

AGENDA ITEM NO: 8/2(c)

Parish:	Burnham Market	
Proposal:	Demolition of detached bungalow and erection of 1 x 2-storey 5-bed dwelling, 2 x 2-storey 4-bed dwellings and 1 x garage	
Location:	Church Pightle Station Road Burnham Market Norfolk	
Applicant:	MJS Investments (March) Ltd	
Case No:	19/01731/F (Full Application)	
Case Officer:	Mrs K Lawty	Date for Determination: 9 December 2019 Extension of Time Expiry Date: 3 April 2020

Reason for Referral to Planning Committee – The Officer recommendation is at variance with the views of the Parish Council and a previous scheme was dismissed at appeal.

Neighbourhood Plan: No

Case Summary

This application seeks the demolition of the bungalow on the site and the construction of 3 detached properties (2 No. 4 bedroom dwellings and 1 No. 5 bedroom dwelling), and a detached garage.

This full application follows the refusal of a previous application (ref. 18/01525/F), also for the demolition of the bungalow and the construction of 3 dwellings and a garage. This decision was appealed and dismissed by the Planning Inspectorate (ref. APP/V2635/W/19/3223973). A copy of the Inspector's Appeal Decision is attached to this report.

The four reasons for refusal of the previous application related to three different issues (outside settlement boundary, design and impact on Conservation Area and highway safety). However, the appeal was only dismissed on the grounds of harm to the character and appearance of the surrounding area and failure to preserve or enhance the character or appearance of the Conservation Area with particular regard to the design and style of the dwellings. This amended application therefore seeks to address the reasons for the dismissal of the appeal.

The application site presently forms the curtilage of a detached bungalow known as Church Pightle on Station Road, Burnham Market. The site is accessed via an existing driveway that provides vehicular and pedestrian access onto Station Road.

The site is surrounded on three sides by existing development and the fourth side bounds allotment gardens, which are sited on the southern side of the former railway line.

Whilst Burnham Market is identified as a Key Rural Service Centre part of the site falls outside the development boundary for the village.

The site is also within the Conservation Area and the AONB.

Key Issues

- * Principle of development
- * Impact on AONB
- * Design and Impact on Heritage Assets
- * Impact on Highway Safety
- * Impact on neighbours
- * Other issues

Recommendation

APPROVE

THE APPLICATION

This application seeks the demolition of the bungalow on the site and the construction of 3 detached properties (2 No. 4 bedroom dwellings and 1 No. 5 bedroom dwelling), and a detached garage.

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SUPPORTING CASE

In considering the merits of this planning application the Inspector's report on the previously refused scheme is a material consideration that carries significant weight. In her report the Inspector accepted the development of all the site and that the three dwellings would not have an unacceptable impact upon highway safety. Whilst our client understands the Parish Council's concerns about highway safety the evidence submitted to defend the appeal used empirical evidence to demonstrate the reduced speed that vehicles take when navigating the corner on Station Road. Given the slow speeds that were observed the risk of an accident with vehicles using the existing access are low.

In considering this latest application Norfolk County Council has removed its objection to the use of the access and planning officers have accepted the development of the area of existing garden that falls outside the development boundary. The Parish Council has been consulted three times on this application and has consistently objected on highway safety grounds. It is only as a result of the final consultation, after the dwellings have been significantly reduced in height and scale, that it has raised concerns about impact upon the character of the Conservation Area.

It is essential that members understand that the refusal of this application on highway safety grounds, contrary to the recommendation of Norfolk County Council, would leave the Council unable to defend an application for costs when it went to appeal.

The Inspector identified the benefits of delivering new homes in a sustainable location and that there would be no adverse impact upon neighbour amenity. Accordingly, she attached weight to these material considerations. Whilst the Conservation Area Advisory Panel (CAAP) has consistently recommended that the existing bungalow be retained, with new dwellings to the rear, this view was not supported by the Inspector. The appeal was only dismissed due to the 'less than substantial harm' to the Conservation Area as a result of the design and scale of the dwellings when 'glimpsed' from Station Road.

The revised plans have omitted the two-storey, glazed gables and the ridge heights of all three dwellings have been reduced so they are now lower than the adjacent dwellings at The Pound. Therefore, the scale of all three dwellings are approximately 30% smaller than those considered by the Inspector when she concluded that there would be less than substantial harm to the Conservation Area. All the changes that have been made, including two rounds of amendments, follow extensive discussions with planning officers, who now support the application. The significant reductions in the scale of all three dwellings means that officers accept that any glimpsed views into the site from Station Road would preserve the character of this part of the Conservation Area.

The benefits of the development identified by the Inspector still exist. The significant reduction in the heights and scales of the dwellings means that their visual impact on the character and appearance of the Conservation Area has been reduced. Therefore, planning officers believe that the balance is now tipped in favour of the site accommodating three new homes for the village.

PLANNING HISTORY

18/01525/F: Application Refused: 31/10/18 - Demolition of a detached bungalow and the subsequent erection of 1 x 2-storey 5-bed dwelling, 2 x 2-storey 4-bed dwellings and 1 x garage - Church Pightle, Station Road, Burnham Market PE31 8HA : Appeal Dismissed 23/08/19.

RESPONSE TO CONSULTATION

Parish Council: Original submission - **OBJECT** - The Parish Council continue to object to this application on the grounds of highway concerns. This is a very dangerous sharp bend with poor visibility on a blind corner. The Parish Council request a site meeting to include highways.

The Parish Council request that this application is called in and is not decided under delegated powers. The Council are referred to in the developers report as a Town Council which is incorrect and shows lack of knowledge of the Parish and this location.

The Parish Council would also like to highlight the following information which suggests that the developers wish to push this application through as quickly as possible and shows a total lack of knowledge or regard for the local community:-

'Hopefully the amended plans address officers' concerns. When you carry out the re-consultation on the application, I would appreciate it if the covering letter be included in the documents that are sent to the Town Council (they mean PC). If there is a mechanism for officers to approve the application contrary to the Town Council's recommendation (they mean PC objection) without going to planning committee then that would be the most expedient way to deal with the application. I have set out my thoughts on the Town Council's recommendation in the covering letter so if there is the chance that someone could discuss the application with them before they respond to the amendments to clarify that the LPA cannot refuse the application on highway matters then that would be good. It will save us all a lot of time and work if the application can be dealt with under delegated powers.'

Amended scheme - The Parish Council continue to **OBJECT** to this application on the following grounds:

Highways - This is a very dangerous and sharp bend with poor visibility on a blind corner.
Conservation Area and Village Development Boundary - This proposed development is in the conservation area and outside the village development boundary. It would change the character of the conservation area and would not enhance this area in the AONB.
The amendments do not address these issues particularly the highway concerns.

Highways Authority: NO OBJECTION - conditionally - Thank you for the consultation received recently relating to the above development proposal, which is similar to that seen previously under 18/01525, the subject of an Appeal decision which, whilst dismissing the application, did not support the LHA in its objection, as such, I can advise that Norfolk County Council does not wish to resist the grant of consent.

Should your Authority be minded to grant, I would seek to append relevant conditions to any consent notice issued.

Conservation Areas Advisory Panel: OBJECT - The Conservation Officer advised the Panel that they had considered a previous scheme on the site 18/0152/F. The planning application was refused and then dismissed on appeal. An amended scheme had been submitted, which the applicant considered addressed the Inspectors reasons for refusal.

The Conservation Officer then outlined the Inspectors appeal decision which included that the appeal site was acceptable for some form of development; there would be no harmful impact on the Grade II Listed buildings but considered that the scheme would harm the

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character and appearance of the surrounding area and would fail to preserve or enhance the appearance of the Conservation Area with particular regard to the design and style of the proposed dwellings.

The Conservation Officer reminded the Panel of their comments when they considered the previous application in 2018, namely:

That the principle of development was acceptable however they wished to see the existing bungalow retained either as a stand-alone unit or incorporated into the scheme. The Panel also wished to see one new unit, the design of which could tie in with the existing traditional houses nearby or be a modern style/design.

The Conservation Officer then outlined the amendments to the scheme to the Panel.

Conclusion: The Panel still felt that the existing bungalow should be retained, with one or two new dwellings behind in either a traditional or more contemporary style.

Environmental Health - Environmental Quality: NO OBJECTION – conditionally.

Community Safety & Neighbourhood Nuisance (CSNN): NO OBJECTION - conditionally

Norfolk Coast Partnership: OBJECT. Their expressed concerns can be summarised as follows:

- Whilst some improvements have been incorporated into the new proposal including a slight reduction in scale, roof height and glazing the development of three large executive homes partly outside of the development boundary and in a Conservation Area does not demonstrate a sustainable approach to housing delivery when there are areas of less constraint in the village.
- Most importantly and our main reason for refusal is that it does not 'conserve and enhance' the AONB in accordance with NPPF para 172.
- The development still does not meet CS06, CS08, CS12 and DM15 of the Development Plan and PB3 of the AONB Management Plan.

Historic Environment Service: NO OBJECTION, conditionally - The proposed development site lies close to the medieval core of the settlement of Burnham Market, a settlement with plenty of evidence of Early to Mid Saxon origins. The development area also lies close to areas of extensive cropmarks of field systems and just to the south of cropmarks of a Bronze Age barrow cemetery. In this area fieldwalking and metal detecting have found significant quantities of Prehistoric, Roman and medieval material, including a large number of Roman coins.

Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to conditions.

REPRESENTATIONS

9 pieces of correspondence referring to the following: -

- Small access on dangerous corner
- Overdevelopment of plot

- Chaos during construction
- Impact on wildlife from loss of trees
- Light pollution
- Dust, commotion, noise and traffic
- Impact on Church House, Grade II listed building and Coach House (curtilage listed)
- Church House is not separated by a paddock; this is garden land
- If the principle is accepted it should be 2 houses not 3
- Has Plot 1 been reduced in height?
- No objection if sensitively designed to the appropriate scale and massing and respects both the character of the village and, more importantly, the safety and well-being of the people who live in it.
- Impact of traffic on Station Road.
- Volume and massing of building.
- The majority of the development is outside the development boundary for Burnham Market and is contrary to Policies CS01 and CS02 of the Core Strategy and is not within the exceptions set out in the policy.
- It is unlikely to enhance or maintain the vitality of the rural economy.
- The Local Site Allocation and Development Management Policies Plan indicated Burnham Market would receive an allocation of twelve houses. Following the development at Foundry Field and smaller sites that has been well exceeded with more projects completed or in progress.
- Burnham Market is in the AONB and therefore any development must not only conserve but enhance the natural beauty of the area. It is difficult to see that this is achieved by developing this site as it would be visually intrusive in its setting and thereby harm the character and appearance of the area and the AONB.
- It would set a precedent for development outside the current boundary and in this case it is starting a second row of houses on the south side.
- The nature of the development is inappropriate in a CA .
- These cannot be overcome by dubious benefits to the local economy during and after construction.
- Realistically any new properties are likely to be second homes which is not what is required to support a thriving community. They will also not help the real housing shortage and certainly at present time there is no shortage of this type of property.
- The development will have an effect on the water table.
- The bandwidth in the village is already insufficient. The increased usage in consequence of the development will create a deficiency for others.
- The adjacent walls and the majority of the buildings on Station Road are historical.
- The development will change the character of this part of the Conservation Area.
- The garage (large enough to house three cars) has now become a two-storey building with double the original floor area, close to the listed building Church Close House.
- This garage could be converted into residential accommodation.
- I strongly object to the enlargement of this garage building. I have no material objection to the previous proposals.
- I objected to the external balcony at first floor level designed to form part of the main building originally proposed for Plot 1 on the grounds that it overlooked the garden of Church Close House with the obvious effect on privacy and amenity. I was delighted to see that it was removed from the revised proposals though a similar external balcony has now been reinstated as part of the latest scheme. I would like, please, to repeat my objection on identical grounds.
- The agent seems exasperated by the Parish Council's continued objection on the highway issue, but it is not the Lpa's role to pressurise the Parish Council to withdraw their objection.
- Will set a precedent of a second row of houses in the future.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

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

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

- Principle of development
- Impact on AONB
- Design
- Impact on Heritage Assets
- Impact on Highway Safety
- Impact on neighbours
- Other issues

Principle of development

Part of the site is within the development boundary of Burnham Market; however, the majority of the site is outside.

Part of the site closest to the existing dwelling is formal garden connected to the existing property. However, the western part of the site is a separate parcel of land which is grassed but less formal. It is separate to the formal garden, with hedging and a gated access into the formal garden.

This informal, grassed part of the site lies outside the settlement boundary.

Under the definitions of the NPPF it is considered that this parcel of land cannot be defined as previously developed land.

However, when the application was considered by the Appeal Inspector, it was observed that the site is not isolated and there was no conflict with para 79 of the NPPF with regard to the location of new residential development. Similarly, the Inspector found that due to its location close to the village centre, development on this site would meet the aims of the NPPF to provide new housing in sustainable locations with access to transport and services where it will enhance or maintain the vitality of the rural economy.

As the site lies outside the development boundary, conflict with Policies CS01, CS02 and DM2 was identified by the Inspector. However, given the particular circumstances of the site context and its proximity to village facilities, which are material considerations, the Inspector found the site to be a suitable location for new dwellings.

These circumstances remain unchanged and, on the basis of the findings of the Inspector's decision, the principle of development on this site is supported.

Impact on AONB

The site is within the AONB and is at the edge of the settlement.

The NPPF states at para 172 that great weight should be given to conserving and enhancing the landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and the scale and extent of development within these designated areas should be limited.

The proposal will increase the amount of built form upon the site.

However, although the development would be at the edge of the settlement public views are limited and the residential units would be seen against a backdrop of existing development. Accordingly, in this case it is not considered the proposal would have such a significantly detrimental effect on the environment to warrant refusal.

Character and appearance and effect on heritage assets

The Inspector dismissed the previous appeal for a single reason. She found that the buildings as a consequence of their design would be incompatible with the character of the surrounding area. She stated that in view of their prominence in the street the design of the new houses would be incongruous and out of keeping with the street scene. As a consequence, the Inspector concluded that the development would harm the character and appearance of the surrounding area and would fail to preserve or enhance the character or appearance of the Conservation Area.

In her assessment of the character of the Conservation Area the Inspector made reference to the domestic scale and appearance of terraces and individual buildings and the predominant use of red brick, flint infill and red clay tiles which gives the street a sense of homogeneity and a positive contribution to the street scene.

Additionally, the Inspector referred to the limited impact of the existing property on the surrounding Conservation Area due to its design and the mature gardens surrounding it.

The previous refused scheme incorporated house designs of a barn style, dominated by large areas of glazing. The LPA and the Inspector both found that this design approach was

incompatible with the character of the surrounding area. The Inspector also noted that the houses would have much higher eaves and ridge heights than the existing houses and would be more prominent in glimpsed views across the site from Station Road.

In response to the Inspector's findings the applicant has submitted amended plans showing a more traditional house design. The barn-like designs have been replaced with more typical, brick dwellings with flint panelling to some elevations and pantile roofs.

Since originally submitted, several revisions have been made to the plans and the proposed scheme now shows dwellinghouses which are much more in keeping with surrounding development. The eaves and ridge heights have been reduced so they are more in keeping with the adjacent properties at the Pound, to the north of the site. The widths of the dwellings have also been reduced and the rear gable sections have been set in from the side elevations to improve the longer views of the side elevations, particularly from Station Road. The properties have brick plinths and parapet roofs and fenestration that reflects that of surrounding properties.

The three dwellings remain large, six-bedroom properties, with accommodation in the roof space. The garage to Plot 1 has increased in height and shows storage in the roof accessed by a side stair. However, the plots are large and there is plenty of space around each of the dwellings. They do not appear cramped in their setting and the landscaping plan shows there is scope for the planting of trees and shrubs.

It is considered that the development now proposed adequately reflects local design standards or styles and takes sufficient reference from the local character of the village. It accords with the provisions of the NPPF, Policy CS06, CS08 or CS 13 in this regard.

Further, the proposed residential development adequately responds to its local setting in a sensitive or sympathetic manner in terms of scale and massing and now accords with Policy DM15.

In terms of impact upon the Conservation Area Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty upon the decision maker to have special attention to the desirability of preserving or enhancing the character or appearance of that area.

The application was considered by the Conservation Areas Advisory Panel (CAAP). They considered that the existing bungalow should be retained with one or two new dwellings behind in either a traditional or more contemporary style.

However, the retention of the bungalow is not the proposal for consideration. It is considered that the scheme as amended in design and style will not have a harmful impact upon the Conservation Area and there is no longer conflict with national guidance or local policy.

Church Close House to the north west of the site is a Grade II listed building. At Appeal the Inspector concluded that the separation of this property from the appeal site and the layout of the proposed development was such that the appeal scheme would not have a harmful effect on this heritage asset or setting. Although the proposed garage building closest to this property is larger in scale than that of the previous scheme, it is still considered that the proposal would not have a harmful effect on Church Close House or its setting.

Impact on Highway Safety

Previously the Highways Authority objected to the proposal due to the inadequate off-site facilities for pedestrians/ people with disabilities to link through to the village and the poor alignment, restricted width and restricted forward visibility at the access of the site onto Station Road.

These were two of the reasons for refusal of the last scheme. However, the Inspector found there were to be no harmful effect on the safe movement of vehicles and pedestrians in the vicinity of the appeal site given the slow traffic speeds and the unlikely increase in the risk of accidents. Similarly given the short distance to the services and the availability of some pavement space and verges the Inspector found that the appeal scheme would provide acceptable access for future residents to local shops and services.

Given that the Inspector did not uphold these reasons for refusal, the Highways Authority has not sustained an objection to this current proposal.

There is no conflict with Policy CS11 or DM15 in this case.

Impact on Neighbours

The relationship between the development proposed and neighbouring properties has been examined and the impact upon the amenity of the occupants of these properties has been assessed. Consideration has been given to overlooking, overshadowing and the extension being overbearing.

The proposed dwellings front northwards with private rear gardens to the south. The proposed residential development is far enough away from existing development to the north to allow sufficient space to prevent significant overshadowing, not cause overbearing development or privacy issues. The proposal would therefore not have any significant amenity impact on the property No.1 The Pound which abuts the site to the north.

The nearest property is Angles House to the east and the gable end of the unit on Plot 3 shows no windows to this closest elevation. There are windows to the facing gable of Angles House and there will be some loss of sunlight to these and the garden of this property at certain times of the day, but not of such significant degree to warrant the refusal of planning permission.

A first floor balcony is proposed to the unit on Plot 1 but this is to the rear of the dwelling and would not result in overlooking issues for neighbouring properties.

It is not considered there will be a significantly detrimental impact upon the amenity of the occupants of the neighbouring properties in terms of overlooking, being overshadowed or the proposed dwellings being over bearing, as a result of this proposal.

Specific comments or issues

Overdevelopment - third party comments have raised the issue of overdevelopment. However, the plot sizes are generally in keeping with others to the north and east. Given the amount of spacing around each of the proposed units, the adequate provision for parking and turning and private amenity space it is not considered the proposal would result in a cramped form of development.

Light pollution – third party objection has been made referring to the impact on light pollution. Para 180 of the NPPF seeks to ensure that new development is appropriate for its location

taking into account the likely effects of pollution on health, living conditions and the natural environment. This includes limiting the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

In this regard the design of the dwellings is an improvement upon the previous application as the large areas of glazing have been removed. There will still be an element of light spillage from this edge of settlement site which adjoins open countryside. However, it is not considered this degree of domestic lighting would be so significant to warrant refusal of the development.

Third party objection has been made to the loss of trees and open space. The Arboricultural Officer does not object to the proposal although does recommend that all of the trees on the boundaries of the site are retained.

Third party objection has been made to the loss of wildlife. However, the proposal would retain a degree of openness and garden land and could retain boundary planting. The loss would not be so significant to warrant refusal of the proposed development.

Third party objection has been made to the amount of dust, commotion, noise and traffic created by building the development. However, the construction period would be only a temporary situation and would not cause significant long term amenity issues.

Third party objection has been made to the effect on the water table. However, this is not a reason for refusal of planning permission.

Third party objection has been made that the bandwidth in the village is already insufficient. The increased usage in consequence of the development will create a deficiency for others. However, this is not a matter for consideration by the local planning authority.

Third party comment has been made that this would set a precedent for development outside the current boundary and in this case it is starting a second row of houses on the south side. However, each case is considered on its individual merits and any future planning application for similar development would be considered against the planning policies in place at that time.

Concerns regarding the future use of the garage for additional residential accommodation are noted, however any use of the garage for self-contained accommodation would require planning permission in its own right.

Concerns regarding the use of the properties as second homes are noted. However, the LPA cannot control the future residential tenure or occupation of a dwellinghouse and there are no planning policies that prevent such a use in Burnham Market.

Concern has been raised about the agent's comments regarding aspects of the Parish Council objection. The LPA encourages discussion with Parish Councils about planning applications but this is not a material planning consideration.

Conclusion

The application, as amended, is now considered to be of appropriate scale and design and now takes sufficient reference from the local character of the village. It accords with the provisions of the NPPF, Policy CS06, CS08 or CS13 in this regard. Further, the proposed residential development adequately responds to its local setting in a sensitive or sympathetic manner in terms of scale and massing and now accords with Policy DM15.

The amended scheme is considered to be of such quality that it will have no harm upon the character and appearance of the Conservation Area and there is no conflict with policy in this case.

The Appeal Inspector did not uphold the previous reasons for refusal on highway safety grounds or the principle of residential development on this site. This is a material consideration and is reflected in the recommendation.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:

001C Proposed Site and Location Plan
002C Plot 1 – Ground Floorplan
003A Plot 1 – Proposed Floorplan
004C Plot 1 – Proposed Elevations
005C Plots 2 & 3 – Proposed Floorplans
006C Plots 2 & 3 – Proposed Elevations
007C Plot 1 - Proposed Garage Plans
008C Proposed Landscaping Plan
010 Indicative Sections
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first occupation of the development hereby permitted the vehicular access indicated for improvement on Drawing No. 001C shall be upgraded/widened to a minimum width of 4.5 metres in accordance with the Norfolk County Council residential access construction specification for the first 3 metres as measured back from the near channel edge of the adjacent carriageway/constructed in accordance with the approved plan Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 3 Reason To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement.
- 4 Condition Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

- 4 Reason In the interests of highway safety.
- 5 Condition Prior to the first occupation of the development hereby permitted the proposed access/on-site car parking/servicing/loading/unloading/turning/waiting area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 5 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 6 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 current best practice, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

- 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.
- 7 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.
- 7 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.

- 8 Condition Prior to commencement of 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 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.
- 8 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 9 Condition Construction or development work on site, along with collections and deliveries of waste products, material and equipment, shall only be carried out between

the hours of 0800 and 1800 weekdays, and 0900-1300 on Saturdays, with no work allowed on Sundays and Bank/Public Holidays.

- 9 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 10 Condition A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

and,

B) No development shall take place other than in accordance with the written scheme of Investigation approved under condition (A).

and,

C) 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 (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

- 10 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.
- 11 Condition No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 11 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 12 Condition No development over or above foundations shall take place on site until full details of the window style, reveal, cill and header treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 12 Reason To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 13 Condition Prior to first occupation of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation/use hereby

permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- 13 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 14 Condition All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 14 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.