

**AGENDA ITEM NO: 8/2 (c)**

<b>Parish:</b>	<i>Marham</i>	
<b>Proposal:</b>	<i>Development of 2 dwellings</i>	
<b>Location:</b>	<i>Land Rear of Waterworks House The Street Marham Norfolk</i>	
<b>Applicant:</b>	<i>HC Moss</i>	
<b>Case No:</b>	<i>21/01750/F (Full Application)</i>	
<b>Case Officer:</b>	<i>Mrs C Dorgan</i>	<i>Date for Determination: 12 November 2021 Extension of Time Expiry Date: 6 October 2022</i>

**Reason for Referral to Planning Committee** – Officer recommendation contrary to Parish Council.

**Neighbourhood Plan:** No

**Case Summary**

The application site is an area of 0.21 ha of land, located to the rear/north-west of a terrace of cottages and two detached houses which front onto the Street in the village of Marham, a Key Rural Service Centre as defined by Policy CS02 of the Core Strategy 2011. The site is accessed via a private road which currently provides access to the Anglian Water waterworks site which is situated immediately to the north-west of the application site. To the north-east is a further detached residential dwelling - a bungalow. The site is currently vacant and overgrown with vegetation and trees.

This application seeks full permission for the construction of two x three-bedroom chalet bungalows with designated parking spaces and private rear amenity space.

**Key Issues**

Principle of development  
Highways/ Access  
Form and character  
Neighbour amenity  
Other material considerations

**Recommendation**

**APPROVE**

## THE APPLICATION

The application site is an area of 0.21 ha of land, located to the rear/north-west of a terrace of cottages and two detached houses which front onto the Street in the village of Marham. The site is accessed via a private road which currently provides access to the Anglian Water waterworks site which is situated immediately to the north-west of the application site. To the north-east is a further detached residential dwelling - a bungalow. The site is currently vacant and overgrown with various forms of vegetation and trees. There is a large Sycamore tree to the north of the site which is protected by a Tree Preservation Order. The site is bounded by a mix of boundary fences to the rear of the properties fronting The Street, planting along the northeast and southwest boundaries and security fencing along the northwest.

The two dwellings proposed are modest 1.5 storey detached three-bedroom dwellings, approximately 7.3m at roof pitch with a minimal footprint. The drawings indicate red clay pantiles on the roof, and grey timber boarding with a brick plinth. Windows would be cottage style, with a covered porch on the front elevation of the dwellings. Both dwellings would have designated parking spaces and sufficient private rear amenity space.

Full planning permission was previously granted (under ref: 08/02702/F) for the construction of two pairs of semi-detached 3 bed houses with attached garages. There is no evidence submitted to date that the consent is extant.

## SUPPORTING CASE

The concept of thriving rural communities, so relevant to a rural borough such as King's Lynn and West Norfolk, is of vital importance, and yet many rural communities in England are facing a series of challenges that affect their ability to remain sustainable and inclusive, the most obvious being housing; analysis of Land Registry data by the ONS shows that in 90% of rural Local Authorities the median home price is nearly eight times the median salary (and in the administrative area of the borough the latest figures show the median house price is 8.93 times the median salary). The ongoing provision of new homes at all points of the market is essential.

In this context, this proposal seeks to provide two modest new family homes (three bedroom chalets with reduced single-storey eaves heights) which have been bespoke-designed to integrate with their surroundings in Marham, and which includes detailed design for associated landscaping, parking and access.

The NPPF states national planning policy; thus:

- Paragraph 11 requires decisions to apply a presumption in favour of sustainable development.
- Paragraph 60 stresses the government's objective of significantly boosting the supply of homes.
- Paragraph 69 emphasises the important contribution of small and medium sized sites, and (at point c) requires that LPAs should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.
- Relevant Development Plan include:
- Core Strategy Policies CS01 (Spatial Strategy), CS02 (Settlement Hierarchy), CS08 (Sustainable Development), CS09 (Housing Distribution), CS11 (Transport) and CS12 (Environmental Assets); and

- Site Allocations and Development Management Policies DM1 (Presumption in Favour of Sustainable Development), DM2 (Development Boundaries), DM15 (Environment, Design and Amenity), and DM17 (Parking Provision in New Development).
- This revised proposal accords with all relevant policies; in particular:
- The location and amount of development is acceptable by virtue of Core Strategy policies CS02 and CS09;
- The detailed design meets all of the criteria set out in Site Allocations and Development Management Policy DM15; and
- The proposal meets current parking standards, and all other design requirements.

The NPPF requires the supply of homes to be “significantly boosted”; in this case, the proposal is acceptable in principle in the context of both the NPPF and local policy, and the detailed design uses the best quality materials and causes no harm through overlooking, loss of privacy, overshadowing or domineering impact.

## PLANNING HISTORY

18/01936/FM: Application Permitted- Delegated decision: 01/03/19 - Installation of ground mounted solar PV array, underground cabling, fencing, gates and switchgear housing - Anglian Water Services Ltd Hogs Drove  
 06/01617/O: Application Permitted- Committee decision: 12/10/06 - Outline permission: Residential development - Former Sub Station  
 08/02702/F: Application Permitted- Committee Decision: 12/05/09 - CONSTRUCTION OF 4 NEW 3 BEDROOMED DWELLINGS - Former Sub Station

## RESPONSE TO CONSULTATION

**Parish Council: OBJECTION** on the following grounds:

Marham Parish Council continue to object on the grounds of highways safety and access. The proposed development would be accessed along a very narrow (single track) road that bends along its length. This means that any vehicle would not be able to see another vehicle approaching and should they meet would necessitate one of them reversing. This is compounded by the fact that the same road is used to access Anglian waterworks and is regularly used by their vehicles including vans and heavy lorries.

Previous concerns raised include –

- The proposed development would mean a significant increase in car use and is likely to attract families with young children. The access road would present a considerable danger to them.
- Overdevelopment of site.
- Neighbour amenity issues – existing dwellings in some cases have clear glazing at first floor which would cause privacy issues.
- Insufficient local services or employment in Marham.
- The sale of 160 houses, forming RAF housing, is currently underway. This will increase pressure on services, especially local surgery.
- Public transport in village is limited, which means reliance on car. Contrary to sustainable development objectives.
- Allocation sites have not been completed – implies a lack of demand.

- Local knowledge suggests that mains drainage and sewage pipes for the existing houses run through the site at a very shallow depth.
- Large sycamore tree on the site which is not mentioned within the planning application. It is understood that this tree is subject to a recent tree protection order. Any development would presumably involve the felling of this tree.

**Local Highway Authority: NO OBJECTION subject to conditions**

No objection to the proposed alterations therefore and continue to recommend the conditions re the visibility splays, access and parking and turning areas.

**Natural England: NO COMMENTS**

**Historic Environment Service (NCC): NO OBJECTION subject to conditions**

The amendments do not alter our recommendations for archaeological work, the previous advice remains valid:

'The proposed development site lies within the historic core of the village of Marham. Artefacts have previously found around the proposed development site, including Roman and medieval pottery and prehistoric flints to the west, medieval pottery and Roman pottery and coins to the south and east and prehistoric pottery and flints to the north. 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 a programme of archaeological mitigatory work in accordance with National Planning Policy Framework. Ministry of Housing, Communities and Local Government (2021). para. 205. We suggest that conditions are imposed.'

**CSNN: NO OBJECTION subject to conditions**

In formulating the following comments, consideration has been given to the historical applications for this site as well as submitted documentation. Whilst CSNN would not wish to raise objections to this application, some issues would need to be addressed by the application of suitably worded conditions to any granted application. Robust details of how surface water and foul water are to be dealt with should be submitted. The comments from local residents about sewage pipes being present at the surface should be taken into consideration.

To protect local amenity and the environment during construction work a Construction Environmental Management Plan (CEMP) should be created. This document should be dynamic and mirror any changes in the construction process taking place at the site. Particular attention should be given to neighbour communication, dust, noise and vibration management. Also note the inclusion of storage and management of liquids etc.

**Environmental Quality: NO OBJECTION**

The site of the above planning application is an agricultural field with land surface generally natural and appears to have no contamination history according to BCKLWN historic archive.

The existing site is currently vacant garden land which is not known to be contaminated or suspected of any contamination whether in part or whole. In addition, there are no asbestos

containing materials(building), fuels/chemicals storage or spillage on site and no previous land contamination reports about the site as contained in both the application and screening assessment forms. Consequently, we have no objection and no further observation may be required with regards to contamination assessment of the site in question.

**Environment Agency: NO OBJECTION** subject to conditions.

No objection to the proposed development providing the below 5 conditions are included in any planning permission.

The proposed development site is located upon a principal aquifer and within a Source Protection Zone 1 designated for the protection of public water supply. The controlled waters sensitivity is high as contaminants from the site could enter the aquifer and pollute the protected source.

Planning permission could be granted to the proposed development as submitted if the following planning conditions were included. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to the application. The conditions require the following to be submitted and agreed by the LPA, and adhered to -

- Remediation Strategy
- Remediation Strategy for unsuspected contamination
- Surface Water Drainage Scheme.
- Foul Water Drainage Scheme
- Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority

No land contamination assessment has been submitted with the application. This omission should be addressed following the tiered approach outlined within the EA Land contamination risk management (LCRM) guidance. As a minimum, would expect to be provided with a preliminary (phase 1) risk assessment to support/ as part of the information detailed above.

**Arboricultural Officer: NO OBJECTION**

## **REPRESENTATIONS**

**FORTY letters of OBJECTION** have been received from three neighbouring dwellings. The issues raised are summarised below-

- Development will destroy spaciousness, the rural character of the site.
- Devalue the neighbouring dwellings.
- Loss of views and loss of light.
- Existing dwelling has clear windows at first floor on rear elevation. This would give rise to loss of privacy / overlooking.
- Development will be intrusive and cause noise, disturbance and disruption.
- The substation creates noise, traffic and light pollution.
- Site is on a major aquifer and zone 1 ground water protection policy.
- Drainage / sewerage pipes for numbers 1-4 Waterworks Cottages run on the surface/ less than 60cm in depth across their garden and across application site to mains sewerage network. How will the drainage be managed? Any building works likely to

damage/ disrupt these and cause contamination as well as inconvenience neighbours.

- The red line includes land belonging to neighbours.
- Access track – single lane only, no passing places. Used by AW HGVs and vehicles. Proposed widening to 5m still falls short of 5.5m required. Road is NOT wide enough. How will the applicant increase visibility splays? Do they own this land? Do not own sufficient land to provide visibility splay required.
- Currently parking place for no.1 on this track. Where will they park?
- Development will increase vehicle movements and would be dangerous to new residents. No footpath proposed.
- Insufficient demand for new houses in the village.
- Previous planning consent was inaccurate / floored.
- Sycamore tree should be protected.
- Trees/ vegetation on site mean a range of ecology including bats and owls.
- Concern that silver birch on site boundary of no.4 may be damaged.
- No affordable housing.

## **LDF CORE STRATEGY POLICIES**

**CS06** - Development in Rural Areas

**CS09** - Housing Distribution

**CS11** - Transport

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

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

## **PLANNING CONSIDERATIONS**

The main issues for consideration are as follows;

- Principle of development
- Highways/ Access
- Form and character
- Neighbour amenity
- Other material considerations

## **Principle of development**

The application site lies within the village of Marham, which is designated as a Key Rural Service Centre in Policy CS02 of the Core Strategy (CS) (2011). The site lies within the development boundary for Marham as identified on Inset G56 of the Site Allocations and Development Management Policies Plan (SADMPP)(2016). Policy DM2 of the SADMPP states that development will be permitted within the development boundaries of settlements provided it is in accordance with the other policies in the Local Plan.

The history of the site includes a previous consent for residential development (08/02702/F) for the construction of four three-bedroom dwellings. There is no evidence submitted to date that this permission is extant.

The principle of residential development on the site is therefore acceptable and in accordance with the NPPF, policies CS02 and CS06 of the CS and policy DM2 of the SADMPP, subject to compliance with other policies in the Local Plan.

## **Highways/ Access**

Concerns have been raised by the Parish Council and neighbouring residents as to the suitability and safety of the proposed access to the application site. The access is from a single private drive/ track off The Street, which is also utilised by the Anglian Water site to the rear of the application site and by agricultural vehicles to land to the west. The comments made state that the visibility along the access is poor and vehicles are unable to pass. Anglian Water vehicles using the site include HGVs/ commercial traffic and an increase in vehicular movements would be dangerous. It is also pointed out that a pedestrian footpath is not proposed for new residents.

However, the Local Highway Authority (LHA) has no objections to the scheme as proposed and recommends conditions are attached re the required visibility splays, access and parking and turning areas.

Neighbours query whether the applicant owns land to enable the access to be widened and the required visibility splays to be delivered as shown on the submitted plans. The applicant has stated that there is a long-standing covenant on the neighbours plot which restricts them from blocking the visibility splays, and they also confirm all necessary certificates have been served on the neighbouring land. The LHA is of the view that the required visibility splay and access has been included within the red line of the application site and therefore can be conditioned. The planning condition can be imposed and enforced but does not override any third party land ownership/ party agreements. Therefore, if a third party land owner is not in agreement the development cannot progress in accordance with the consent.

Whilst the comments of neighbours and the Parish Council are noted, there is no objection from the statutory consultee on highway safety grounds. The scheme includes the provision of an access deemed suitable for the two dwellings proposed, and as a result the proposed scheme is in accordance with the NPPF, Policy CS11 of the CS (2011) and Policy DM15 of the SADMPP (2016).

## **Form and character**

The application site lies between existing residential development to the southeast and an Anglian Water site to the north west. While the predominant character of Marham is frontage development there are examples of development in depth to the east of the site, such as The Gables and also Hoggs Drove. Given the range of dwelling types, there is also a range of densities and the proposed density of the application site is 9.5 dwellings per hectare. The

density of the proposed development reflects the constraints of the site, the need to retain the existing trees and hedges. Therefore, the proposal would not be contrary to the form and character of the locality and would not represent over-development of the site.

The site layout proposed responds to the features of the site, namely the existing trees and hedges to be retained and the proximity to the existing neighbouring dwellings. While plot 1 is smaller than plot 2, the garden for plot 1 does extend to 10m in depth and is over 20m in width. The scale and type of dwellings proposed as well as the materials evident along this part of The Street varies considerably. The dwellings proposed are 1.5 storey detached three bedroom dwellings, approximately 7.3m at roof pitch. The drawings indicate red clay pantiles on the roof, and grey timber boarding with a brick plinth (specific material details are yet to be confirmed and are proposed to be conditioned accordingly). Windows would be cottage style, with a covered porch on the front elevation of the dwellings. Both dwellings would have designated parking spaces and sufficient private rear amenity space. The scale and type of development, and the materials proposed are considered appropriate in the locality.

The existing boundary treatments include close board fencing to the rear of the properties fronting The Street, planting along the northeast and southwest boundaries and security fencing along the northwest. The plans show the planting along the north eastern boundary and south western boundary is to be retained in addition to the three trees. The planting and trees will continue to make a positive contribution to the visual amenity of the site and the wider locality. While these will be retained the planting/hedging can be considerably trimmed back/ pruned and managed to minimise overshadowing to the proposed dwellings. Conditions are attached requiring the retention of the existing trees and hedging shown on the plan, and a condition is attached requiring a landscape scheme to be provided for the site to secure the additional planting proposed on the plans. A condition is also attached requesting information on the proposed boundary treatments to be submitted and agreed.

The site density (at 9.5 dwellings per hectare), the layout and the form of the dwellings proposed are considered acceptable in terms of form and character. The proposal is therefore in accordance with the NPPF, and Policy CS08 of the CS and Policy DM15 of the SADMPP.

### **Neighbour amenity**

A number of objections have been received from three neighbouring dwellings. The issues raised include potential noise, disturbance and disruption from the development. Neighbours state that the development would result in a loss of privacy and cause overshadowing to their dwelling/ amenity space.

The dwelling sited on plot 1 at the closest point would be 6.3m to the site boundary to the south east, and between 5m and 10m to the site boundary to the west. The first floor windows (dormers) for plot 1 on the rear elevation would serve a bathroom and three bedrooms. For plot 2 at the closest point the site boundaries are 2.3m to the side (southeast) and 12.5m to the rear boundary (northeast). The rooflights on the rear elevation are positioned at 14m from the rear boundary (and positioned at a minimum of 1.8m in height from floor level) and these serve two bedrooms and an ensuite. The existing dwelling to the east (The Gables) is 4.5m from the shared site boundary and to the south east (no.s 1-3) existing dwellings are approximately 25m from the shared site boundary, and this provides a distance of at least 17m and 31m between proposed and existing dwellings (respectively) which is considered fully acceptable in planning terms. Given the distances between the dwellings, and the fact that the dwellings proposed would be to the north west of the existing dwellings, the proposed development is unlikely to cause overshadowing to the existing neighbouring dwellings or their immediate private amenity space. The existing planting and



trees which are to be retained will also maintain privacy/ screening between the existing development and the dwellings proposed.

It is proposed that permitted development rights are removed for additional storeys, roof alterations and for windows on the proposed dwellings. This will seek to ensure the levels of privacy secured in this application will be retained.

One of the existing neighbouring dwellings has clear glazing on their first floor bathroom window which faces towards the application site, and the resident has stated that this will result in a loss of privacy for them. In this case there is some 19m from the window to the shared boundary, and the window would not directly face a first floor window of the proposed dwellings. However, clear glazing on a first floor bathroom window is unusual given the Anglian Water site behind and the long neighbouring gardens, and the proposed development may give rise to some minimal overlooking to this window. However, this alone is not sufficient justification to warrant refusal of the application.

During the application process the applicant has made considerable amendments to the scheme to address the close relationship of the existing dwelling 'The Gables' to the east of the site (the dwelling is 4.5m to the shared boundary), and also given concerns raised by neighbours to the southeast. This resulted in a reduced number of units on site as well as amended positioning of the units and design of these, and the proposed scheme is considered acceptable as a result.

CSNN require that a condition is attached to the planning consent requiring a construction environmental management plan to be submitted to and agreed by the Council and should include neighbour communication, dust, noise, vibration management. This will minimise any disturbance to neighbours during the construction period.

In terms of neighbour amenity, while concerns have been raised by existing neighbouring residents, it is not considered that the scheme would have an unacceptable impact on neighbour amenity. It is therefore in accordance with the NPPF and Policy DM15 of the SADMPP.

### **Other material considerations**

**Ownership** – Objections received from neighbouring residents raise queries regarding ownership of the site. Firstly, the positioning of some of the shared boundaries, and also the current parking space/ passing space on the access road. The applicant has stated that they are satisfied they have followed correct procedures regarding certificates of notification to neighbouring landowners where necessary. They have also submitted the title deeds for the land. The applicant and neighbours continue to be in dispute. However, having sought legal advice it has been clarified that it is not the role of the LPA to resolve matters of land ownership. It is worth noting that Land Registry title plans are not definitive on matters of land boundaries, which is a matter of law and fact. The responsibility is on the applicant to submit the correct certificate and it is their risk if an incorrect certificate is submitted that affects the validity of their application. The Council is not under an obligation to formally investigate and confirm title. In a case of dispute it would be sensible to certify more widely than narrowly but, ultimately, that is a matter for the applicant. In summary, the issues of dispute over ownership are for consideration outside of the planning application process.

**Drainage** – Neighbouring residents point out in their representations that currently their dwellings (no.s 1-4) are connected to the main sewerage network via pipes which lie on the surface/ up to 60cm below the surface across their back gardens and across the application site to the Anglian Water site to the rear. Concerns are raised that development may damage/ disrupt these connections. In addition, they query how drainage would be provided

to the new site. The application site lies above a major aquifer, and consideration also needs to be given to groundwater protection. The CSNN officer has stated that robust details of the foul and surface water drainage arrangements would need to be submitted to and agreed by the LPA prior to any construction work on site, and this can be controlled via condition. The Environment Agency (EA) have no objections to the scheme subject to five conditions being attached to the consent. The conditions require remediation strategies as well as full details of foul and surface water drainage arrangements to be submitted and agreed by the LPA. In addition, any piling/ boreholes/ foundations shall not be permitted other than with the express written consent of the LPA. Alongside this information a land contamination assessment (as a minimum, would expect to be provided with a preliminary (phase 1) risk assessment) should be submitted to support/ as part of the information detailed above.

Trees/ Ecology – There is an existing large sycamore tree to the north of the application site which has been given a Tree Preservation Order. The applicant was, as a result, required to redesign the site layout to ensure the development would not cause harm to the protected tree. In addition, there is a Crimson King and a Silver Birch tree and some existing planting/ hedging on site which is to be retained. The applicant has submitted a Tree Survey/ Plan. The Arboricultural Officer has stated that he is satisfied with the proposal in its current form and has no objections. The tree survey/ plan is conditioned accordingly.

Neighbouring residents raise concerns that the site has been cleared which has impacted on the local ecology on site. They also state that there are bats/ owls living in/ using the large sycamore tree. Firstly, the applicant does not need consent to maintain/ clear their land. Secondly, given the tree is to be retained and will be protected as has a Tree Preservation Order, this would not result in the loss of this as a home/ shelter for ecology and would not have a significant affect on protected species as a result. It is not considered that an ecology report is required, as the development proposed would not remove/ harm the potential habitat for protected species, the trees and hedging on site is to be retained. If bats or nesting birds are found during the construction of the development, these are protected by legislation and the developers are required to follow the regulations accordingly.

Local services – The Parish Council and local residents highlight the lack of employment and facilities/ services within the village. They state that there is not a need for any additional housing here as services are stretched. Also, that new development in the village promotes the use of the private car as the public transport provision is minimal. While these comments are noted Marham is identified as a Key Rural Service Centre in the adopted Local Plan. This recognises that Marham provides a range of services to meet basic needs and serves the wider rural locality. It is considered an appropriate location for local scale development.

Loss of a view/ Devalue properties – Objections to the scheme state that the development would result in the loss of their existing view, and that this would impact on their health and well-being. In addition, the development would de-value their dwellings nearby. The loss of a view and property values are not material planning considerations, and therefore would not be considered in the determination of the application.

Archaeology – Archaeology conditions have been attached to the consent due to the potential presence of heritage assets.

There are no concerns raised to the application by Environmental Quality.

## CONCLUSION

The application seeks full planning consent for two dwellings on the site. The application site lies within the development boundary for Marham and in terms of the principle of development, is considered acceptable.

In terms of the form and character of the proposal, including the retention of existing planting/trees, the development is in accordance with the policies of the Local Plan. A number of objections were raised relating to neighbour amenity such as overlooking, overshadowing, noise and disturbance etc. The CSNN officer is satisfied that a construction management plan would minimise the impacts of the construction phase on the neighbouring residents. In terms of the relationships between the existing dwellings and those proposed; the distances between these dwellings as well as the orientation of these and proposed design of the dwellings means that the proposal would not give rise to an unacceptable impact on neighbouring residents. Drainage information is yet to be submitted but conditions are attached to ensure full details are submitted to and agreed by the LPA prior to any development on site. A number of objections have been raised to the proposed site access; whether this is achievable, suitable and safe. The Local Highway Authority is satisfied with the proposed development, subject to the specified conditions being attached.

In conclusion, the proposed scheme has undergone a number of amendments and is now considered an appropriate form of development given the locality. For the reasons detailed above, it is considered that the development proposed is in accordance with the NPPF, Policies CS02, CS06, CS11 of the CS (2011) and Policies DM2, DM15 and DM17 of the SADMPP (2016). The application is therefore recommended for approval.

## 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 (Drawing Nos.  
  
2120-1-01 Location Plan (received 20 Sept 22)  
2120 1-02 D Site Plan and Section (received 20 Sept 22)  
2119-(A)2-01 Rev A Type A Floorplans (received 20 Sept 22)  
2119-(B)2-02 Rev B Type B Floorplans (received 20 Sept 22)  
2119-(A)3-01 Rev A Type A Elevations (received 20 Sept 22)  
2119-(B)3-02 Rev B Type B Elevations (received 20 Sept 22)  
2120 3-01 B Proposed Street Elevations (received 20 Sept 22) ).
- 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 visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.90 metres above the level of the adjacent highway carriageway.

- 3 Reason In the interests of highway safety in accordance with the principles of the NPPF.
- 4 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car and cycle parking turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 4 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 5 Condition Prior to commencement of development a detailed construction environment management plan must be submitted to and approved in writing by the Local Planning Authority; this must include proposed timescales and hours of the construction phase and deliveries/collections. The scheme shall also provide the location of any fixed machinery, their sound power/ vibration levels, the location of contractor parking, the location of plant, machinery, waste and materials storage, all proposed attenuation and mitigation methods to protect residents from noise, dust and litter, and the prohibition of any bonfires, as well as neighbour communication. The scheme shall be implemented as approved.
- 5 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 6 Condition The development hereby approved shall be constructed in strict accordance with the recommendations of the Tree Survey, Arboricultural Impact Assessment Preliminary Arboricultural Method Statement & Tree Protection Plan and Dwg 9220-D-AIA prepared by Haydens Arboricultural Consultants dated 15/ 17 Dec 2021.  
CONDITION TO BE REVISED ON RECEIPT OF LATEST PLANS
- 6 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.
- 7 Condition No existing trees, shrubs or hedges within the site that are shown as being retained on the approved plans shall be felled, uprooted, destroyed, or removed without the prior written approval of the Local Planning Authority. The hedging within the site shall be retained at a height of not less than 2m above ground level.  
  
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.
- 7 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 8 Condition Notwithstanding the details shown on the approved plans, 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 treatments to be erected. The boundary treatment shall be completed before the dwellings 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 and retained in perpetuity.

- 8 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 9 Condition Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on any external surface of the development until the type, colour and texture of all materials to be used for the external surfaces of the buildings 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.
- 9 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 10 Condition Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 10 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 11 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.
- 11 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 12 Condition 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, 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation and 7) any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.
- 12 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.

- 13 Condition No development shall take place other than in accordance with the written scheme of investigation approved under condition 12 and any addenda to that WSI covering subsequent phases of mitigation.
- 13 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 14 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 12 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 14 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 15 Condition No development shall commence until full details of the foul 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.
- 15 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.

- 16 Condition Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.

No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

- 16 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 183, 184 and relevant Environment Agency Groundwater Protection Position Statements.
- 17 Condition No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.

The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.

Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be

undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and be implemented as approved.

- 17 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 183, 184 and relevant Environment Agency Groundwater Protection Position Statements.
- 18 Condition If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.
- 18 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 183, 184 and relevant Environment Agency Groundwater Protection Position Statements.
- 19 Condition Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
- 19 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 183, 184 and relevant Environment Agency Groundwater Protection Position Statements.
- 20 Condition Notwithstanding the provisions of Schedule 2, Part 1, Class AA, Class B and Class C of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement of a dwelling house by construction of additional storeys, and the enlargement of the dwelling house consisting of an addition or alteration to its roof, and other alterations to the roof of a dwellinghouse shall not be allowed without the granting of specific planning permission.

Furthermore notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no new windows/ dormer windows (other than those expressly authorised by this permission) shall be allowed without the granting of specific planning permission.

- 20 Reason In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.