

AGENDA ITEM NO: 8/3(j)

Parish:	Wretton	
Proposal:	OUTLINE APPLICATION WITH SOME MATTERS RESERVED: Proposed redevelopment of brownfield site to residential	
Location:	Clover Social Club Low Road Wretton King's Lynn	
Applicant:	Mr & Mrs L Peake & family	
Case No:	17/01856/O (Outline Application)	
Case Officer:	Mrs H Wood-Handy	Date for Determination: 28 November 2017 Extension of Time Expiry Date: 5 April 2018

Reason for Referral to Planning Committee – The views of the Parish Council are contrary to the Officer recommendation and the applicant is a relative of Councillor Peake.

Neighbourhood Plan: No

Case Summary

The site is located on the south east side of Low Road, Wretton. It is located in the countryside as defined by the Core Strategy 2011 and the Site Allocations and Development Management Policies Plan (SADMPP) 2016. Wretton is a Smaller Village & Hamlet as defined by Policy CS02 of the Core Strategy 2011.

This is a resubmission of previous proposal for the demolition of the existing business premises known as The Clover Club and Peake Physique along with other outbuildings and bowling green and its redevelopment with 8 dwellings including affordable housing. The previous application (16/00606/O) was refused at Planning Committee in October 2016 on the basis of the failure to demonstrate that there would not be a harmful impact on protected species (bats). Members however considered that the principle of residential development at the site was acceptable.

The proposal is in outline form with all matters reserved bar access. Access would be from the existing entrance from Low Road but no layout has been provided.

Heads of Terms has been provided which indicates that affordable housing/contribution would be provided on the site by the Applicant.

Key Issues

Principle of development
Loss of employment/community uses
Form and character
Neighbour amenity
Ecology
Any other matters requiring consideration prior to the determination of an application

Recommendation

A. APPROVE subject to the satisfactory completion of a S106 agreement to secure affordable housing/contribution

B. In the event that the S106 is not signed within 4 months of the date of the committee resolution, **REFUSE** on the grounds of failure to secure affordable housing/contribution.

THE APPLICATION

The site is located on the south east side of Low Road, Wretton. It is located in the countryside as defined by the Core Strategy 2011 and the Site Allocations and Development Management Policies Plan (SADMPP) 2016. Wretton is a Smaller Village & Hamlet as defined by Policy CS02 of the Core Strategy 2011.

This is a resubmission of previous proposal for the demolition of the existing business premises known as The Clover Club and Peake Physique along with other outbuildings and bowling green and its redevelopment with 8 dwellings including affordable housing. The current proposal is in outline form with all matters reserved bar access. Access would be from the existing entrance from Low Road but no layout has been provided.

Heads of Terms has been provided which indicates that affordable housing/contribution would be provided on the site by the Applicant.

SUPPORTING CASE

The proposal is for the demolition of the existing business premises occupied by the Clover Club, a private social club and Peake Physique, along with other outbuildings and a bowling green and redevelopment of the site with eight dwellings. The proposal is in outline form with all matters reserved apart from access, which is existing.

A similar application was refused on 6th October 2016, ref.no. 16/00606/O. However, the only reason for refusal was that insufficient evidence had been submitted to demonstrate that the development would not be harmful to protected species. There were no other reasons for refusal.

The protected species matter has, hopefully, now been addressed by the provision of a full ecology survey and report, which is included with this application.

The Local Plan Site Allocations and Development Management Policies Document had been adopted at the time of the previous planning decision and all arguments relating to the redevelopment of this brownfield site, from that previous application, are still relevant. There have been no changes in planning policies since then. To avoid unnecessary repetition, therefore, reference should be made to that application.

The planning officer's report concluded that "the proposal is for the redevelopment of an existing mainly brownfield site for residential development. The applicant has demonstrated that the existing businesses on the site are not financially viable and whilst not undertaking marketing of the site for other uses, it is clear that significant investment would be required to bring the buildings/site up to standard. Small scale residential uses are acceptable on sites in Smaller Villages & Hamlets and a scheme in this location, removing existing poor quality

buildings, would enhance the edge of the village and not detract from it. However, whilst the scheme is acceptable in principle, the applicant has failed to submit evidence to demonstrate that there would not be an impact on protected species.”

It is suggested that these comments are still relevant.

Given that layout, appearance, scale & landscaping are all Reserved Matters, an indicative layout is not considered relevant at this stage. However, the previous application suggested that eight dwellings could be accommodated on the site and the planning officer commented that a sensitively designed development could be assimilated into the locality without harm to the form and character of the area.

Based upon the assumption of a development of eight dwellings, the applicants would be happy to accept a planning condition that the GIA of the development should not exceed 1000m². This should ensure that there are some smaller homes provided, to create a mix of dwelling types.

With a maximum GIA limit of 1000m², the affordable housing contribution would be made as a cash contribution amounting to £96,000. A planning obligations statement to confirm this is included with the application.

A flood and drainage statement and contamination statement are also provided with the application.

PLANNING HISTORY

16/00606/O – Proposed redevelopment of brownfield site to residential – Refused (Planning Committee) - 04.10.2016

RESPONSE TO CONSULTATION

Parish Council: OBJECT to the application on the following grounds:

- The proposed development is against planning policy as it is too large for Wretton which has been classed as a hamlet;
- There is no requirement for an estate in the village;
- Although in outline form, the previous proposal would have an unsuitable high density and would also increase traffic on Low Road;
- Also express concern regarding the bats which have been found to be present on site.

Highways Authority: The site is remote from main services of Stoke Ferry and therefore is not ideal. However, the LHA is mindful of the current uses of the site and the level of traffic that it could generate. The LHA is also aware that the site has safe footway provision for pedestrians. On balance given the existing uses and the access dimensions according with adopted standards, it would be difficult to substantiate an objection. The applicant would need to provide an appropriate design at reserved matters stage to address parking provision (in accordance with adopted standard) and turning.

NCC – PROW Officer: NO OBJECTION – development does not impact on Wretton Footpath 1.

Natural England: NO COMMENT – use standing advice to assess impact on protected species.

Internal Drainage Board: NO OBJECTION subject to compliance with bylaws and EA/Highways advice.

Environmental & Planning – Environmental Quality: NO OBJECTION subject to conditions regarding contamination investigation and remediation.

Central & Community Services – CSNN: NO OBJECTION subject to conditions regarding foul and surface water drainage

Chief Execs Dept - Housing Enabling Officer: The site exceeds 0.165ha and is clearly capable of accommodating more than 5 dwellings in accordance with Policy CS09. In this case, 1.6 units would be required. As the site proposed is for 8 units (indicatively) and would be below 1000m² (GIA), a financial contribution would be required of 1.6 times £60,000 = £96,000

REPRESENTATIONS

Two letters of **OBJECTION** regarding:

- Lack of a full bat survey on Building 2;
- Refers to the Council's statutory duties under the Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 as well as Circular 06/2005 prior to granting planning permission should protected species be affected;
- Queries maintenance and monitoring of replacement bat roosts;
- Refers to covenants on Deeds relating to the Clover Club regarding access over property for maintenance of existing services;
- Queries why the retained land is not agricultural when evidence by the Agent states that it was;
- Queries whether the existing conifer hedge to the bowling green will remain as per the previous application;
- Devaluation of property;
- Queries whether this is small scale development as Wretton is a hamlet and not a Key Rural Service Centre;
- Queries what the opening hours will be as per Q20 of the application form;
- Trusts that the application will be heard at Planning Committee given the family links with the Council;
- No site notice has been displayed – it is a legal requirement;
- Queries why Environmental Quality has not imposed asbestos removal conditions when they were suggested as part of the previous applications;
- Assumes that all aspects of the previous application will be taken into account.

Two letters neither objecting nor supporting but raise the following issues:

- The site is accessed via a 40mph limit road;
- Private/commercial vehicles would have little view turning out from site onto Low Road as close to a sharp hidden bend;
- Low Road is busy at school run times;
- Concerns whether sufficient consideration has been given the foul and surface water drainage and the impact of 8 no septic tanks/soakaways on the grounds ability to absorb outflow which may affect other properties/ditches;

- Overdevelopment of the site;
- Development should be in keeping with the village and not a modern housing estate

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS10 - The Economy

CS11 - Transport

CS12 - Environmental Assets

CS13 - Community and Culture

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM3 - Infill development in the Smaller Villages and Hamlets

DM9 - Community Facilities

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

PLANNING CONSIDERATIONS

The main issues are:

- Principle of development
- Ecology
- Loss of employment/community uses
- Form and character
- Neighbour amenity

- Any other matters requiring consideration prior to the determination of an application

Principle of development

Wretton is defined as a Smaller Village & Hamlet within Policy CS02 of the Core Strategy 2011. Smaller Village & Hamlets are locations where there are little or no services and it would be inappropriate to seek further development in these places. However, in order that such settlements do not stagnate, Policy DM 3 of the Site Allocations and Development Management Policies Document 2015 provides:

“...The sensitive infilling of small gaps within an otherwise continuously built up frontage will be permitted where:

- * The development is appropriate to the scale and character of the group of buildings and its surroundings; and
- * It will not fill a gap which provides a positive contribution to the street scene.

In exceptional circumstances the development of small groups will be appropriate where the development is of a particularly high quality and would provide significant benefits to the local community.”

However, if the development fails to comply with the aforementioned criteria, it falls to be determined against paragraph 55 of the NPPF and Policy CS06 of the Core Strategy 2011 where the presumption is to protect the character and appearance of the countryside and the development of greenfield sites will be resisted unless for agricultural or forestry purposes.

In this case, the majority of the site is brownfield land bar the bowling green area (used in connection with the Clover Club). The reuse of brownfield is a significant material consideration in favour of the development on the edge of the village. Members during consideration of 16/00606/O considered that the site was ideal for redevelopment.

Ecology

The previous application was refused on the basis of lack of information to demonstrate the development would not have a detrimental impact on the bat population. An Ecological Assessment (dated 29th September 2017) by Philip Parker Associates has been submitted with the current application.

The findings (in summary) are:

- Buildings on site have negligible to moderate potential for roosting bats to occur.
- Activity surveys (Summer 2017) found the presence of a late summer transitory brown long eared roost (maximum 8) and a single roosting common pipistrelle (beneath soffit) in Building 1. As such the buildings are considered to be of low to moderate value to local bat populations;
- Several old bird nests were identified within Building 3 and an active swallow nest in Building 5;
- Limited potential for reptiles and protected amphibians to occur on site;
- No impact on Wretton SSSI or County Wildlife Site 2166
- The development will result in the loss of some bat roosting area and could impact foraging amphibians and small mammals.

More importantly it has been established that given the numbers of bats present, a full EPS Mitigation License from Natural England will be required.

Natural England makes no comments but advises that where protected species may be affected Standing Advice is used.

The European Habitats Directive (the Directive) prohibits activities such as the deliberate capturing, killing or disturbance of protected species, subject to derogation in specific and limited circumstances. These requirements are enforced in England and Wales by the Conservation of Habitats and Species Amendment Regulations 2012 (the Regulations) and any derogation is regulated and overseen by a system of licensing administered by Natural England (NE).

In exercising its functions, including determining planning applications, a Local Planning Authority (LPA) is required to have regard to the requirements of the Habitats Directive in so far as they may be affected by the exercise of those functions. It is not the role or responsibility of the LPA to monitor or enforce NE's obligations under the Regulations. However, if a development proposal could potentially result in a breach of the Directive, the LPA is required to form a view on the likelihood of a licence being granted under the Regulations by NE in order to fulfil its own obligation to have regard to the Directive requirements.

NE will only grant a licence if satisfied that the three statutory tests prescribed under the Directive and the Regulations have all been met.

The tests are:

1. There are imperative reasons of overriding public interest (IROPI);
2. There are no satisfactory alternatives; and
3. It would not be detrimental to the maintenance of the population of the species at favourable conservation status.

The obligation on the LPA is to consider the likelihood of a licence being granted by NE, not to determine definitively whether or not the licence will, in fact, be granted. It therefore has to review the three tests, in the context of a planning application, to then form a view on the likelihood of NE granting a derogation licence under the Regulations.

In this case, the Ecological Assessment has determined the presence of a bat population (notwithstanding the fact that the northern part of Building 2 was not surveyed as noted by a third party).

The LPA can therefore conclude that there are protected species present on the site and that if development were to proceed there is the possibility of a breach of the Directive.

LPA consideration of the tests:

1. IROPI - NE's guidance advises that IROPI can potentially include developments that are required to meet or provide a contribution to meeting a specific need such as complying with planning policies and guidance at a national, regional and local level. In this case, the proposal complies with Policy DM3 of the SADMPP 2016 and will make a contribution to delivering housing within the Borough.
2. No satisfactory alternatives – this is a brownfield site and there is a presumption in favour of developing such sites and is owned by the Applicant.
3. Population maintenance - it appears to be unlikely that development of this land, subject to mitigation measures specified will affect the conservation status of the protected species.

The LPA can therefore reasonably form the view, from the information submitted to it for this planning application, that NE would not be unlikely to grant a derogation licence under the Regulations in relation to this development.

On this basis, it is considered the LPA has complied within its statutory duties and given that a full EPS license is required, no building will be demolished without ecological supervision and full mitigation will be required. Given that Philip Parker Associates has used the previous indicative layout as a guide and the layout is likely to change via the reserved matters application, any mitigation measures (specifically the type and location of bat and bird boxes, lighting and planting mitigation) shall be agreed by condition.

Loss of employment/community uses

Policy CS10 of the Core Strategy 2011 seeks to retain land or premises used or last used for employment purposes (including agricultural uses) unless it can be demonstrated that:

- Continued use of the site for employment purposes is no longer viable, taking into account the sites characteristics, quality of buildings, and existing or potential market demand; or
- Use of the site for employment purposes gives rise to unacceptable environmental or accessibility problems particularly for sustainable modes of transport; or
- An alternative mix of uses offers greater potential benefits to the community in meeting local business and employment needs, or in delivering the Council's regeneration agenda.

Policy CS13 seeks to support the retention of community uses.

DM9 of the Site Allocations and Development Management Policies Document 2015 states that the Council will encourage the retention of existing community facilities and the provision of new facilities. Development will not be permitted unless it can be demonstrated that either:

- a) the area currently served by it would remain suitably provided following the loss or it not
- b) it is no longer viable or feasible to retain the premises in a community facility use.

The application site is a family owned brownfield site that has been used for storage, Clover Club (members' social club and ancillary bowling green) and Peake Physique Gym for some significant time. In terms of Policy CS10 and DM9, information submitted with the previous application by the same Applicant demonstrated that the Clover Club (opening three evenings per week 7-11pm) had been running at a loss for between 2011 and 2015. Peake Physique had also been maintaining a small net profit between 2013 and 2015. The Clover Club/Peake Physique building is soundly constructed but other buildings on the site are poor quality profiled sheeted buildings containing asbestos. Given that the premises are paying Member's Clubs only, there would be limited loss of a community use – the bowling green is only open to members.

Marketing for alternative uses could have occurred but given the condition of the majority of the existing buildings, they would need to be rebuilt in order to be beneficial to new businesses. Further the existing businesses are low key uses which are compatible with existing surrounding residential uses. Any increase in commercial activity may give rise to nuisance issues.

The site is brownfield (government presumption in favour of residential on brownfield land) and Policy DM 3 allows for small scale appropriate development in Smaller Villages and Hamlets. No marketing of the site has been undertaken but it is clear that the businesses

are floundering and much investment would be needed in the site to make it viable for alternative commercial uses. On balance, the loss of the employment site is considered acceptable. Again, Members raised no concerns regarding the loss of the employment use during previous consideration of the scheme.

Form and character

The existing buildings on the site are single storey with the tallest building being the Clover Club and Peak Physique. The majority of the buildings run along the eastern boundary of the site. A range of buildings run north – south adjacent to the west boundary. All buildings are utilitarian in design.

An indicative layout was submitted with the previous application demonstrating 8 dwellings however the Agent has chosen not to prescribe a layout at this stage with the current application. Notwithstanding the above, it is considered that a sensitively designed development could be assimilated into the locality without harm to the form and character of the area. The comments of the Parish Council are noted however this scheme has previously been considered on the basis of 8 (with small scale and larger scale units) and no objection was raised by Members. A condition can be imposed with a maximum of 8 dwellings.

Neighbour amenity

Appearance, landscaping, layout and scale are reserved matters. The site is mostly level but spot levels would be submitted with any reserved matters application. Sensitive design would be needed along the south-west facing boundary to prevent overlooking. The retention of the existing hedging around the bowling green could be retained by condition as it provides immediate screening to the neighbour to the north (combined with the neighbours planting to the north of the hedge) and any new dwellings within that area of the site.

Any other matters requiring consideration prior to the determination of an application

The proposal required affordable housing in accordance with Policy CS09 of the Core Strategy. The Agent has provided Heads of Terms indicating that an affordable housing contribution equivalent to 1.6 units would be provided which equates to a financial contribution of £96,000 (provided that the gross internal area (GIA) is less than 1000 sqm. If the GIA exceeds 1000sqm, one built unit plus a financial contribution would be required. This is in accordance with the Housing Enabling Officers comments and thus any permission would be subject to a section 106 agreement to ensure the provision of affordable housing. Final design, appearance and scale would be considered at reserved matters stage which could mean less numbers on the site however flexibility would be built into the S106 agreement to cover all scenarios.

The LHA raises no objection to the scheme subject to parking provision (in accordance with adopted standards and turning. Such matters would be addressed at reserved matters stage. The NCC PROW officer raises no objection.

Environmental Quality has assessed the application and considers full contamination investigation and remediation conditions are required. A third party correctly points out that on the previous application, asbestos conditions were also required. The relevant EQ Officer has stated that having received recent advice from the Planning Inspectorate, asbestos is contamination and thus can be considered with the contamination investigation/remediation suite of conditions.

The Agent has submitted a flood and drainage statement. The site is located in Flood Zone 1 (lowest risk of flooding). Whilst the Agent has submitted a foul and drainage statement indicating the provision of modular cells, soakaways, porous driveways and package wastewater treatments plants which are all perfectly acceptable, it is considered that the proposed number of units in combination, combined with lack of percolation testing on site and the proximity to existing dwellings, requires full consideration of drainage methods to ensure that there is no residual impact on neighbours. Therefore a foul and surface water condition will be imposed in accordance with CSNN comments. The IDB raises no objection.

With regard to Third Party comments:

- issues relating to access rights (covenants on land) are civil matters and will need to be addressed separately;
- devaluation of property is not a material planning consideration;
- Opening hours are not relevant to the application as it is for residential development and not commercial development;
- The site notice was displayed on 25th October 2017.

Crime and Disorder

The application raises no issues regarding crime and disorder.

CONCLUSION

The proposal is for the redevelopment of an existing mainly brownfield site for residential development. The Applicant has previously demonstrated (through 16/00606/O) that the existing businesses on site are not financially viable (to which there was no objection) and whilst not undertaking marketing of the site for other uses, it is clear that significant investment would be required to bring the buildings/site up to standard. Small scale residential uses are acceptable on sites in Smaller Villages and Hamlets and a scheme in this location, removing existing poor quality buildings, would enhance the edge of the village and not detract from it.

The ecology matters have been addressed and it is clear that no action can be taken on site without a Natural England EPS license and in any event, the mitigation scheme proposed is fully acceptable in line with national guidance.

On this basis, the proposal is acceptable and complies with the NPPF, Policies CS01, CS02, CS06, CS08, CS09, CS11, CS12 and CS13 of the Core Strategy 2011 and Policies DM1, DM2, DM3, DM9 and DM15 of the Site Allocations and Development Management Policies Plan 2016.

RECOMMENDATION:

A. APPROVE subject to the satisfactory completion of a S106 agreement to secure affordable housing/contribution and subject to the imposition of the following condition(s):

- 1 Condition Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.

- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 5 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

- 6 Condition Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. 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).

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

- 6 Reason 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 needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 7 Condition Prior to the commencement of groundworks, 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 must be prepared, and is subject to the approval in writing of the Local Planning Authority. 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.
- 7 Reason 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 needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 8 Condition The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, 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 that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

- 8 Reason 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.
- 9 Condition 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 the requirements of condition 6, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 7, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 8.

- 9 Reason 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.
- 10 Condition Notwithstanding the recommendations and mitigation measures detailed in the Ecological Assessment Report ref 2017-31 R1 FINAL dated 29th September 2017 by Philip Parker Associates, full details of:
- The type and location of bat and bird boxes;
 - Lighting
 - Planting mitigation

shall be submitted to and agreed in writing with the Local Planning Authority. The mitigation measures shall be implemented in accordance with the details agreed and maintained and retained thereafter.

- 10 Reason In the interests of protected species in accordance with the NPPF and Policy CS12 of the Core Strategy 2011.
- 11 Condition The existing 2m + conifer hedge to the north west, south west and south east boundaries of the bowling green area (as identified on Dwg 12877) of the site shall be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
- 11 Reason In the interests of the privacy and amenity of neighbours and future occupants of the site in accordance with Policy DM15 of the Site Allocations and Development Management Policies Plan 2016.
- 12 Condition No development or other operations shall commence on site until the existing conifer hedges to the north west, south west and south east boundaries of the bowling green as identified on Dwg 12877 to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 12 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.
- 13 Condition The development hereby permitted shall be carried out in accordance with Dwg 12877 insofar as access only.

13 Reason For the avoidance of doubt and in the interests of proper planning.

14 Condition The number of residential units on the site shall not exceed 8.

14 Reason To define the terms of the consent.

B. In the event that the S106 is not signed within 4 months of the date of the committee resolution, **REFUSE** on the grounds of failure to secure affordable housing/contribution.