

Parish:	Outwell	
Proposal:	Outline Application: 50 dwellings	
Location:	Land W of Tikka Chef Isle Road Outwell Norfolk	
Applicant:	Beech Property Investments Ltd	
Case No:	18/00581/OM (Outline Application - Major Development)	
Case Officer:	Mr K Wilkinson	Date for Determination: 5 July 2018 Extension of Time Expiry Date: 3 January 2019

Reason for Referral to Planning Committee – The views of the Parish Council are contrary to the Officer recommendation

Neighbourhood Plan: No

Case Summary

The site is an irregular shaped parcel of land located to the west/rear of properties fronting the western side of Isle Road/A1101. Access is to be gained from that main road adjacent to the Tikka Chef fast food outlet, with the loss of an existing warehouse/storage building (presently used as a recreational facility – Fenrock indoor climbing centre) creating a route through to agricultural land beyond. The site is bounded by agricultural and amenity land to the immediate north (housing beyond), housing to the east, agricultural land to the west, and a trade & retail fruit and vegetable distributor to the immediate south (M & B Distributors).

The site comprises 2ha of land which is an allocation site for the Key Rural Service Centre of Outwell combined with Upwell, under Policy G104.6 of the Site Allocations and Development Management Policies Plan 2016, with the policy requiring at least 35 dwellings.

The current application is for 50 dwellings and is in outline form with all matters reserved for later consideration. An indicative site layout shows access off Isle Road/A1101. The site area mostly complies with the defined allocated site boundary, except for a small section utilising a parcel of land to the rear of the warehouse/storage building, plus a parcel between the warehouse and takeaway which lies within the village development boundary.

Key Issues

Principle of Development
 Impact on visual amenity of the locality
 Highways issues
 Residential Amenity
 Flood Risk and Sustainable drainage
 Section 106 matters
 Any other matters requiring consideration prior to the determination of the application

Recommendation

A. **APPROVE** subject to conditions and the satisfactory completion of the Section 106 Agreement;

B. In the event that the Section 106 Agreement is not completed within 4 months of the date of this Committee meeting, the application shall be **REFUSED** due to the failure to secure affordable housing, public open space and play facilities, plus SUDS design and maintenance.

THE APPLICATION

The site is an irregular shaped parcel of land located to the west/rear of properties fronting the western side of Isle Road/A1101. Access is to be gained from that main road adjacent to the Tikka Chef fast food outlet, with the loss of an existing warehouse/storage building (presently used as a recreational facility – Fenrock indoor climbing centre) creating a route through to agricultural land beyond. The site is bounded by agricultural and amenity land to the immediate north (housing beyond), housing to the east, agricultural land to the west, and a trade & retail fruit and vegetable distributor to the immediate south (M & B Distributors).

The site comprises 2ha of land which is an allocation site for the Key Rural Service Centre of Outwell combined with Upwell, under Policy G104.6 of the Site Allocations and Development Management Policies Plan 2016, with the policy requiring at least 35 dwellings.

The current application is for 50 dwellings and is in outline form with all matters reserved for later consideration. An indicative site layout shows access off Isle Road/A1101. The site area mostly complies with the defined allocated site boundary, except for a small section utilising a parcel of land to the rear of the warehouse/storage building, plus a parcel between the warehouse and takeaway which lies within the village development boundary.

SUPPORTING CASE

The agent submits the following comments in support of this proposal:

- The site in question at Isle Road was allocated in the SADMP 2016 by Borough Council of King's Lynn and West Norfolk as allocation G104.6. The site was allocated for the development of at least 35 dwellings.
- The allocation is in the heart of the village and close to the majority of village services and facilities.
- The Highway Authority have confirmed that, following a revised access plan being submitted, acceptable access can be provided to serve residential development at this location.
- It has been confirmed that traffic calming measures would not be used for this development following consultation with the Highway Authority. Therefore, the access to any nearby site would not be hindered.
- The site allocation states that development on the land is appropriate due to the location and wider benefits to the community.

- The entirety of Upwell and Outwell are shown to be Grade 1 land on the Natural England agricultural land classification map, so any allocation will be on good agricultural land.
- Any other consultees comments relating to the site request conditions are imposed.
- Other points raised will be dealt with as part of the Section 106 agreement for the site, such as affordable housing.
- Additions to infrastructure in the village will be funded by the Community Infrastructure Levy contribution.

PLANNING HISTORY

08/00084/CU: Application Permitted: 10/03/08 - Change of use from office and yard to take away and delivery

16/01059/CU: Application Permitted: 15/09/16 - Change of use of existing vacant warehouse building to Boulder Gym (Class D2)

RESPONSE TO CONSULTATION

Outwell Parish Council: OBJECTS – “Because they believe the infrastructure cannot sustain 50 more dwellings. Parish Council want to be assured that the local Primary School can cope with developments of this size and of course the local GP surgery. Would hope the Planning Department will help with Council's concerns.

There has already been development off Wisbech Road - with Outline permission granted for 42 houses. Further development in Hall Road with Outline permission granted for 26 Houses.

Outwell Parish Council did not initially approve this site because they felt there was a better option within the village centre itself.

Outwell Parish Council questions the adequacy of the visibility splay on the busy A1101 at this site junction with the addition of Traffic Calming measures at each end. (In the past Parish Council has been told traffic calming on an A route is not possible when they have requested it).

One established business would be penalised by this event with HGVs being unable to approach his business as has been the normal practice for well over 35 years.

Another concern that the Parish Council have is that a local, much loved and used recreational facility will have to be removed to allow for access into this proposed site, consisting of Grade 1 agricultural land.

Outwell's emerging neighbourhood plan asks for small developments only with adequate space for parking of several vehicles, in order to avoid on road parking.

Although we are considered part of the Key Service Centre, we are a rural area where there is a need for family members to travel to work due to lack of employment locally.

The Village of Outwell already has five very large estates, which fail to cope with off road parking. This is becoming an increasing concern to the local population.”

Local Highway Authority (NCC): NO OBJECTION – subject to conditions. Whilst further design work will clearly be required for the proposed junction, in addition to the completion of

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a stage 1 safety audit prior to the approval of any preliminary design. I can confirm that the measures shown on the submitted sketch would provide me sufficient comfort that an acceptable access could be provided to serve a residential development at this location.

Notwithstanding the above you should be aware that the proposed access will also require changes to the access and parking arrangements for the Tikka Chef takeaway, which extend beyond the application boundary of this planning application.

Lead Local Flood Authority (NCC): NO COMMENTS - Officers have screened this application and it falls below our current threshold for providing detailed comment. This is because the proposal is for less than 100 dwellings or 2 ha in size and is not within a surface water flow path as defined by Environment Agency mapping. Standard advice applies.

Norfolk County Council – Environment, Transport, Development: NO OBJECTION - Taking into account the permitted planning applications (15/10950, 16/00248 and 15/01496) a total of 135 dwellings (including the Land W of Tikka Chef, Isle Road site) would generate an additional 13 Early Education (2-4 year old) children, an additional 35 Primary school age (4-11 children), and an additional 23 High school age (11-16) children. There would be insufficient capacity in the Early Education and the Primary sectors and funding for additional school places would be required.

Norfolk County Council will therefore be seeking Early Education and Primary School funding through CIL for this proposed development.

Fire: This development will require 1 fire hydrant per 50 dwellings at a cost of £820 per hydrant, which should be dealt with through condition.

Library: A development of 50 dwellings would place increased pressure on the library service and mitigation is required to develop the self-service system for the local area.

Middle Level Commissioners Internal Drainage Board: NO COMMENTS received.

Anglian Water Services: NO OBJECTION – subject to condition relating to foul water disposal strategy.

Environment Agency: NO COMMENTS - The site is situated within Flood Zone 1 (low risk) of the Environment Agency's Flood Map. Therefore, we do not have comments to make on this proposal.

Public Open Space Officer: NO OBJECTION - In line with Policies DM16/CS14, a development of this size is required to provide 17m² per dwelling of 'suitably equipped' children's play space.

Whilst plans are at the outline stage, the layout does appear to show an area of open space on the inside of a curved road section - I do have some concerns regarding visibility (i.e. of the roadway from the open space and for drivers, particularly as they enter the development). I think it would be better to be on the opposite side of the road, but still in a central position and well overlooked.

Housing Enabling Officer: NO OBJECTION - At present a 20% provision is required on sites capable of accommodating 5 or more dwellings and/or 0.165ha in Outwell. The affordable housing provision is then further split into 70% of the affordable homes being made available for rent and the other 30% for shared ownership or any other intermediate product that meets the intermediate definition within NPPF, meets an

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identified need in the Borough and is agreed by the Council. In this instance 10 units would be required, 7 for rent and 3 for shared ownership. A S.106 Agreement will be required to secure the affordable housing contribution.

Environmental Health & Housing - Environmental Quality: NO OBJECTION – The Phase 1 Geo-Environmental Desk Study produced by EPS Ltd, reference UK18.4026, dated 18th May 2018 indicates that the site has an industrial building on it which is considered to require characterisation via an intrusive site investigation. Given the former use of the site and the potential below ground fuel tanks to be present near the proposed entrance of the site I agree with the conclusion of the report and recommend conditions relating to potential contamination issues and remediation.

Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: NO OBJECTION – suggests conditions relating to foul & surface water disposal, lighting scheme and construction management plan.

Arboricultural Officer: NO OBJECTION - in principle but I will need to see a tree survey to BS 5837:2012, should this application reach the next stage.

Norfolk Constabulary: NO OBJECTION – advice offered regarding pursuit of Secure by Design accreditation.

REPRESENTATIONS

A total of **16** items of correspondence **OBJECTING** on the following grounds:

- Impact upon infrastructure and services;
- Increased traffic on busy Isle Road;
- Traffic calming adversely affecting existing premises;
- Loss of recreation facility and impact upon takeaway;
- Layout infers additional dwellings are planned;
- Residential amenity; and
- Impact on wildlife.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

Policy G104.6 Outwell – Land surrounding Isle Bridge

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

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 for consideration are as follows:

Principle of Development

Impact on visual amenity of the locality

Highways issues

Residential Amenity

Flood Risk and Sustainable drainage

Section 106 matters

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

Principle of Development

Outwell combined with Upwell is defined as a Key Rural Service Centre as identified by Policy CS02 of the Core Strategy (2011). The site is allocated for housing under Policy G104.6 of the adopted Site Allocations and Development Management Policies Plan (2016). The land is not previously developed land and is therefore a greenfield site.

Policy G104.6 of the Site Allocations and Development Management Policies Plan (SADMPP) states:

“Policy G104.6 Outwell - Land Surrounding Isle Bridge

Land amounting to 2.0 hectares, as identified on the Policies Map, is allocated for residential development of at least 35 dwellings. Development will be subject to compliance with all of the following:

1. Submission of details relating to the sewer that crosses the site together with mitigation (easement/ diversion) to the satisfaction of Anglian Water;

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2. Submission of an odour assessment, to the satisfaction of Anglian Water, in relation to any impacts on residential occupation of the site from the nearby sewage treatment works;
3. Subject to safe access to the site being achieved from Isle Road to the satisfaction of the local highways authority;
4. Provision of affordable housing in line with the current standards.”

Certain criteria will be discussed subsequently in this report.

The Parish Council have objected to the application as they believe that the existing infrastructure (primary school & doctors' surgery) cannot sustain 50 further dwellings. It is claimed that there has already been development approved off Wisbech Road (outline for 42 dwellings) and Hall Road (26 dwellings).

The Wisbech Road site for up to 40 dwellings involved application ref: 16/00248/OM and comprised 1.88Ha of land (including the 5 dwelling allocated site (0.3Ha) of Policy G104.5). The Hall Road site (application ref: 15/01950/OM) is a windfall site for up to 20 dwellings, approved when the Council could not demonstrate a 5 year supply of residential development land.

Members will be aware that advice from the Inspector during the Local Plan Hearings was that any allocation should specify a minimum number of houses, and “at least” was subsequently added to allocation wording within the Plan. This is extremely important to maintain a 5 year housing land supply and to prevent inappropriate development in less sustainable locations. In this case, assessment of acceptability is on a site by site basis as indicated below.

The density proposed for this application site is acceptable in your officer's opinion to make the most efficient/effective use of land without compromising form and character, as this is an edge of village site which is well screened from public views. Whilst the layout plan submitted is indicative only, it is considered that up to 50 dwellings could be achieved with varying dwelling types. However, this would ultimately be determined at Reserved Matters stage and could be less numbers (condition may be attached so that it is not more).

With regards to Criteria 1 & 2, the policy was drafted in the early 2010s and would have been informed by Anglian Water comments at that stage, when the site was for a much larger site area. However the finalised allocated site area is much smaller than that originally proposed in the plan-making process. It is now evident that this application site is not crossed by a sewer and is not near a sewage treatment works. Anglian Water have commented on this current application and confirm no assets within the site boundary, available capacity at the West Walton Water Recycling Centre, and request that a drainage strategy is submitted via condition to ensure that risk of downstream flooding is avoided. The principle of the development of this site is not disputed.

In terms of other factors of the policy, the proposal generally conforms to Policy G104.6. The site is relatively constraint free, in other words sustainable and has ultimately been found 'sound'.

The Community Infrastructure Levy would apply to address any infrastructure implications.

Impact on visual amenity of the locality

The existing residential development abutting the site to the east is a mixture of styles and sizes (both single and two storey) and this Isle Road frontage also contains commercial premises. There is relatively flat, open land to the north and west with little boundary definition.

Peripheral planting will be an important feature in order to assimilate the development into its setting and will be addressed at the reserved matters stage. However, as recognised in the supporting statement to Policy G104.6, the site is considered to be well screened and seen in context with the existing developed area when viewed from a distance to the west.

From a form and character perspective, given the existing setting, it is not considered that the development would adversely affect the visual amenity of the locality in accordance with Policy CS08 of the Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016. However, the detailed design stage will demonstrate whether up to 50 dwellings is achievable given the constraints of the site and policy requirements.

The Parish Council refer to the development approved off Wisbech Road, which is likely to have a similar cul-de-sac configuration.

Highways issues

The means of access is not to be considered as part of this application. Confusion has arisen from a plan submitted with the application which showed an indication of the proposed access and traffic calming measures. This has however been superseded by a further plan following discussion with the Local Highway Authority. The current indicative plan shows that the principle of accessing the site from Isle Road/A1101 may be achieved involving realignment of the carriageway. These works fall within highway land and full details may be secured during the reserved matters submission.

The Local Highway Authority states: "Whilst further design work will clearly be required for the proposed junction, in addition to the completion of a stage 1 safety audit prior to the approval of any preliminary design. I can confirm that the measures shown on the submitted sketch would provide me sufficient comfort that an acceptable access could be provided to serve a residential development at this location.

Notwithstanding the above you should be aware that the proposed access will also require changes to the access and parking arrangements for the Tikka Chef takeaway, which extend beyond the application boundary of this planning application."

The parking layout and provision for the takeaway is within 'blue land' and may be secured via condition.

The principle of a safe access off Isle Road is accepted by the Local Highway Authority and the proposal is in accordance with criterion 3 of Policy G104.6.

Residential Amenity

Appearance, layout, scale and landscaping would be considered at the Reserved Matters stage. Notwithstanding this, careful consideration would need to be given to privacy and separation distances between existing and proposed dwellings given the range of different heights of dwellings surrounding the site. This may ultimately affect the type of dwelling

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proposed in particular circumstances. However, given that there are no flood risk restrictions on the type of dwelling (site in Flood Zone 1 of EA mapping), the applicant can develop a range of design solutions and boundary treatments to protect the residential amenities of surrounding residents.

CSNN raise no objection subject to conditions regarding lighting, dust suppression and Construction Management Plan. Details of lighting is not considered to be necessary at this stage and a Construction Management Plan would adequately cover the amenity issues to be encountered by a development of this scale.

The proposal is likely to accord with Policy CS08 of the Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016.

Flood Risk and Sustainable Drainage

The applicant has provided a site specific Flood Risk Assessment and Surface Water Drainage Strategy as part of the application.

With regard to flood risk, the site is located in Flood Zone 1 of the Environment Agency's flood risk mapping. The site is therefore in an area with the lowest probability of flooding. The NPPF and NPPG direct that development should be steered towards Flood Zone 1 and thus the site is compliant with national policy.

The applicant proposes a surface water drainage strategy that incorporates Sustainable Drainage Strategies, which is in accordance with the national expectation that LPAs give priority to the use of SuDS in determining planning applications (para 163 of the NPPF).

Surface water drainage issues can be conditioned as recommended by CSNN. However, at this stage, the site layout is not being agreed and the finalised drainage strategy would need to be designed and agreed around the Reserved Matters application; associated management/maintenance plans would be secured via Section 106 agreement at this stage. The proposal would accord with the NPPF and the provisions of Policy CS08 of the Core Strategy 2011.

Section 106 matters

The site amounts to 2ha and thus exceeds the affordable housing threshold set down in Policy CS09 of the Core Strategy 2011. The applicant seeks consent for up to 50 dwellings which means that 10 dwellings would need to be provided, split 70/30 between affordable rent (7 units) and shared ownership (3) dwellings. The Applicants have agreed to provide affordable housing and the matter will be covered within the S106 agreement. Should numbers be reduced, this would be covered by the usual standard formula for outline applications.

Criterion 4 of Policy G104.6 is therefore met.

With regard to open space, 850m² of suitably equipped play space would be required on site to serve the 50 dwellings proposed, in accordance with Policy DM16 of the Site Allocations and Development Management Policies Plan 2016. The exact details of this provision would be secured by the Section 106 Agreement along with maintenance arrangements.

As stated above, the detailed design of SuDS would be required in conjunction with the Reserved Matters stage, with the management and maintenance of SuDS features to be secured via the S106 Agreement in the form of a SuDS Management Plan.

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

Impact upon infrastructure

Norfolk County Council state: "Taking into account the permitted planning applications (15/10950, 16/00248 and 15/01496) a total of 135 dwellings (including the Land W of Tikka Chef, Isle Road site) would generate an additional 13 Early Education (2-4 year old) children, an additional 35 Primary school age (4-11 children), and an additional 23 High school age (11-16) children. There would be insufficient capacity in the Early Education and the Primary sectors, and funding for additional school places would be required.

Norfolk County Council will therefore be seeking Early Education and Primary School funding through CIL for this proposed development.

Loss of recreational facility

The proposal will require the removal of the warehouse currently used by Fenrock Climbing Centre. The agent informs that this building is the subject of a short-term lease which expires in March 2019. So there is no barrier to delivery of this site for residential development, and the leisure/recreational facility may be lost anyway in the near future if the lease is not renewed.

Impact on trees

In accordance with our Arboricultural Officer's comments, existing features adjoining the site - trees and hedges to the rear of Isle Road properties - will need to be assessed in accordance with a tree survey to BS 5837:2012, should this application reach the next stage. This may be covered via condition.

Impact upon ecology

The main part of the allocated site is worked agricultural land and is of low ecological value. There are not considered to be any implications or impacts upon protected species within the site area.

The Habitat Mitigation fee (£50 per dwelling) has already been paid and would not therefore need to be secured via Section 106 agreement.

Contamination

Environmental Quality raises no objection subject to condition regarding potential contaminated land relating to the commercial part of the site through which the access is proposed.

Fire hydrant

Norfolk Fire Service require 1 hydrant (on a minimum 90mm main) per 50 dwellings which may be secured via condition.

Crime and Disorder

The application raises no issues regarding crime and disorder. Norfolk Constabulary recommends 'Secure by Design' principles, which will be addressed as part of the Reserved Matters application.

CONCLUSION

This application involves a site that is allocated for development under Policy G104.6 of the Site Allocations and Development Management Policies Plan (SADMPP) 2016. Whilst the

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proposed development is for more dwellings than initially expected/sought, it is clear that allocation numbers are minimum numbers and it is considered that the site can accommodate (subject to design and appropriate layout) up to 50 dwellings without material harm to the visual amenity of the locality or neighbour amenity.

The site is sustainable and has been found 'sound'; and at the numbers proposed helps the Council maintain its 5 year housing land supply, without compromising the character and quality of the locality. All other matters can be adequately conditioned or secured via the S106 Agreement. For these reasons, the proposal is considered acceptable in accordance with the new NPPF, NPPG, Policies CS01, CS02, CS06, CS08, CS09, CS11 & CS12 of the Core Strategy 2011 and Policies DM1, DM2 & DM15 of the Site Allocations and Development Management Policies Plan 2016

RECOMMENDATION:

A. APPROVE subject to conditions and the satisfactory completion of the Section 106 Agreement;

- 1 Condition: Approval of the details of the means of access, 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: Notwithstanding the submitted details as part of this application, 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: No works shall commence on the site until such time as detailed plans of the roads, footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- 10 Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.

This also needs to be a pre-commencement condition given the fundamental details linked to drainage and other infrastructure which needs to be planned for at the earliest stage in the development.

- 11 Condition: Prior to the construction of the final dwelling all works shall be carried out on roads, footways, street lighting, foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority.
- 11 Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.

- 12 Condition: Before any dwelling is first occupied the road(s) and footway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- 12 Reason: To ensure satisfactory development of the site.
- 13 Condition: Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 x 90 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.
- 13 Reason: In the interests of highway safety.
- 14 Condition: No works above slab level shall commence on site, unless otherwise agreed in writing, until detailed drawings for the off-site highway improvement works to realign Isle Road to enable the construction of an acceptable access to the proposed development and the Tikka Chef restaurant has been submitted to and approved in writing by the Local Planning Authority.
- 14 Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.
- This also needs to be a pre-commencement condition as these fundamental details need to be properly designed at the front end of the process.
- 15 Condition: Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 14 shall be completed to the written satisfaction of the Local Planning Authority.
- 15 Reason: To ensure that the highway network is adequate to cater for the development proposed.
- 16 Condition: The development shall not be brought into use until a scheme for the provision of a fire hydrant has been implemented in accordance with a scheme that has previously been submitted to, and approved in writing by, the Local Planning Authority.
- 16 Reason: In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 17 Condition: The landscaping details referred to in Condition 1 above shall include a tree survey to BS 5837:2012.
- 17 Reason: In order to ensure that the development does not adversely affect trees on adjoining properties in accordance with the provisions of the NPPF and Policy CS12 of the LDF.
- 18 Condition: Prior to commencement of demolition or development, a detailed construction management plan must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of the demolition phase, the construction phase and any piling. The scheme shall also provide the location of any

fixed machinery, the location and layout of the contractor compound, the location of contractor parking and proposed mitigation methods to protect residents from noise, site lighting, dust and litter. The scheme shall be implemented as approved.

18 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF and Policy DM15 of the SADMPP.

19 Condition: The development shall comprise no more than 50 dwellings.

19 Reason: To define the terms of this consent.

B. In the event that the Section 106 Agreement is not completed within 4 months of the date of this Committee meeting, the application shall be **REFUSED** due to the failure to secure affordable housing, public open space and play facilities, plus SUDS design and maintenance.