

AGENDA ITEM NO. 9/3 (a)

Parish:	Clenchwarton	
Proposal:	Demolition of the existing single storey dwelling and replacement with a new residential development	
Location:	204 Main Road Clenchwarton KINGS LYNN Norfolk PE34 4AA	
Applicant:	CLIENT OF DISTINCT DESIGNS UK LTD.	
Case No:	22/01797/O (Outline Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 23 December 2022 Extension of Time Expiry Date: 10 March 2023

Reason for Referral to Planning Committee – The views of the Parish Council are contrary to the officer recommendation and called in at the request of Cllr David Whitby.

Neighbourhood Plan: No

Case Summary

The site comprises an area of 0.54ha on the southern side of Main Road, Clenchwarton. It contains a vacant modest bungalow and garden with numerous outbuildings and the remainder is currently laid to grass.

The site lies within the defined development area of the village as shown on Inset G25 on Page 216 of the Site Allocations & Development Management Policies Plan (SADMPP) 2016. It is virtually surrounded by residential development with playing fields to the north and St Margaret's Church and its graveyard to the SE of the site.

The bungalow has an existing access in the NW corner of the site and a field access in the NE corner.

The application seeks outline permission for residential development with all matters reserved for future consideration. It is accompanied by a Supporting Planning Document, Heritage Statement and a site-specific Flood Risk Assessment.

Key Issues

Principle of Development
Form and Character
Impact on Setting of Listed Building
Neighbour Amenity
Highway Safety
Flood Risk
Affordable Housing Contribution
Any other matters requiring consideration prior to determination of the application

Recommendation

- a) **APPROVE** subject to a Section 106 agreement covering affordable housing contribution being completed within 4 months of a resolution to approve and subject to certain conditions stated below; and
- b) If the Section 106 agreement has not been completed within the above timescale, **REFUSE** on the basis of failure to secure an affordable housing contribution in accordance with the provisions of Policy CS09 of the Core Strategy (2011).

THE APPLICATION

The site comprises an area of 0.54ha on the southern side of Main Road, Clenchwarton (a Key Rural Service Centre in the settlement hierarchy). It contains a vacant modest bungalow with numerous outbuildings, railway carriages, static caravan and a detached single garage. Part of the site is curtilage to the dwelling and the remainder is currently laid to grass.

The site lies within the defined development area of the village as shown on Inset G25 on Page 216 of the Site Allocations & Development Management Policies Plan (SADMPP) 2016. There are residential properties to the west (bungalows on The Hollies and Main Road), to the south (Church Road) and a chalet (No.200) plus the Old Rectory to the east set between the Church of St Margaret and Main Road. The Church and its graveyard lie to the SE of the site. There are playing fields to the north on the opposite side of Main Road.

A footpath lies adjacent to the eastern side boundary which leads to the Church and links through to Church Road.

The bungalow has an existing access in the NW corner of the site and a field access in the NE corner.

The application seeks outline permission for residential development with all matters reserved for future consideration. Indicative plans show 5 no. detached dwellings which equates to a density of 9 dwellings per hectare. The dwellings would have to be a minimum of 1½ storeys due to flood risk implications and the need to elevate the finished floor levels plus no ground floor sleeping accommodation.

SUPPORTING CASE

The agent submits the following statement in support of this application:

“It is important to state at the start that this application is for ‘outline, all matters reserved planning approval’.

The site is located within the centre of the village of Clenchwarton on the main road. The site is within 250m of the primary school and 300m of the convenience store and post office. The bus stops for both directions, i.e. King’s Lynn and all the villages to Holbeach are located on the main road adjacent to the site. A separate school bus is also provided to take secondary school students to the high school once they leave the primary school. The property is also located with 150m of the village hall, local fish and chip shop and is directly opposite the village playing field. How therefore can this be classed as ‘not sustainable’?

Being in the centre of the village, the site is clearly within the BCKLWN development boundary for the village and as this village is classed as a key rural service centre where

development is promoted this application should be supported, this together with the fact that the consultees responses have been positive, this clearly indicates that the scheme complies with all of the current council's planning policies.

The objections have been raised by the local councillors and local residents and appear to be as follows:

Biodiversity – We would argue that this is the most sustainable site in the village as demonstrated above with access to excellent public transport links and local services, in fact several new houses have been constructed at the Western end of the village opposite the Partridge public house without any issues, if these are classed as sustainable and comply with current council planning policies then how can the proposed ones not be?

Ancient Hedge – A photograph indicating the property in the late 1950s is submitted. As can be seen there is no hedge present, so how can any hedge in existence now be classed as a 'heritage hedge'? We would also raise the point, who said the existing landscaping was going to be removed? It clearly was not the developer as stated in the objections as no developer is currently involved with this project!

Heritage Asset - This point has clearly been attended to in the Heritage Statement highlighting that existing houses are closer to the church than this proposal, therefore this cannot be an issue.

Highway Hazard - How can this be so when Norfolk Highways do not have an objection?

Overlooking and Shadowing - As mentioned at the start, this application is for outline all matters approved, therefore the layout, design and materials are all subject to approval via a reserved matters application process, therefore these points are not relevant to this application.

Conclusion

This proposal is in accordance with all the relevant planning policies for this village, hence why the planning department are in full support of this application and recommend approval. Therefore, we believe that this application should receive the full support of the councillors and be approved."

PLANNING HISTORY

M1167/1: Approved 20/12/57: Access and site for erection of bungalow (outline application)

M1167/2: Approved 26/04/58: Access and erection of bungalow

RESPONSE TO CONSULTATION

The comments below relate to the amended scheme unless otherwise stated:

Parish Council: (Initial submission) OBJECT on the grounds that no social housing was included, one house was too close to an existing property, there was the possibility of flooding and access to the road and pavement was not well designed.

(Amended scheme) No response to consultation at the time of writing this report.

Highways Authority: (Initial submission) NO OBJECTION - Having examined the information submitted with the application. In terms of highway considerations, at this stage, I have no objection to the principle of the development. However, the applicant would need to provide an appropriate design at a reserved matters stage to address the following points in accordance with the adopted standards: i) Visibility splays. ii) Access iii) Parking provision in accordance with adopted standard.

(Amended scheme) No further comments.

Norfolk County Council (Public Rights of Way): NO OBJECTION - We have no objections on Public Rights of Way grounds as there are none in the vicinity.

King's Lynn Internal Drainage Board: NO OBJECTION – advice offered on byelaw matters.

Environment Agency: NO OBJECTION subject to condition relating to mitigation measures in Flood Risk Assessment being implemented.

District Emergency Planning Officer: NO OBJECTION – suggests signing up to EA's flood warning system and preparation of an evacuation plan. [Case Officer note: Usually dealt with via informative note rather than condition due failing tests applied to the use of conditions with regards to enforceability.]

Environmental Health & Housing – Environmental Quality: NO OBJECTION – subject to a suite of conditions relating to contamination given former use of the site.

Housing Development Officer: NO OBJECTION – subject to section 106 agreement securing affordable housing contribution.

Historic Environment Services: NO OBJECTION – no known archaeological implications.

Historic England: NO COMMENTS - We suggest that you seek the views of your specialist conservation and archaeological advisers.

Conservation Officer: NO OBJECTION to the principle of the development. However, retaining the setting of the listed church should take priority. Therefore, the boundary between the two sites should be retained and protected, and if possible, enhanced.

Conservation Areas Advisory Panel: NO OBJECTION in principle but would like to see reinforced tree planting on the boundary between the Church and the development.

REPRESENTATIONS

A total of **ELEVEN** items of correspondence received raising **OBJECTION** on the following summarised grounds:

- Overlooking, overbearing and overshadowing effects;
- Overdevelopment of the site;
- Impact on wildlife;
- Impact on trees;
- Flood risk and surface water issues;
- Previous refusal;
- Boundary treatments adjoining neighbouring properties;
- Security during construction;

- Disturbance during construction;
- Impact on local services; and
- Invitation to see proposal from neighbouring property.

Cllr Alexandra Kemp: Raises the following comments:

BIODIVERSITY - This site is not sustainable for development, as it is one of the last picturesque, wild open spaces in the centre of Clenchwarton, very much part of the village character. Residents have told me the developer says he would even destroy and demolish the ancient hedge running parallel to the neighbouring properties on the Hollies. This cannot be allowed. The hedge is a haven for birds and other wildlife. This would create a biodiversity net loss.

HERITAGE ASSET - The proposed development would adversely affect the setting, and views of, historic St Margaret's Church, adjacent to the site.

HIGHWAY HAZARD - The proposed exit would be too near the Clenchwarton Road/ Hall Lane mini-roundabout and create driver distraction and hazard.

OVERLOOKING AND OVERSHADOWING - The proposed development would overshadow and overlook properties on the Hollies, particularly on the south end of the Hollies.

The site is therefore not sustainable for development.”

Cllr David Whitby: Raises the following comments:

“This application 22/01797/O 204 Main Road Clenchwarton if minded to passing it, I would like to call it in to the planning committee as it would be overbearing and overlooking, being built out of the ground due to the flood risk and three stories tall in an area of mainly bungalows. The entrances are too close to the small roundabout at Hall Rd. For the amount of traffic that could be leaving the site possible 4 cars per household being 4 and 5 bedrooms.”

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The main considerations are considered to be as follows:

- Principle of Development
- Form and Character
- Impact on Setting of Listed Building
- Neighbour Amenity
- Highway Safety
- Flood Risk
- Affordable Housing Contribution
- Any other matters requiring consideration prior to determination of the application

Principle of Development

As stated above, the site lies within the defined development area of the village as shown on Inset G25 on Page 216 of the Site Allocations & Development Management Policies Plan (SADMPP) 2016. There are residential properties to the west (bungalows on The Hollies and Main Road), to the south (Church Road) and a chalet (No.200) plus the Old Rectory to the east set between the Church of St Margaret and Main Road. The Church and its graveyard lie to the SE of the site. There are playing fields to the north on the opposite side of Main Road. It is therefore effectively surrounded on three sides by residential properties.

Policy CS02 of the Core Strategy (CS) 2011 states inter alia:

“Key Rural Service Centres
Limited growth of a scale and nature appropriate to secure the sustainability of each settlement, will be supported within the Development Limits of the Key Rural Service Centres. In accordance with Policy CS06 Development in rural areas...”

Policy CS06 states:

“CS06 Development in Rural Areas

The strategy for rural areas is to:

- promote sustainable communities and sustainable patterns of development to ensure strong, diverse, economic activity;
- maintain local character and a high quality environment;
- focus most new development in key rural service centres selected from the Settlement Hierarchy Policy CS02;
- ensure employment, housing (including affordable housing), services and other facilities are provided in close proximity.”

Policy DM2 of the SADMPP also applies which states:

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“Development will be permitted within the development boundaries of settlements shown on the Policies Map provided it is in accordance with the other policies in the Local Plan.”

This site lies close to the recognised heart of the village, comprising the primary school and shops, and is within easy walking distance to all the facilities that Clenchwarton has to offer – Primary School 240m, shops & Post Office 320m, village hall 180m and playground/pavilion 280m. There is a regular bus service along Main Road (bus stops 30m away) connecting to King’s Lynn and the site is therefore considered to be in a highly sustainable location.

The application is in outline form with all matters reserved for future consideration. The principle of the development is therefore considered to be acceptable and accords with Policies CS02, CS06 and DM2 of the Development Plan.

Form and Character

In terms of form and character, as stated above, there are bungalows to the west of the site, bungalows and houses to the south on Church Road, and a chalet (No.200 Main Road) and The Old Rectory (house) immediately to the east. Residential properties on this site would not be out of character or context with those adjoining. The Old Rectory constitutes development in depth and a similar layout could be acceptable on this considerable area of land.

The application forms and an indicative layout plan refer to five detached dwellings on the site.

In terms of density this would equate to approx. 9 dwellings per hectare (dph) which is lower than the adjoining cul-de-sac of bungalows to the west, The Hollies, which is 19 dph and St Margaret’s Meadow to the east of the Church which is 18 dph. To the east of the site there are 4 dwellings - The Old Rectory (house), The Rectory (house), 198 & 200 Main Road (barn conversion and chalet respectively) with a lower density of 6 dph, however these are set within mature landscaped/treed grounds whereas this site is mostly open.

A transition between high- and low-density development would be suitable for this site and accords with Paragraph 124 of the NPPF.

Whilst scale is not for consideration, the flood risk implications (see below) result in finished floor levels of the dwellings being raised by approx. 800mm above existing ground levels (similar to the dwellings constructed on the allocated sites under Policy G25.3 opposite The Partridge PH some 360m to the west along Main Road). There cannot also be bedrooms at ground floor so in this context chalets (single storey construction with roof accommodation) would be most appropriate and it is possible for this constraint to be secured via condition.

In terms of form and character a small cul-de-sac of up to 5 chalet style dwellings is considered to be acceptable on this site and would not conflict with the form and character of this locality.

The proposal complies with the provisions of the NPPF, Policies CS06 & CS08 of the Core Strategy and Policy DM15 of the SADMPP.

Impact upon Setting of Listed Building

The site lies to the north-west of St Margaret’s Church which is a Grade 2* listed building. There is a footpath and graveyard alongside the eastern boundary and a mature belt of hedging and some trees which create an effective natural screen from Main Road.

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Historic England have no comments on the proposal and suggest that the views of our specialist conservation and archaeological advisers are sought.

Historic Environment Services and our Conservation Officer and Conservation Areas Advisory Panel raise no objection to the principle of the proposed development. However, inference is made to retaining the setting of the listed church which should take priority, so the boundary between the two sites should be retained and protected and, if possible, enhanced.

The agent informs that the hedge and trees alongside the eastern boundary of the site lie in the ownership/grounds of the church and are therefore beyond the control of the applicants. An arboricultural impact assessment and method statement can be secured via condition to accompany the reserved matters application which will identify root protection areas and protection measures during construction. Under the landscaping element of reserved matters, additional hard and soft landscaping could be secured to embellish this edge of the site without significantly infringing upon the developable area.

Public views of the church tower are restricted to the west along Main Road over the rooftops of frontage dwellings and aforementioned landscape belt. There is only a direct view of the tower from a very limited section of Main Road close to the bus stops. This would not change if the site is developed and views through would be considered at the reserved matters stage (as shown on the indicative plans). It is therefore concluded that the proposal would have less than substantial impact upon the setting of St Margaret's Church.

Paragraph 202 of the NPPF states: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

In light of the issues raised earlier in this report, the benefits of this scheme would indeed secure its optimum viable use without creating significant harm to the setting of the church. However, this will be fully addressed at the reserved matters stage. Overall, the proposal complies with the provisions of the NPPF, Policies CS08 & CS12 of the Core Strategy plus Policy DM15 of the SADMPP.

Neighbour Amenity

The indicative plans have created some confusion for third parties in that the layout, scale and appearance of the dwellings are not for determination at this stage – only the principle of residential development of the site is currently sought.

The indicative plans show that technically the site could accommodate 5 dwellings. It is recognised that ground floor accommodation will need to be elevated and bedrooms contained within the roofspace/second storey due to flood risk issues (see below). Significant boundary treatments and the use of screens to stepped platforms have been used to negate these issues in settlements lying within Flood Zone 3 (e.g. former nursery site on Marshland Street, Terrington St Clement). Modifications to the current indicative plans would have to be undertaken in order to ensure that overlooking, overbearing and overshadowing impacts would not impinge on adjacent dwellings. However, this could be designed out given the possible separation distances between the site and existing adjoining dwellings. Land levels and boundary treatments will be secured as part of the reserved matters application.

The development is therefore capable of complying with Policies CS08 of the Core Strategy and DM15 of the SADMPP.

Highway Safety

The application seeks outline planning permission and the means of access is not to be considered at this stage. The indicative layout plan shows two accesses to be formed – the existing bungalow access serving four dwellings and the field access serving a further unit on the frontage. The Local Highway Authority has raised no objection to the principle of this proposed development, but appropriate visibility splays, access and parking provision would need to be demonstrated at the reserved matters stage.

Appropriate visibility splays will require the roadside mixed thorn hedge to be cut back or possibly removed. Preference would be to retain the hedge but if that is not possible, a new hedgeline could be introduced parallel to the road of a type commensurate to a residential development.

The access to the bungalow being used to serve additional properties would allow the trees alongside the western boundary to be retained.

Concerns have been raised by third parties and councillors regarding access onto Main Road close to the mini-roundabout junction with Hall Road, however the LHA do not share these and there is no reason to believe that safe access cannot be achieved. The proposal can therefore comply with Policy CS11 of the Core Strategy and Policy DM15 of the SADMPP.

Flood Risk

As indicated earlier in this report, the site lies in an area at risk of flooding (Flood Zone 3a in the Strategic Flood Risk Assessment and Tidal Hazard Mapping Zone of Environment Agency mapping). Both national (the NPPF and NPPG) and local (the Development Plan) policy seeks to steer new development away from areas at risk of flooding by virtue of applying the sequential test.

The whole village lies within Flood Zone 3a and Tidal Hazard Mapping Zone so there are no alternative sites available at a lower risk of flooding; hence complying with sequential testing as endorsed in Paragraph 162 of the NPPF.

Paragraph 163 also applies in that the exception test must still be passed. For the exception test to be passed:

1. It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
2. A site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where, possible, will reduce flood risk overall.

In relation to the first element, as demonstrated above, the site is in a highly sustainable location. As such it is considered that the development clearly provides wider sustainability benefits that outweigh the risks associated with flooding. There would be up to 5 homes provided, and a financial contribution to off-site affordable housing, contributing to social, economic and environmental factors (Paragraph 8 of NPPF) related to this Key Rural Service Centre.

In relation to the second element, the site-specific Flood Risk Assessment has satisfied the Environment Agency that the development can be made safe and would not increase flood risk elsewhere.

The FRA states that to safeguard against the risk of tidal defences being overtopped or breached, finished floor levels will be a minimum of 3.2m aOD with flood resistant measures incorporated into the design and construction of the properties up to 600mm above finished floor level. This equates to the finished floor levels being approx. 800mm above existing ground levels. There would also be no bedrooms at ground floor level. This may be secured via condition as recommended the EA.

Conditions are suggested by our Emergency Planning Officer but may be covered via an informative note on the decision notice, rather than conditions, due to enforceability issues.

The proposal therefore accords with the provisions of the NPPF, NPPG and Policy CS09 of the Core Strategy.

Affordable Housing Contribution

As the site area just exceeds 0.5ha in size and is in a designated rural area, an affordable housing contribution would be required in accordance with Policy CS09 of the CS.

In this instance a financial contribution towards off-site provision of £48,000 would be required. This is calculated as 20% of 4 new dwellings (net increase taking away existing bungalow) = 0.8 units; then 0.8 x £60,000 per equivalent affordable unit = £48,000.

A S.106 agreement will be required to secure the affordable housing contribution. The agent/applicants are aware of this requirement and are content to comply.

Other matters requiring consideration prior to the determination of this application:

Crime and Disorder - The proposal raises no specific issues in relation to crime and disorder. Due to the outline nature of the proposed development it is not possible to fully consider Secured by Design issues.

Drainage - Details of both foul and surface water may be secured via pre-commencement condition. Foul water is likely to be via mains and surface water via soakaways.

Noise and disturbance - During the construction phase this is to be expected but would be relatively short-lived. Any statutory nuisance would be addressed by Environmental Health legislation.

Contamination - Given the history of the site our Environmental Protection team have recommended a condition to address any unexpected contamination issues. The bungalow is likely to have asbestos-containing materials however the disposal is covered under separate legislation.

Damage/security to adjacent property during construction work - This would be a civil matter between the developers of the site and adjoining property owners. Developers have a responsibility under Health and Safety legislation to maintain a secure building site.

Previous refusal – There is no record of an earlier application to develop this site beyond those for the existing bungalow in the late 1950s.

Biodiversity – As stated above, the majority of the site is laid to grass and garden with little merit and limited landscape features. There are hedgerows and trees adjoining the site which can be retained and protected during construction via condition. There may be issues with the roadside hedge as indicated above with regards to achieving appropriate

access/visibility to the site. Additional/compensatory planting of hedges and trees will be addressed at the reserved matters stage and with the advent of Biodiversity Net Gain in legislation later this year, enhancement measures can be secured via condition.

CONCLUSION

The site lies within the defined development area of a Key Rural Service Centre where residential development of an appropriate scale will be supported. It is a highly sustainable site close to the recognised heart of the village and the facilities it has to offer.

It is considered that the site could be developed without substantial harm to the setting of the listed church, visual amenity of the locality, highway safety or neighbour amenity. Technical issues such as flood risk and drainage can be secured via condition and affordable housing contribution secured via Section 106 agreement.

It is therefore considered that the proposal generally accords with the provisions of the NPPF, NPPG and with Policies CS01, CS02, CS06, CS08, CS09, CS11 & CS12 of the Core Strategy (2011) and Policies DM1, DM2 & DM15 of the SADMPP (2016).

RECOMMENDATION

- a) **APPROVE** subject to a Section 106 agreement covering affordable housing contribution being completed within 4 months of a resolution to approve and subject to certain conditions stated below:
- 1 Condition: Approval of the details of the means of access, layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
 - 1 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
 - 2 Condition: Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
 - 2 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
 - 3 Condition: Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
 - 3 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
 - 4 Condition: The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
 - 4 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

- 5 Condition: The development hereby permitted shall be carried out within the area defined on the location plan Drawing No. (GA)1000 Revision F.
- 5 Reason: For the avoidance of doubt and in the interests of proper planning.
- 6 Condition: There shall be no more than 5 dwellings developed on this site.
- 6 Reason: To define the terms of this permission.
- 7 Condition: The dwellings hereby approved shall be of single storey construction and roof accommodation only.
- 7 Reason: To define the terms of this permission in the interests of the impact upon the character and appearance of the locality, in accordance with the provisions of the NPPF, Policies CS06 & CS08 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).
- 8 Condition: The development shall be implemented in accordance with the mitigation measures proposed in the Flood Risk Assessment (FRA) ref: ECL0843/DISTINCT DESIGNS produced by Ellingham Consulting Ltd and dated October 2022 submitted as part of this application. In particular, the FRA recommends that:
- Finished floor levels (FFLs) will be set at 3.2m AOD;
 - Flood resistant and resilient construction will be incorporated to 0.6m above FFLs; and
 - There will be no ground floor sleeping accommodation.
- 8 Reason: To protect future residents at times of high risk of flooding and to accord with the provisions of the NPPF, NPPG and Policy CS08 of the Core Strategy (2011).
- 9 Condition: As part of the reserved matters application referred to in condition 1, an Arboricultural Impact Assessment and Method Statement to protect trees and hedges adjoining the eastern and southern boundaries of the site shall be submitted.
- 9 Reason: To ensure that the existing trees and hedges adjoining the site are properly surveyed and full consideration is made of the need to retain and protect them during the development of the site, due to their contribution to the setting of St Margaret's Church, and in accordance with the NPPF and Policies CS12 and DM15 of the Development Plan.
- 10 Condition: The development shall be undertaken in accordance with mitigation measures to be detailed in an Ecological Impact Assessment to be submitted as part of the reserved matters required in Condition 1 of this permission.
- 10 Reason: In the interests of the biodiversity of the site and its locality and to accord with the provisions of the NPPF and Policy CS12 of the Core Strategy (2011).
- 11 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.
- 11 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.

- 12 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, 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 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.

- 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.

- b) If the Section 106 agreement has not been completed within the above timescale, **REFUSE** on the basis of failure to secure an affordable housing contribution in accordance with the provisions of Policy CS09 of the Core Strategy (2011).