

Parish:	Docking	
Proposal:	OUTLINE APPLICATION SOME MATTERS RESERVED: Residential development consisting of 30 dwellings	
Location:	Limagrain UK Ltd Station Road Docking Norfolk	
Applicant:	Limagrain UK	
Case No:	19/01654/OM (Outline Application - Major Development)	
Case Officer:	Mrs N Osler	Date for Determination: 24 December 2019 Extension of Time Expiry Date: 31 March 2020

Reason for Referral to Planning Committee – Officer Recommendation is contrary to Parish Council and referred by Assistant Director

Neighbourhood Plan: No

Case Summary

Outline consent with all matters except access reserved for future consideration is sought for residential development of the site with 30 dwellings.

The site lies almost wholly within the development boundary for Docking, a Key Rural Service Centre. The southwest corner of the site, which clearly formed part of the operational Limagrain site, has been excluded.

The site is previously developed as defined by the NPPF and contains a number of buildings, glass houses and areas of hardstanding associated with its previous use.

The southeast corner of the site lies within the Conservation Area, as does the entrance.

There is one tree protected by a TPO on the site; the trees in the southeast corner will be protected by virtue of their siting within a Conservation Area.

The site lies within flood zone 1, a groundwater medium risk zone and a sand and gravel mineral resource area.

Key Issues

- Principle of Development
- Highway Safety
- Form and Character / Impact on the setting of the Conservation Area Residential Amenity
- Flood Risk and Drainage
- Trees
- Ecology
- Minerals
- S106 Considerations
- Crime and Disorder

Other Material Considerations

Recommendation

A) APPROVE subject to the completion of S106 within 4 months of the date of this resolution.

B) REFUSE if S106 is not completed with 4 months of the date of this resolution to approve.

THE APPLICATION

Outline consent with all matters except access reserved for future consideration is sought for residential development of the site with 30 dwellings.

The indicative plan shows 6 x 2-bed dwellings, 13 x 3-bed dwellings and 11 x 4-bed dwellings. A shared green space is shown abutting the southern boundary of the site around the protected Walnut tree. Equipped open space is not being provided, but a financial contribution is being made towards the existing play area at the request of the open space team.

Given the outline nature of the application all plans other than off-site highway works and access improvement works are indicative only and have been provided to show one way in which the site could accommodate the proposed development.

SUPPORTING CASE

None received at time of writing report.

PLANNING HISTORY

RESPONSE TO CONSULTATION

Parish Council: OBJECT:

- The heart of the village and adjoining a Conservation Area
- The access to the site is adjacent to the village shop and with hose parking is outside the shop this could cause additional problems
- The Walnut tree has a conservation order on it

Conservation Officer: NO OBJECTION The site, other than the access and the southeast corner of the site is outside but immediately adjacent to Docking Conservation Area. The proposed development will have little impact on its setting as it is not seen in the long view from the north, and the hedge on Ringstead Road largely hides it when looking from the west. The access and a small part of the site are seen from within the conservation area and it has to be said that the existing vacant/derelict buildings do not enhance its character or setting in any way.

This application therefore offers an opportunity to enhance the streetscene and thus the character / setting of the conservation area. I would therefore broadly support a scheme to

redevelop the site for residential use subject to design and material and details of the access.

Highways Authority: NO OBJECTION subject to conditions

Housing Team: NO OBJECTION

Vacant building credit cannot be applied. The site area and number of dwellings proposed triggers the thresholds of the Council's affordable housing policy. Six on-site affordable houses will therefore be required. These should be secured via a S106 agreement.

CSNN: NO OBJECTION subject to conditions relating to foul and surface water drainage, external lighting scheme, construction management, site hours and air source heat pumps.

Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to conditions relating to contamination.

Norfolk Constabulary: NO OBJECTION Considers the indicative plan shows a very well laid out site that could achieve a Secured by Design award if the specification details with the Homes 2019 guidance are adopted.

Arboricultural Officer: NO OBJECTION subject to protection of TPO Walnut and other trees shown to be retained on drawing no. 2/TPO/0582. Further details will be required at reserved matters stage to reflect the final layout.

Historic Environment Service: NO OBJECTION subject to conditions.

Historic England: Does not wish to comment.

Open Space Team: NO OBJECTION We consider that requirements for 'suitably equipped children's play space' are best satisfied through an off-site contribution on the nearby playing field. This will need securing via S106 Agreement in consultation with the charitable trust that manages the playing field.

Natural England: **NO OBJECTION;** a £50 per dwelling habitat mitigation fee should be secured in line with Development Plan Policy DM19.

Anglian Water: NO OBJECTION Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

In relation to foul drainage from this development, it is in the catchment of Heacham Water Recycling Centre that will have available capacity for the flows.

Environment Agency: Does not wish to comment.

Lead Local Flood Authority: Does not wish to comment.

Minerals and Waste Team (NCC): NO OBJECTION subject to condition.

REPRESENTATIONS

Fourteen third parties have made representations in relation to the proposed development; **13** objecting and **1** neutral. The issues raised can be summarised as:

- Access is not suitable given its location opposite the village shop
- Docking needs employment opportunities not more houses
- The village does not have the infrastructure to cope with more houses; the village is at saturation point
- More affordable housing is required
- The houses should not be available as second homes
- Increase in vehicular activity over the existing use
- Overdevelopment of the site
- The Walnut tree has a preservation order on it.

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS01 - Spatial Strategy

CS08 - Sustainable Development

CS09 - Housing Distribution

CS10 - The Economy

CS11 – Transport

CS12 - Environmental Assets

CS14 - Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

DM17 - Parking Provision in New Development

DM19 - Green Infrastructure/Habitats Monitoring & Mitigation

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2019

PLANNING CONSIDERATIONS

The main issues for consideration in the determination of this site are:

Principle of Development
Highway Safety
Form and Character / Impact on the setting of the Conservation Area Residential Amenity
Flood Risk and Drainage
Trees
Ecology
Minerals
S106 Considerations
Crime and Disorder
Other Material Considerations

Principle of Development

The site lies almost wholly within the development boundary for Docking, with the area outside of the development boundary clearly being an anomaly as it forms part of the operational area of the former Limagrain site.

The site is previously developed land (brownfield) as defined in the NPPF.

Paragraph 118 states that: *“Planning policies and decisions should:... c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land...”*

Local Plan Policy CS01 states that, in relation to sustainable development locations, *“significant emphasis is placed on brownfield redevelopment within the town and villages.”* This is reiterated in Policy CS08 that states: *All new development in the borough should be of high-quality design. New development will be required to demonstrate its ability to:...optimise site potential, making the best use of land including the use of brownfield land...”*

Furthermore paragraph 121 of the NPPF states that: *“Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:*

- a) *use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework;...”*

The site is not allocated as an employment site in The Local Plan.

There is therefore a strong policy steer towards residential development of this redundant employment site.

However, on the flip side of this, Core Strategy Policy CS10 seeks to retain employment land or premises currently 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 site's 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 use or 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.

In relation to this the applicant states: *"...the existing buildings and site are owned by Limagrain and are at a stage where they are no longer suited to modern day requirements of a commercial use. The former Limagrain business was vacated in February 2018 and no longer requires the use of these buildings for the operation of their business. As previously noted, the business use has already ceased, and the previous employees have either been relocated to the other premises of the business or been made redundant some time ago. Therefore, there is no loss of jobs from this development proposal.*

The site is located within a residential setting surrounded by residential uses on three sides of the site. The use of the site for employment/commercial is not ideal given the proximity of residential uses and the access point into the site. Any other uses could cause noise, light, vibration and other disturbances associated with commercial activities.

In this regard a pragmatic approach needs to be taken. The site is very large, contains buildings that require refurbishment if they were to be used again at a cost that is likely to be prohibitive to any use other than residential. Likewise, demolition of the existing and replacement with small rural units is likely to be non-viable.

Of further note is that Policy CS10 states that: Some 66 hectares of employment land will be allocated between 2010 and 2025 to provide for business, industrial and distribution uses. This will achieve a mix and range of sites consistent with the Settlement Hierarchy to meet identified and future needs and to provide for choice.

The applicant suggests that: *"...the latest Annual Monitoring Report (AMR) 2017-2018 (that covers the period of 1 April 2017 to 31 March 2018 and monitors the impact of planning policies and strategies set out in the Local Plan) states that there are allocations across the Borough which total 69 hectares which is in excess of the 66 hectares target as set out in the Core Strategy.*

This is in addition to the existing employment sites which totals 35.7 hectares. Based on the current uptake there is enough supply of employment land for 32 years' worth. The Council's strategy for employment/commercial use is that the preference is for these to be on allocated sites as this means that businesses can be grouped together, and the appropriate level of infrastructure and servicing is in place.

It is clear from the AMR that there is an ample supply of employment/commercial land available in the Borough and the loss of this small piece of commercial land is not going to have a detrimental impact on the supply of employment land across the Borough. Therefore,

the proposed redevelopment of the site for residential use is considered appropriate in this location and in accordance with the Council's regeneration agenda."

In summary, in relation to the principle of development, the site is a brownfield site in a key rural service centre for which there is a clear presumption in favour of residential development. In addition, the proximity of this site to existing residential development means alternative employment uses may not be ideal. The loss of the employment site through the redevelopment of residential development is therefore considered acceptable.

Highway Safety

The application was submitted with a Transport Statement (TS) and a Stage One Safety Audit. The TS suggests that the development proposal has the potential to generate 1 x two-vehicle movements during the AM peak hour period (08:00 – 09:00) and -1 x two-way vehicle movements in the PM peak hour period (17:00 – 18:00) over or under the current permitted use of the site (i.e. if a B2 (general industrial) use with a gross floor area of c.2,753m² were operating from the site). The TS concludes that this equates to approximately one additional vehicle on the local highway network every hour. This is not considered to represent a material increase in vehicular activity. Furthermore, the proximity of the site to the services and facilities that the village offers is likely to support walking and cycling before use of the private car to meet the day-to-day needs of occupiers of the dwellings.

Notwithstanding this small increase in vehicular activity, the applicant has worked closely with the Local Highway Authority to provide highway safety improvements that would make the application acceptable in terms of highway safety. The development will utilise the existing access which will be upgraded and widened to 4.8m wide and, together with the provision of a 2m wide footway on the southern side of the access, will enable a 6m junction radii. Off-site works not only include the new southern footway but also a dropped crossing at Station Road just to the south of the access and reduced radii and footway extensions on both sides of Pound Lane where it meets Station Road.

The indicative layout shows that parking provision in line with current standards can be achieved on a site of 30 dwellings.

The issue of safe access is one of the main reasons for third party objections. However, the Local Highway Authority is satisfied that the proposed access upgrade / widening and off-site highway improvement works will enable safe access for all highway users.

In summary, in terms of highway safety, the proposed development raises no objection on technical grounds.

Form and Character / Impact on the setting of the Conservation Area

Full consideration cannot be given to this aspect given the outline nature of the application. However, as confirmed by the Conservation Officer, other than views from Station Road via the site access, the site is not viewed from outside of the Conservation Area. As such any development is likely to have minimal impact on the setting of the Conservation Area.

The indicative plan shows an estate type layout which realistically is the only way residential development of the site could take place that makes effective use of the land. Such a layout can be seen in Docking; more recently in the form of the development at the Granaries and the allocation at Pound Lane, and historically at Bradmere Lane.

It is therefore considered that the site could be developed in an appropriate layout. The acceptability of any reserved matters proposal will however come down to the detail including scale, mass, materials, etc.

In summary, in terms of form and character / impact on the Conservation Area it is considered that an appropriate scheme could be brought forward.

Residential Amenity

Full consideration cannot be given to this aspect either given the outline nature of the application. However, it is likely that any material overshadowing, overbearing and overshadowing impacts could be designed out at reserved matters stage. In relation to the indicative plan, your officers would suggest that the indicative layout is generally acceptable, but without details of scale, appearance and landscaping that is all that can be said in the absence of a reserved matters application.

Flood Risk and Drainage

The site lies within flood zone 1 and therefore no statutory consultee has raised an objection on the grounds of flood risk.

Anglian Water has confirmed that there is capacity for foul drainage (subject to serving the appropriate notices, etc to Anglian Water).

Surface water drainage is to be via SuDS.

However, no details have been submitted for either foul or surface water drainage. Notwithstanding this the proposed methods are in line with the drainage hierarchy and details can therefore be suitably conditioned.

Trees

The Arboricultural Officer has no objection to the proposed development in relation to the impact on trees with the protected Walnut becoming a focal point of the development.

Ecology

An Ecological Assessment (EA) was submitted with the application that concluded that the scheme is relatively small and distant from International / European sites and as such the only potential impact would be from recreational disturbance as a result of increased population.

The EA has identified that the impacts in isolation are screened out at the Test of Likely Significant Effects stage.

The only Habitat of Principal Importance are the lengths of boundary hedgerows along the western part of the site. These hedgerows do not however qualify as Important Hedgerows but are nevertheless shown to be retained on the Tree Protection Plan.

Species of conservation concern that are scoped-in are: foraging bats, nesting birds (but not barn owls), hedgehogs and widespread but declining moths. These would be present as components of larger local populations and the site does not support microhabitats or resources of particular significance.

It is concluded that bats are not roosting in the buildings and roosts will not be impacted. Protected species licensing is therefore not required for the scheme.

Great crested newts are scoped-out by virtue of the nearest pond being isolated by walls and housing.

Site clearance and the start of works should have regard for the possibility of nesting birds and be timed to avoid March-August or employ a watching brief. In the unlikely event of bats being found during clearance then advice should be sought from a qualified person.

It is recommended that enhancements and ecological measures to include within the scheme are bird and bat boxes, access points for hedgehogs, habitat piles and soft landscaping using native species.

Minerals

The site is partially underlain by an identified mineral resource (sand and gravel) which is safeguarded as part of the adopted Norfolk Mineral and Waste Core Strategy, and Core Strategy Policy CS16.

Paragraph 206 of the NPPF (2019) states that “Local planning authorities should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working”.

Partial investigations for SuDS and Contamination on the site have shown sand and gravel deposits occur close to the surface on the site. However, the information is limited, and a more thorough investigation is required. The Minerals and Waste Team (W&MT) at Norfolk County Council has confirmed that there is not potential for commercial extraction, however there may be suitable minerals extracted as part of the groundworks that could be used during the construction phases.

W&MT have suggested appropriate conditions to be appended to any permission that may be granted.

S106 Considerations

The S106 will be used to secure a financial contribution towards open space provision at the playing field, on-site affordable housing and £50 per dwelling habitat mitigation fee.

The open space financial contribution will be in line with a mechanism used in such instances by the open space team and will include a 15-year maintenance fee.

Affordable housing provision will be via on-site provision of six units.

The application will also generate CIL receipts.

Crime and Disorder

This aspect cannot be given full consideration at this time given the outline nature of the application. However, the Architectural Liaison Officer for Norfolk Constabulary is pleased with the layout and has gone as far as to suggest that if all Secure by Design guidance is followed, the scheme could achieve an award.

Other Material Considerations

A fire hydrant is required. This will be conditioned if permission is granted.

CiL monies will be used to fund education and library provision.

A number of conditions have been suggested by consultees that relate to issues that will be covered by reserved matters. These have therefore not been appended and will be added at the appropriate time.

CONCLUSION

The proposal represents residential development of a brownfield site within the development boundary of a Key Rural Settlement. The Local Highway Authority considers that, subject to access improvements and off-site works, the development could be made safe in terms of highway safety. Indicative plans have satisfied officers and other statutory consultees that the site could accommodate the proposed number of 30 units without detriment to neighbour or visual amenity. Issues such as drainage, tree protection, ecology, minerals, construction management and archaeology can be suitably conditioned, and habitat mitigation fee, affordable housing and open space can be suitably covered by an appropriate S106 Agreement.

Whilst the site is a former employment site, its retention is not considered to be required as per Policy CS10 and development of the site is likely to have a neutral to positive impact on the Docking Conservation Area.

It is therefore considered that permission should be granted.

RECOMMENDATION:

- A) APPROVE** subject to the completion of S106 within 4 months of the date of this resolution and the following conditions;
- B) REFUSE** if S106 is not completed with 4 months of the date of this resolution to approve.
- 1 Condition: Approval 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 commencement of development, including demolition, a detailed construction management plan must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of construction phase, deliveries/collections and any piling. The scheme shall also provide the location of any fixed machinery, their sound power levels, the location and layout of the contractor compound, the location of contractor parking, proposed attenuation and mitigation methods to protect residents from noise, dust and litter, and communication methods to the wider community regarding the construction phases and likely disruptions. The scheme shall be implemented as approved.
- 6 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.

This needs to be a pre-commencement condition to ensure the construction management has been given due regard to residential amenity prior to works, including demolition, commencing.

- 7 Condition No development shall commence on site, including demolition, until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- 7 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.

This needs to be a pre-commencement condition to ensure the parking of construction traffic has been given due regard given the constraints of the highway in the vicinity of the site access.

- 8 Condition No development, including demolition, or other operations shall commence on site until the existing trees and hedgerows to be retained as shown on drawing nos. OAS 19-026-TS01 and OAS 19-026-TS01 have been protected in accordance with Arboricultural Impact Assessment (AIA) that accompanied the application (Ref. OAS 19-026-AR01 by Oakfield Arboricultural Services). The fencing approved in the AIA 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.

- 8 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.
- 9 Condition No development including demolition shall take place until an archaeological Written Scheme of Investigation (WSI) 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.

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

- 9 Reason To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 10 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'.

- 10 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.
- 11 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.
- 11 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.
- 12 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.

- 12 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.
- 13 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 10, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 11, 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 12.

- 13 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.

- 14 Condition Prior to any construction taking place a Mineral Resource Assessment (MRA) shall be submitted to and agreed in writing by the Local Planning Authority to inform a Materials Management Plan-Minerals (MMP-M). The MRA shall include a written methodology for an intrusive site investigation, including Particle Size Distribution testing to determine if the site contains a viable mineral resource for prior extraction.

Assessment of the results of the Particle Size Distribution testing should refer to material class types in Table 6/1 of the Manual of Contract Documents for Highway Works: vol. 1: Specification for Highway Works Series 600, in order to identify potential suitability for use in the construction phases.

- 14 Reason To ensure that needless sterilisation of safeguarded mineral resources does not take place in accordance with the National Planning Policy Framework and Policy CS16 of the Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026.

- 15 Condition Prior to any construction works taking place on the site, A Materials Management Plan-Minerals (MMP_M) informed by the agreed MRA to be agreed under Condition 14 of this permission shall be submitted to and agreed in writing by the Local Planning Authority. The MMP_M will consider the extent to which on-site materials which could be extracted during the proposed development would meet specifications for use on-site through intrusive site investigations, testing and assessment.

The MMP-M should outline the amount of material which could be reused on site. For material extracted that cannot be used on-site the MMP-M should outline its movement, as far as possible by return run, to an aggregate processing plant.

The MMP -M will outline that the developer shall keep a record of the amounts of material obtained from on-site resources which are used on site and the amount of material returned to an aggregate processing plant.

The development shall then be carried out in accordance with the approved MMP-M.

The developer shall provide an annual return of these amounts to the Local Planning Authority and the Mineral Planning Authority, or upon request of either the Local Planning Authority or Mineral Planning Authority.

- 15 Reason To ensure that needless sterilisation of safeguarded mineral resources does not take place in accordance with the National Planning Policy Framework and Policy CS16 of the Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026.

- 16 Condition No existing trees, shrubs or hedges within the site that are shown as being retained on the approved plans shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees, shrubs or hedges removed without such approval or that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.

- 16 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 17 Condition 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 condition 9 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 17 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 18 Condition Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works as indicated on Drawing Nos. 20255-SK-004 and 20255-SK-005 have been submitted to and approved in writing by the Local Planning Authority.
- 18 Reason To ensure satisfactory and safe highway and access conditions for the development in accordance with the NPPF and Development Plan.
- 19 Condition Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in Condition 18 of this permission shall be completed to the written satisfaction of the Local Planning Authority.
- 19 Reason To ensure that the highway improvement works are designed to an appropriate standard in the interests of highway safety in accordance with the NPPF and Development Plan.
- 20 Condition Prior to the first occupation of any dwelling hereby permitted visibility splays measuring 2.4 x 43m (north) and 2.4 x 33m (south) shall be provided to each side of the access where it meets the highway as shown on drawing 20255-SK-004. 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.
- 20 Reason In the interests of highway safety in accordance with the NPPF and Development Plan.
- 21 Condition The development hereby permitted shall be carried out in accordance with paragraphs 8.8 and 8.9 of the Ecological Assessment including Bat Surveys and Shadow Habitats Regulations Assessment that accompanied the application (dated 13 September 2019 undertaken by HopkinsEcology).
- 21 Reason In the interests of protected species in accordance with the NPPF and Development Plan.
- 22 Condition As part of the submission of reserved matters for the development hereby permitted the Enhancements and Opportunities outlined at paragraphs 8.10 to 8.15 inclusive of the Ecological Assessment including Bat Surveys and Shadow Habitats Regulations Assessment that accompanied the application (dated 13 September 2019 undertaken by HopkinsEcology) 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.

- 22 Reason In the interests of protected species in accordance with the NPPF and Development Plan.
- 23 Condition The development shall not be brought into use until a scheme for the provision of fire hydrants has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.
- 23 Reason In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 24 Condition In relation to access only the development hereby permitted shall be carried out in accordance with drawing no. 20255-SK-004.
- 24 Reason For the avoidance of doubt and in the interests of proper planning.
- 25 Condition The development hereby permitted shall comprise of no more than 30 dwellings.
- 25 Reason For the avoidance of doubt and in the interests of proper planning.