos. 18 and 20 Market Place. Given that the repair works to nos. 18 and 20 Market Place are cross funded from the remainder of the development there is a need for the development to be built out in phases in order that the necessary repair works are undertaken at a point in time which is both viable and necessary to retain their significance. As such, it is considered necessary that this be secured through an appropriately worded legal agreement.

2.12 As harm has been identified to the above heritage assets by way of the loss of part of the historic boundary wall, two more modern curtilage listed buildings, and from the impact of the new build development on the appreciation and setting nos. 18 and 20 Market Place, caselaw is clear that section 66 of the Planning (Listed Building and Conservation Areas Act) 1990 (as amended) instigates a presumption against granting permissions unless there are over-riding reasons of public interest that would outweigh the harm caused. In this instance, the proposed new build townhouse's are an enabling form of development and are necessary to provide the funds to repair the Grade II Listed Buildings on site and bring them back into use. The application has been supported by a Viability Report and evidence which has been independently reviewed on behalf of the Council and the conclusions of which have been acknowledged by the Council's assessors. Without the proposed new build town houses there would be a conservation deficit of £212,700. Whilst still on the margins of viability the evidence submitted demonstrates that the six new build townhouses are the minimum necessary to achieve a viable development and secure the repair and retention of the listed buildings on site.

2.13 The proposals would fund the necessary repair works to nationally important heritage assets, bring these heritage assets back into viable long term use; as a result enhancing the character and appearance of a prominent site within the Swaffham Conservation Area and Town Centre; and through providing for 18 new dwellings the proposals would increase the supply of housing to meet the needs in the District. Accordingly the benefits of the proposals are considered to be significant and to outweigh the harm caused to the heritage assets and the presumption against granting permission.

2.14 With respect to the similar test set out in paragraph 202 of the NPPF, the harm identified to designated heritage assets is considered to be less than substantial and in this harm needs to be weighed against the public benefits. It is noted from the comments of Historic England that the nationally important heritage assets on site are in need of urgent repair and refurbishment. As is evident from the planning history of the site there have been a number of proposed schemes that have obtained permission by different owners but have not been successfully implemented. The long-term viable re-use and conservation of the listed buildings in their current form requires substantial expense and whilst still being on the margins of viability, the proposals provide for a reasonable and achievable scheme to secure this which is itself considered to be a significant public benefit.

2.15 As noted above the public benefits of the proposals include the repair and preservation of the listed buildings on site, the enhancement to the character and appearance of the Swaffham Conservation Area and town centre, and the 18 new homes boosting the housing supply in the District, along with the associated economic benefits derived from the investment and construction of the dwellings and the ongoing spend of occupants in the local economy. Accordingly, the benefits of the proposals in bringing back into use are considered to be substantial, in the public benefit and outweighing the less than substantial harm caused. The proposed development is therefore considered to accord with the tests set out in paragraph 202 of the NPPF.

2.16 The application site also sits within the Swaffham Conservation Area which has been the subject of a recently updated Appraisal and Management Plan. The application site and buildings sit in the historic core of the Conservation Area and include three nationally important heritage assets in their own right as identified above (nos. 18 and 20 Market Place and the gate piers on to Whitsands Road). The site therefore forms an important and prominent part of the Conservation Area. The proposals would not only provide much needed repair of these buildings but also bring back into viable use those buildings fronting Market Place and Whitsands Road, and retain the gate piers on Whitsands Road. In doing so the proposals would enhance an important site within the Conservation Area, which is highlighted in the recent Swaffham Conservation Area Appraisal as the site in the poorest condition.

2.17 The proposals provide for a sympathetic conversion and would retain the character and appearance of the principal buildings fronting the public and most prominent parts of the Conservation Area to the east and west. The more modern buildings to be lost are not considered to contribute significantly to the character and appearance of the conservation area. The additional built form within the centre of the site would be partially screened from the existing built form fronting Market Place and Whitsands Road, and noting the varied position and alignment of plots and buildings between these two routes, the introduction of the two new blocks of dwellings would not cause any significant harm to the character and grain of the conservation area. As a result, the proposals are considered to conserve the significance and character and appearance of the Swaffham Conservation Area in accordance with policy ENV07 of the Breckland Local Plan (adopted) and policy HBE3 of the Swaffham NP.

2.18 With regards to currently unidentified or undesignated heritage assets such as below ground archaeology, policy ENV08 of the Breckland Local Plan states that "Development should be expected to conserve, or wherever possible enhance the historic character, appearance and setting of non-designated historic assets." This policy also goes on to state that "Development proposals should identify assets of archaeological significance. An archaeological evaluation will be required for development sites that are known or thought to have the potential to include non-designated heritage assets with archaeological interest."

2.19 The Historic Environment Service (HES) have been consulted and they have highlighted that the proposed development will affect the significance of both the designated and non-designated structures which are worthy of recording in their current form prior to their residential conversion. The site occupies a position fronting onto the medieval market place, occupying an area which has been occupied since at least the medieval period, and extending back to Whitsands Road and which is likely to have been a thoroughfare of medieval or post-medieval date. Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that the significance of these could be adversely affected by the proposed development.

2.20 In accordance with the recommendations of the HES a condition has been recommended securing the submission, approval and implementation of a programme of historical building recording comprising of a photographic survey prior to any demolition taking place. A condition has also been included to require the approval of and implementation of a written scheme of investigation prior to the commencement of development, also in line with the recommendations of the HES. Subject to these conditions it is considered that the proposals would adequately ensure that the significance of any undesignated heritage assets are appropriately recorded assessed in accordance with policy ENV08 of the Breckland Local Plan (adopted).

3.0 Viability and Planning Obligations

3.1 Policy INF02 of the adopted Breckland Local Plan (2019) states that "The Council will secure site specific maximum combined gross floorspace of no more than 1,000 square metres (gross internal area)), excluding rural exception sites, in order to properly service, manage and mitigate the impact of development, subject to viability". The policy goes on to list the relevant tests for obligations and the types of infrastructure which developments would need to secure, which include affordable housing, formal and informal open space, community infrastructure including education and library facilities, and pedestrian and highway safety improvements.

3.2 As set out above the proposed residential development is an enabling form of development to secure the maintenance and repair of the listed buildings on site and as noted above the proposed development still remains subject to viability pressures. The applicant has submitted a viability appraisal of the development and consider that the scheme cannot viably provide for any affordable housing on site. The council has had

the findings independently appraised on their behalf by CP Viability. Following further evidence submitted by the applicants viability consultants CP Viability have concluded that the enabling development proposed is viable and that the six newbuild open market houses are the minimum necessary to achieve a viable development. Based on the independently reviewed Viability Assessment it is accepted that the full planning obligations package that would ordinarily be required cannot be secured.

3.3 With respect to the provision of affordable homes, policy HOU07 of the Breckland Local Plan (adopted) requires the provision of 25% Affordable Housing on residential sites of this size. The Council's Housing Enabling Team have reviewed the position and raised no objections subject to the inclusion of a claw back mechanism and payment of any overage. These are to be secured via a Section 106 Agreement which would include a claw back mechanism to ensure that if the scheme does become more viable then a financial contribution is secured towards affordable housing provision off site.

3.4 With regards to open space, play and sports provision Policy ENV04 of the Local Plan requires for a proposal of this number of units to provide outdoor open space, including on site children's play and recreational provision. Policy COM02 of the Swaffham NP also states that "Proposals for residential development should provide outdoor play spaces; informal meeting places, and parks to development plan standards". The proposed scheme provides for on-site public open space in the centre of the site which provides informal amenity and recreation space. The proposals provide approximately 250m² of public open space on site, which is well below the total amount of on site open space required in Policy ENV04 of 1,100m².

3.5 However, noting the constraints of the site in terms of its size, town centre location, the need to preserve the existing buildings and heritage assets on site, and need to provide for an enabling development, it is not considered that a scheme providing any significantly greater amount of on site open space would be achievable whilst meeting other policy objectives. In such circumstances policy ENV04 does allow for the provision of a financial contribution to provide additional or improved facilities off site. However, in light of the viability position of the scheme it is noted that no further financial contributions could be secured without either securing the enabling development being sought or reducing or removing the provision towards other obligations and in this regard both policies ENV04 and INF02 of the Local Plan recognise that such planning obligations would only be secured when viable. The proposals do include onsite public open space and its detailed specification, laying out and ongoing maintenance would be secured in perpetuity through the legal agreement.

3.6 With respect to the provision of financial contributions towards mitigating the impacts on education and library facilities in the local area, comments are awaited from Norfolk County Council on the level of any contributions necessary. These will be reported to Planning Committee. Noting their response on the previous application it is noted that an education contribution of approximately £70,100 maybe necessary towards increasing the capacity of Swaffham CE VC Infant School and Swaffham CE Junior School. Required library contributions of £75 per dwelling which would amount to £1,350 towards improvements to and additional library equipment in the local area.

3.7 The Norfolk Green Infrastructure Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) addresses the recreational impacts and pressure placed on the protected sites in the District and County and requires that a financial contribution (£185.93) per dwelling/unit to be put towards recreational impact avoidance and mitigation measures as set out in the Norfolk GIRAMS.

3.8 As set out above, the viability of the proposals have been independently assessed and based on this, it is considered that a development that provides no affordable housing and s.106 contributions of approximately £30,000 would be viable. Therefore, it is recommended that contributions be secured through the S.106

Agreement towards mitigating impacts on education, library services and protected wildlife and habitat sites, with a claw back mechanism to secure an offsite contribution to affordable housing.

4.0 Housing Type, Mix and Tenure

4.1 Policy HOU06 of the Breckland Local Plan sets out principles for new housing and states that "Higher density proposals will be sought at appropriate locations, including town centres, areas with good public transport accessibility and sustainable urban extensions."

4.2 Policy HBE1 (Mixed Housing) of the Swaffham Neighbourhood Plan (NP) states that "New residential development should be of an appropriate mix and type of tenure of housing, reflecting the requirements of the Strategic Housing Market Assessment".

4.3 The development proposes 18 dwellings comprising of a mix of one two, three, four and five bedrooms dwellings. Overall the proposals provide a mix of sized dwellings and would assist in meeting the needs of a range of households and accord with the latest SHMA which seeks to secure predominantly 3 bedroom units for Breckland. Accordingly the proposals are considered to comply with policy HBE1 of the Swaffham NP.

4.4 With regards to the provision of affordable housing, policy HOU07 of the Breckland Local Plan (adopted) requires the provision of 25% Affordable Housing on residential sites of this size. Taking into account vacant building credit as set out in policy HOU07, the proposed development would require the provision of one affordable dwelling and a financial contribution towards affordable housing off-site of £13,000. However, as noted above it is not viable to provide affordable housing on site. In order to ensure that a affordable housing contribution be secured should the viability position of the development change, a clause is recommended to be secured within the s.106 Agreement to require a viability review and claw back mechanism, in line with the consultation response of the Council's Housing Team.

4.5 With regards to the requirements of policy HOU10 the proposed dwellings would all meet the necessary Nationally Described Space Standards. Accordingly the size and type of homes are considered to be acceptable.

5.0 Design, Scale and Appearance

5.1 Policies GEN02 and COM01 of the adopted Local Plan (2019) and section 12 of the NPPF support high quality design. Policy HOU6 of the Breckland Local Plan (adopted) also states that the "design and layout will optimise the density of the development to a level which is appropriate and justified for the locality"

5.2 Policy HBE2 of the Swaffham NP states that: "All new development must be well designed, reflecting local distinctiveness and not adversely impacting on the appearance of the town. All design should have regard to local context and seek to enhance the character and quality of Swaffham.

5.3 The NPPF highlights in paragraph 126 that "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

5.5 Paragraph 64 further states that "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions". It should embrace opportunities to enhance the character and appearance of an area and contribute to creating a sense of local distinctiveness.

5.4 The proposals within this current application have been revised following the previous refusal and within the lifetime of this application to address concerns raised by Historic England, the Council's Historic Buildings Officer and officers. The proposals are considered to provide for the sympathetic conversion and alteration of the existing buildings on site comprising of nos. 18 and 20 Market Place, the classroom buildings running to the rear of 20 Market Place and the former gymnasium building fronting Whitsands Road. Where new openings are proposed of note to the classroom buildings along the southern boundary of the site these have been designed to repeat the size, materials, proportions and pattern of the existing openings. The listed gate piers and boundary treatments to both Market Place and Whitsands Road have been incorporated into the scheme, with only minor loss of historic fabric necessary to allow for the new build elements and necessary access and parking space on site.

5.5 The six new build town houses introduce a new north - south line of built form within the centre of the site with gap retained to allow views and access east to west through the site. Whilst of significant scale the proposed new blocks would be sufficiently set back into the site to appear subordinate to the important historic buildings fronting Market Place and Whitsands Road. The contemporary architectural style of these new build elements seeks to provide a distinction to the historic elements of the site and allow the sites progression to be clearly appreciated. The materials proposed and traditional crittal window design would largely reflect those used in the surrounding area and historic character of the area. Whilst there are reservations regarding the use of zinc to the roofs, a condition securing approval of revised details, prior to the commencement of development, would ensure an appropriate materials palette is used.

5.6 The layout of the communal parking, open space and shared footpaths and routes through the site require further detail and consideration to ensure a sympathetic approach to the treatment of the curtilage of the listed buildings and accordingly conditions have been recommended in this regard to provide sympathetic delineation, hard and soft landscaping and boundary treatments.

5.7 It is noted that both the Council's Historic Buildings Officer and Historic England have raised no objections to the proposals following their amendment. Overall, the proposed development is considered to satisfactorily respond to the character and appearance of the surrounding area both in design, scale, layout and appearance and are therefore considered to accord with policies GEN01 and COM03 of the Breckland Local Plan and policy HBE2 and HBE3 of the Swaffham Neighbourhood Plan.

6.0 Residential Amenity

6.1 Policy COM03 of the Breckland Local Plan (adopted) seeks all new development to protect the amenity of the area, neighbouring and future occupants.

6.2 The previous application (reference 3PL/2019/0195/F) was refused due to the unacceptable impact on the amenity of neighbouring occupants of 5 Settlers Court to the north by way of overshadowing of the garden, and the creation of enclosure to 3 and 4 Hollywell Gardens to the south.

6.3 The proposals have been amended to reduce the number of new build townhouses to be provided within the centre of the site and the application has been supported by a shadowing analysis. The proposed dwelling at Plot 5, the nearest dwelling to no. 5 Settlers Court has been moved further west along the northern boundary and has been reduced in height to two storeys with the nearest side element being single storey. The shadowing analysis indicates that the only notable shadowing caused by the revised proposals would be in the late morning hours in the winter months. As a result there is greater separation distance from the side gable of unit 5 to the rear of the dwelling at 5 Settlers Court to the north and the impact from overshadowing and loss of outlook, and daylight has been reduced. On balance the impacts are not

considered to result in over-riding harm to residential amenity of those occupants to the north.

6.4 With regards to the impacts on 3 and 4 Holywell Gardens to the south, whilst the nearest proposed dwelling to the rear of 3 and 4 Holywell Gardens is now closer than those previously considered scheme, the nearest unit is now only one and half storeys in height rather than two and half storeys and the main bulk of the block has been moved further west to reduce the overlap to the rear of 3 and 4 Holywell Gardens. As a result, it is not considered that the proposals would result in over-riding harm to the amenity of the residents to the south. A condition is recommended to ensure any first floor windows are fixed shut and obscurely glazed in the side of plot 10 and remove permitted development rights for any extensions and alterations to the dwelling noting its proximity to the site boundary.

6.5 The Council has received objections from residents on the opposite side of Whitsands Road to the west of the site with respect to the overlooking of the dwellings and their gardens. Plots 1 - 4 within the former gymnasium building would utilise the existing windows on the raised mezzanine level and first level to light bedrooms in this west facing elevation. Given that the proposals would utilise existing windows that could be lawfully used and there would as a result be a degree of existing outlook and overlooking, the impacts of the proposals over the lawful position is not considered to result in significant harm to residential amenity.

6.6 With regards to the request for south facing windows to be obscurely glazed within the dwellings along the southern boundary, it is noted that the rear of plots 13-17 would introduce new windows at first and second storey. However, these would overlook the site itself and a car parking area to the rear of the former National Westminster Bank (24 Market Place) which comprises of a commercial premises. Whilst the interface distance to the residential properties at Holywell Gardens to the south is lower than would be acceptable in conventional residential settings, noting that the site is located within the historic core of Swaffham and within a town centre context and utilises existing historic buildings, then the proposals are not considered unacceptable in this case.

6.7 Despite the constraint of the site all of the proposed dwellings have been designed to achieve acceptable levels of outlook and natural daylight and ventilation through appropriately located openings. Each of the dwellings would have access to private outdoor amenity space which whilst constrained for plots 12-17 is not considered unreasonable for a town centre location and a site which is subject to a number of constraints, notably the historic buildings and setting, important trees, adjacent built form and the pressures associated with bringing back into use national important heritage assets.

6.8 Having regard to the above, subject to conditions requiring those windows to be obscurely glazed it is considered that the proposed development is in general compliance with policy COM03 of the Breckland Local Plan (adopted).

7.0 Transport, Access and Highways Matters

7.1 Policies TR01 and TR02 of the Local Plan seek to promote sustainable transport. Policy TR01 requires development to minimise the need to travel; promote opportunities for sustainable transport modes; not adversely impact on the operation or safety of the strategic road network; improve accessibility to services; and support the transition to a low carbon future.

7.2 Policy TR02 requires development to integrate into existing transport networks; mitigate highways impacts; protect and enhance access to public rights of way; provide safe, suitable and convenient access for all users, including appropriate parking; and avoid inappropriate traffic generation and do not compromise highway safety. Policy TRA3 of the Swaffham NP is also of relevance as it requires all new development to provide private parking to development plan standards

7.3 The site comprises the former Hammonds School site which is located within Swaffham Town Centre with existing vehicular access on to Market Place to the northeast and Whitsands Road to the southwest. The proposals involve the alteration of the existing access on to Whitsands Road to provide a 4.5 metre wide access with appropriate visibility splays in either direction. This would form the main vehicular and pedestrian access to the site and providing access to 19 parking spaces and communal bin storage area. A further three parking spaces would be provided adjacent to the existing access on to Market Place to the northeast providing a parking space each for the Old School House and Old Bank House, and a shared visitor space. Across the entire site the proposals would provide a parking space for each dwelling with 4 visitor spaces.

7.4 The Highways Authority have been consulted and have requested minor amendments to the scheme, and the scheme has been amended accordingly, for which updated comments are awaited. The final comments of the Highways Authority will be reported to committee. Noting the historic use of the buildings and town centre location the proposals are not considered to generate any significant additional vehicular traffic levels over the historic and lawful use of the site.

7.5 With respect to parking provision, whilst at 1.2 parking spaces per dwelling the parking provision is significantly below the two parking spaces per dwelling minimum set out in the Breckland Local Plan, policy TR02 states this is the only the starting point and in this instance the site is located within a highly sustainable town centre location with all necessary day to day amenities, facilities, education, health, retail and leisure facilities in walking distance. Furthermore, the site is in close proximity to a number of public car parks located within the town centre. In this regard policy HOU06 of the Breckland Local Plan states that "The appropriate parking provision for a development will be determined using the parking standards in Appendix 2 as a 'starting point' which may be varied to reflect local conditions such as the availability of public parking, sustainable travel modes, Travel Plan provisions and design and conservation objectives". Therefore, the parking provision is deemed acceptable in this instance and to not conflict with the objectives within policies HOU06, TR01 and TR02 which promote sustainable modes of travel.

7.6 Having regard to the above, the proposed development would benefit from safe access on to the highway and would not give rise to severe adverse impacts on the safety and operation of the highway network, and would provide adequate levels of on site parking noting the highly sustainable location. As a result the proposals would comply with the requirements of policies TR01 and TR02 of the Breckland Local Plan, policy TRA3 of the Swaffham NP, and the policy guidance NPPF.

8.0 Flood Risk and Drainage Implications

8.1 Policy ENV09 of the Breckland Local Plan states that "All new development will:

- be located to minimise the risk of flooding, mitigating any such risk through design and implementing sustainable drainage (SuDS) principles.
- incorporate appropriate surface water drainage mitigation measures to minimise its own risk of flooding and should not materially increase the flood risk to other areas. Particular care will be required in relation to habitats designated as being of international importance in the area and beyond which are water sensitive, as well as habitats designated of regional or local importance."

8.2 The site is located within Flood Zone 1 and is therefore at low risk of flooding from rivers, canals, reservoirs, from tidal events and is at low risk from surface water flooding. The proposals would utilise existing buildings within a brownfield site and urban context. In order to deal with any additional surface water run-off it is proposed that surface water would drain to the ground via cellular soakaways below the gardens and parking areas on site. As such the proposals would comply with the guidance of the LLFA and policy ENV09 in sustainably managing surface water via discharging surface water in the top tier of the drainage

hierarchy, through dealing with it on site.

8.3 Having regard to the above, the proposals are not considered to be at any significant risk of flooding and nor would the proposals increase flood risk elsewhere. Therefore, the proposals are considered to accord with policy ENV09 of the Breckland Local Plan and policy guidance contained within the NPPF.

9.0 Arboricultural Implications;

9.1 Policy ENV06 of the Breckland Local Plan requires existing trees and hedgerows should be retained and integrated into proposed development.

9.2 The application site does contain a number of trees of varying arboricultural value and the application has accordingly been supported by a Arboricultural Report and Tree Officer has been consulted. The most notable tree a mature beech tree is centrally located within the site and is to be retained. The amended scheme within this revised application provides greater separation between the new build dwellings and this tree. To facilitate the development six category C trees will be required to be removed, which is considered acceptable given the benefits of bringing nationally important heritage assets and a town centre site back into use. The Council's Tree Officer has requested further information, which has been received and on which updated comments are awaited and will be reported to Planning Committee. As a result, subject to the Tree Officer not raising objections to the proposed development, the proposals are not considered to have any significant impacts on important tree and landscape features and would accord with policy ENV06 of the Breckland Local Plan (adopted).

10.0 Nature Conservation and Biodiversity Considerations

10.1 Both policy ENV02 of the Local Plan and the guidance contained within section 15 of the NPPF require that development should contribute to a net gain in biodiversity with an emphasis on improving ecological networks and linkages where possible.

10.2 Policy ENV03 of the Breckland Local Plan (2019) recognises that development can have urbanising and recreational impacts on the protected sites and habitats of the Brecks, notably the Breckland SPA and its qualifying features. Policy ENV03 requires the Council to: "coordinate the necessary monitoring and mitigation measures required to demonstrate that the increases in visitor pressure arising from new development in the District will be addressed before adverse effects on European sites occurs. These will include as a minimum the following measures to be implemented following adoption of the Plan:

- Creation of an advisory group;
- Production of a monitoring programme;
- Identification of mitigation measures; and
- Defining funding to support the above measures."

10.3 The proposals involve the demolition and conversion of the existing buildings on site and accordingly the application has been supported an assessment and surveys of the buildings for the presence or absence of bats. The survey work has confirmed that one of the buildings supports one common pipistrelle bat day roosts and one brown longeared bat day roost, whilst another building supports one common pipistrelle bat day roost. As a result, the applicant must obtain a European Protected Species mitigation licence from Natural England prior to the commencement of any works on site and precautionary methods of working are proposed in relation to the works to be undertaken on site. With respect to whether a EPS Licence is likely to be granted by Natural England, the proposals are required to provide for new housing and provide for the viable long-term re-use of nationally important heritage assets and is therefore in the public interest. There is

no satisfactory alternative to the works that would affect the protected species on site as the works are necessary to provide for residential conversion and provide a viable enabling development. Subject to the compensatory measures being provided for through bat roosts within the retained mature trees on site, the conservation status of the EPS would be maintained. As a result it is considered likely that a EPS Licence would be granted by Natural England.

10.4 Accordingly conditions have been recommended requiring development proceed in accordance with the recommended precautionary working methods, the approval and the implementation of biodiversity enhancement measures and compensatory bat roosts to be located in the retained mature trees on site. Otherwise, the proposals are not considered to result in any significant adverse impacts on wildlife and the biodiversity value of the site and surrounding area and would be in accordance with policy ENV02 of the Breckland Local Plan (2019).

10.5 With regards to potential impacts on protected sites, since the 1st April 2022, the Council along with the other LPA's across Norfolk have implemented a Norfolk Green Infrastructure Recreational Impact Avoidance and Mitigation Strategy (GIRAMS). This addresses the recreational impacts and pressure placed on the protected sites in the District and County and requires that a financial contribution per dwelling/unit to be put towards recreational impact avoidance and mitigation measures as set out in the Norfolk GIRAMS. Subject to securing the financial contribution through the s.106 Agreement as identified above, the proposed development would therefore comply with policy ENV03 of the Breckland Local Plan (adopted 2019) in not providing adequate mitigation to these recreational pressures.

11.0 Other Material Considerations

11.1 Air Quality

11.2 Policy COM02 of the Breckland Local Plan states that "Development in Air Quality Management Areas and those areas identified as affecting or likely to affect the control of relevant pollutants within the Air Quality Management Area, should be consistent with the local air quality action plan." Policy ENV01 of the Swaffham NP requires that proposals demonstrate how they have been designed to ensure that they do not contribute unacceptably to air quality levels.

11.3 The site is located outside but in close proximity to the Swaffham Air Quality Management Area and has accordingly been supported by an Air Quality report. The application submission states that the proposals sustainable location and easy access to facilities and amenities in the town will naturally minimise the need to travel by motor-vehicle which is acknowledged. The application proposes to provide an electric vehicle charging point for each unit and safe and secure cycle storage. Whilst no details of these have been submitted a condition has been recommended in order to secure the approval of further details in each regard and their provision on site. The Council's Air Quality Officer has been consulted and raised no objections to the proposals. Subject to the above the proposals are considered to accord with policy COM02 of the Breckland Local Plan and policy ENV01 of the Swaffham NP.

11.4 Ground Conditions and Contamination

11.5 The proposals would utilise a previously developed site within the historic core of Swaffham that has been subject to previous ground excavations, filling and laying of foundations. The Council's Contaminated Land Officer (CLO) has reviewed the proposals and site history and there are not considered to be any ground or contaminated land related constraints or issues that would in principle constrain development. In order to ensure future occupants and adjacent occupants would be safeguarded would be safeguarded from potential contamination the CLO has requested that a full site investigation report be submitted for approval

prior to the commencement of development. In accordance with the recommendations of the Council's Contaminated Land Officer a condition is recommended to ensure measures are implemented should contamination be found on site and to ensure appropriate measures are undertaken with respect to any asbestos found.

11.6 Design and Crime

11.7 With regards to the comments of Architectural Liaison Officer at Norfolk Constabulary and Secured by Design considerations, it is noted that the main comments request the provision of pedestrian and vehicular gates to the site and private gardens, in order to deter anti-social and criminal behaviour and reduce fear of crime. The proposals do include gates across the access to Market Place and to private rear gardens. Noting that the site is currently in private ownership, does not form a public route through from Whitsands to Market Place and the proposals would be for private market dwellings, it is considered that appropriate access control measures (pedestrian and vehicular gates and lockable gates to private gardens) could be provided and a condition has been recommended accordingly.

11.8 Nutrient Neutrality

11.9 This application has been assessed against the conservation objectives for the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site concerning nutrient pollution in accordance with the Conservation of Species and Habitats Regulations 2017 (as amended) (Habitats Regulations). The Habitat Regulations require Local Planning Authorities to ensure that new development does not cause adverse impacts to the integrity of protected habitats such as the River Wensum or the Broads prior to granting planning permission. This site is located outside of the catchment area of the sites as identified by Natural England. The development proposed does involve the creation of additional overnight accommodation. The proposed development would discharge foul water into the existing main sewage system operated by Anglian Water and would be treated at the Swaffham Recycling Centre before being discharged into the River Ouse and Wash to the west. With regards to the discharge of surface water it is proposed to drain surface water into the ground via cellular crate soakaways within the site and as a result this would avoid discharge into the watercourse network of the affected Habitat Sites. Therefore, the proposed foul and surface water outflows would not discharge into the affected catchments as such it is unlikely to lead to a significant effect on the above Habitat Sites.

11.10 This application has been screened, using a precautionary approach, as unlikely to have a significant effect on the conservation objectives either alone or in combination with other projects and there is no requirement for additional information to be submitted to further assess the effects. Therefore, the application can, with regards nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended).

12.0 Conclusion

12.1 The proposed scheme would deliver additional housing within a sustainable location, making use of previously developed land and within a settlement at the upper end of the settlement hierarchy within the Breckland Local Plan (adopted). The proposals however do cause less than substantial harm to the significance of listed buildings on site. On balance it is considered that the public benefits in enabling the much needed repair of the listed buildings, providing them with a viable long term use, and allowing for the maintenance of the nationally important heritage assets in perpetuity, the improved appearance of a prominent site in the Swaffham Conservation Area and town centre, and the social and economic benefits associated with the delivery of 18 new homes would outweigh the respective harm caused.

1.2 Independent review of the viability of the proposals demonstrates that the proposed scheme is the minimum necessary on the site to deliver a viable scheme and the proposals could not viably provide for the full obligation package including contributions towards public open space, local education and library facilities or the provision of affordable housing requirements whilst delivering the enabling development required to preserve the heritage assets on site.

12.3 The proposals would otherwise respond favourably to the broad policies, objectives of the Local Plan and would help provide for the improvement of the appearance of a prominent town centre site and provide a mix of new dwellings in a highly sustainable location with access to a good range of services and facilities provided within Swaffham. As a result the proposals are in broad accordance with the policy guidance contained within the Breckland Local Plan (adopted), the Swaffham Neighbourhood Plan and the NPPF.

12.4 Conditions are recommended to ensure appropriate mitigation and improvements are provided in respect of wildlife and nature conservation interests, trees and landscape features, access and highway infrastructure; surface water drainage and potential archaeological features on the site.

12.4 It is therefore recommended that permission is granted subject to conditions and following the execution of a suitable Section 106 Agreement to secure the planning obligations identified above.

RECOMMENDATION

The application is recommended for approval subject to no objections being raised by the Highways Authority and Tree Officer, and the conditions set out below and delegated authority being given to officers to complete a S.106 Agreement to secure the obligations set out above.

CONDITIONS

- 1 Full permission 3 year time limit**

The development hereby permitted shall be begun before the expiration of THREE YEARS from the date of this permission.
Reason for condition:-
To comply with section 91 of the Town & Country Planning Act 1990 (as amended).
- 2 In accordance with submitted plans NEW 2017**

The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.

Reason for condition:- To ensure the satisfactory development of the site, in accordance with Policy COM01 of the Breckland Local Plan (adopted 2019).
- 3 Highways - access, parking, turning space laid out**

Prior to the first occupation of the development hereby permitted, the vehicular access over the footway shall be constructed in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority in accordance with the highways specification and thereafter retained at the position shown on the approved plan.
Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.

Reason for condition:- To ensure construction of a satisfactory access and to avoid carriage

of extraneous material or surface water from or onto the highway in the interests of highway safety in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted 2019).

4 Highways, visibility splays

Prior to the first occupation of the development hereby permitted, visibility splays measuring 2.4 metres x 43 metres shall be provided to each side of the access where it meets the highway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Reason for condition:- In the interests of highway safety in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted 2019).

5 Prior to the first occupation/use of the development hereby

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

Reason for condition:- To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted 2019).

6 Full schedule of works

No development shall take place until an appropriate full schedule of works has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason for condition:- The details are required prior to the commencement of development to ensure the special architectural and historic interest of the building as required by Policy ENV07 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

7 Window details to be agreed

No works to the existing windows or proposed openings shall take place on the site unless or until the following details have been submitted to and approved in writing by the Local Planning Authority:

- Detailed drawings of the proposed windows at a scale of no less than 1:10 and timber profiles of a scale no less than 1:2.

The development shall be carried out in accordance with the approved details.

Reason for condition:- The details are required prior to any works to the windows or openings to enable the Local Planning Authority to ensure the satisfactory appearance of the development, as required by Policy ENV07 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

8 External wall and roof materials to be agreed

No development shall commence above slab level, unless or until precise details, (including

samples where required), of the materials used in the construction of the external walls and roof(s) of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply notwithstanding any indication as to these matters that have been given in the current application. The materials to be used in the development shall be in accordance with the approved details.

Reason for condition:- To enable the Local Planning Authority to control the colour, tone, texture and appearance of the materials used to ensure the satisfactory appearance of the development, as required by Policies COM3, GEN2 and COM1 of the of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

9 Details of gates to accesses and private garden areas

No development shall commencement above slab level, unless or until details, including a Site Plan (scale not less than 1:200) and elevation drawings (scale 1:100) and specifications of the following:

- provision of a lockable pedestrian only access from Whitsands Road into the site immediately to the north of the approved new vehicular access;
- lockable side/rear gates between the communal areas on site and the private amenity spaces for the approved dwellings on site.
- secure bin storage area.

The development shall thereafter be carried out in accordance with the approved details.

Reason for condition:- In order to provide for secured by design guidance, discourage crime and fear of crime and in the interests of the satisfactory appearance of the development in accordance with policies GEN02 and COM01 of the Breckland Local Plan (adopted 2019).

10 Landscaping scheme to be submitted - hard and soft

Prior to the commencement of development above slab level full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

These details shall include:

- hard surfacing materials;
- means of enclosure and boundary treatments to all dwellings;
- proposed finished levels or contours;
- minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.)

Soft landscaping shall include:

- Planting plans;
- Written specifications (including cultivation and other operations associated with plant and grass establishment);
- Schedules of planting, noting species, plant sizes and proposed numbers/densities where appropriate;
- Implementation programme

Reason for condition:- Details are required prior to commencement in the interests of the satisfactory appearance of the development in accordance with policies GEN02 and COM01 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

11 In accordance with Arboricultural report

The development hereby approved shall be carried out at all times in full accordance with the recommendations specified in the submitted Arboricultural report, 'Arboricultural Implications Assessment and Preliminary Method Statement, ref. OAS/18-289-AR01 Rev A, for

Hammond School Market Place & Land off Whitsands Road, Swaffham, by Stephen Milligan, dated November 2019.

Reason for condition:- To protect the longevity of the trees in accordance with policy ENV06 of the Breckland Local Plan (adopted 2019).

12 Foul drainage

Prior to the commencement of development and the construction of any drainage systems on site, precise details of the means of foul water disposal and its ongoing management and maintenance, shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved foul water drainage system has been connected to and made available and fully functional for that dwelling.

Reason for condition:-

Details are required at an early stage in order to ensure the necessary measures are incorporated into the construction of the site and ensure that satisfactory foul drainage upon occupation in the interests of the proper and safe development and amenity of the surrounding area and residents. In accordance with Policies in accordance with Policies ENV09 and COM03 of the Breckland Local Plan (Adopted).

13 Surface water drainage

Prior to the first occupation of the dwellings hereby permitted the approved surface water drainage strategy shall be completed in full accordance with the following approved documents: The Flood Risk Assessment titled PROPOSED RESIDENTIAL REDEVELOPMENT AT THE HAMMOND SCHOOL, MARKET PLACE AND WHITSANDS ROAD, SWAFFHAM, NORFOLK (REPORT REF: 2221/RE/01-19/01 dated January 2019); drainage strategy documents (Response to LLFA comments FW2021_0497 dated 18 March 2022; Maintenance and Management of Surface Water Drainage Features Report Ref: 1388/SAC/MMSWDF/03-22 March 2022, Geosphere Environmental ref: Our Ref: 5902,GI/Ltr01/SG,AH/09-09-21/V1 dated 9th September 2021; Micro drainage 1388 ICP SUDS 0.431ha GRR uploaded 23 March 2022, ASD Consultants DESIGN CALCULATIONS ASD Ref:1388/MD/Surface Water Rev. A dated 18 March 2021; and drawing number 1388/DRA/001 Rev: A (DRAINAGE STRATEGY PLAN 18th March 2022).

Reason for condition:-

For the avoidance of doubt and in the interests of proper planning and to prevent flooding in accordance with policy ENV09 of the Breckland Local Plan (Adopted), and National Planning Policy Framework paragraphs 167,169 and 174 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 an

14 Biodiversity enhancement plan

Prior to the commencement of development, a biodiversity enhancement plan shall be submitted and approved in writing by the local planning authority, detailing the enhancement

measures for biodiversity on site. The biodiversity enhancement plan should include numbers and locations of bird boxes, bat boxes, habitat enhancements outlined in principle in section 5.3 of the Bat Roost Assessment (Phillips Ecology; April 2021), in addition to the location of alternative roosting sites that will be provided to compensate for the loss of trees with low bat roost potential (two Kent bat boxes installed in suitable locations on mature trees on the site). The measures shall be carried out strictly in accordance of the approved scheme.

Reason for condition:-

The details are required to be submitted prior to the commencement of development in order to ensure those necessary ecological enhancement measures are integrated into the site and design of the final scheme being implemented on site. In order to protect wildlife and nature conservation interests within and around the application site, and to provide ecological enhancements having regard to Policy ENV02 of the Breckland Local Plan (Adopted) and policy guidance contained within the NPPF.

15 In accordance with Bat Report

The proposed development shall proceed in accordance with the recommendations in section 5 of the Bat Roost Assessment (Phillips Ecology; April 2021) including but not limited to the works required for T3 will be carried out under the supervision of a bat licenced ecologist and the soft felling of trees with low bat roost potential.

Reason for condition:-

In order to protect wildlife and nature conservation interests within and around the application site, and to mitigate the ecological impacts of the development having regard to Policy ENV02 of the Breckland Local Plan (Adopted) and policy guidance contained within the NPPF.

16 Obscure glazing

The window(s) in the south facing elevation of the dwelling hereby approved in plot 10 shall be obscure glazed to a specification of not less than the equivalent of classification 5 of Pilkington Glass and shall be permanently maintained in that form in accordance with the approved drawings unless otherwise first agreed in writing by the Local Planning Authority.

Reason for condition:- To prevent overlooking and to protect the amenity and living conditions of adjacent residential property, as required by Policy COM3 of the Breckland Local Plan (adopted 2019).

17 No PD for fences, walls etc

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification), no fences, gates, walls or other means of enclosure as defined within Class A of Part 2 of Schedule 2 of that Order shall be carried out on the land unless an appropriate planning application is first submitted to and approved in writing by the Local Planning Authority.

Reason for condition:- In the interests of the satisfactory appearance of the development and in accordance with Policy COM3 of the Breckland Local Plan (adopted 2019).

18 No PD for extensions or roof alterations.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification), no extensions or roof alterations as defined within Classes A, B, C and D of Part 1 of Schedule 2 of that Order shall be carried out on the land unless an appropriate planning application is first submitted to and approved in writing by the Local Planning Authority.

Reason for condition:- In the interests of the satisfactory appearance of the development and/or the amenities of adjoining residents in accordance with Policy COM3 of the Breckland Local Plan (adopted 2019).

19 Archaeological building survey

No demolition shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic building recording which has first been submitted by the applicant and approved in writing by the Local Planning Authority. The programme of historic building recording will comprise a photographic survey of the historic school buildings for which a brief is available from the Norfolk County Council Historic Environment Service.

Reason for condition:-

Details are required prior to commencement to secure the recording and preservation of previously below ground heritage assets in accordance with Policy ENV07 and ENV08 of the Breckland Local Plan (Adopted).

20 Archaeological WSI

No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and

- 1) The programme and methodology of site investigation and recording;
- 2) The programme for post investigation assessment;
- 3) Provision to be made for analysis of the site investigation and recording;
- 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- 5) Provision to be made for archive deposition of the analysis and records of the site investigation; and
- 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

Reason for condition:-

Details are required prior to commencement to secure the recording and preservation of previously below ground heritage assets in accordance with Policy ENV07 and ENV08 of the Breckland Local Plan (Adopted).

21 Implementation of WSI

The development shall thereafter take place in accordance with the approved archaeological written scheme of investigation (as per condition 20) and the development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under this condition and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason for condition:-

To secure the recording an preservation of previously below ground heritage assets in accordance with Policy ENV07 and ENV08 of the Breckland Local Plan (Adopted).

22

Site Investigation/ remediation

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

A. Site Investigation

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

B. Remediation Scheme

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

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

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

Reason for condition:- Details are required prior to commencement to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This condition is imposed in accordance with Section 15 of the National Planning Policy Framework.

This condition will require to be discharged

23

Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in

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

Reason for condition:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This condition is imposed in accordance with Section 15 of the National Planning Policy Framework.

24 Non-standard condition

Prior to the commencement of development above slab level, a scheme detailing the provision of electric vehicle charging points within the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason for condition:-

To ensure that sustainable technologies are integrated into the development and provide for a sustainable form of development, in accordance with Policies GEN01 and COM01 of the Breckland Local Plan (Adopted).

25 Fire hydrant

Prior to the commencement of any works above slab level a scheme shall be submitted to and approved in writing by the Local Planning Authority for the provision of two fire hydrants (served by mains water supply) serving the development. No dwelling shall be occupied until the approved hydrant(s) for that phase have been provided in accordance with the approved scheme.

Reason for condition:-

In order to secure the provision of fire hydrants in accordance with Policy INF02 of the Breckland Local Plan (Adopted).

26 Construction Management Plan

No development shall take place, with the exception of site investigation, clearance and preparation, until a Construction Method Statement including Construction Traffic Management Plan and Access Route, has been submitted to, and approved in writing by, the local planning authority. The approved Statement and Construction Traffic Management Plan and Access Route shall be adhered to throughout the construction period. The Statement and Plan shall provide details of the:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. measures to control the emission of dust and dirt during construction
- vi. a scheme for recycling/disposing of waste resulting from demolition and construction works
- vii. hours of construction works on site, hours of deliveries made to and from the site;

and hours of operation of plant, machinery and equipment.

viii. Construction Traffic Management Plan and Access Route to incorporate adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' to ensure no other local roads are used by construction traffic.

Reason for condition:-

The details are required prior to the commencement of the development in the interests of the amenity of the area and to ensure a safe development from the outset of the development. In accordance with Policies GEN02 and COM03 of the Breckland Local Plan (Adopted).

27

Note non standard re: S106

This permission is subject to a legal agreement requiring the following:

- The approval of a phasing plan for the entirety of the development including for the repair works to the listed buildings, prior to the commencement of development;
- Approval of a schedule of repair works to the listed building prior to the commencement of development;
- The payment of the Heritage Bond (financial contribution) to be paid in phases to the Council which would then be repaid to the developer to fund the repair of the listed buildings in accordance with the stages approved in the phasing plan and schedule of works;
- A Viability Review mechanism and the payment of any overage towards the provision of Affordable Housing off-site, up to £63,000;
- Education contribution of £25,260;
- Library facilities contribution of £75 per dwelling, (£1,350);
- GIRAMS Mitigation contribution of £185.93 per unit, (£3,347);
- Laying out and maintenance of Communal Open Space within the site.

30

Variation of approved plans

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

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