



Forest Heath
District Council

DEV/FH/19/001

Development Control Committee 2 January 2019

Planning Application DC/16/1450/OUT – Former Gas Works Site, Gas House Drove, Brandon

Date Registered:	12.08.2016	Expiry Date:	11.11.2016 EoT until 25.01.2019
Case Officer:	Marianna Hall	Recommendation:	Approve Application
Parish:	Brandon	Ward:	Brandon East
Proposal:	Outline Planning Application (Means of Access to be considered) - 10 no. dwellings. As amended by plan received on 26 June 2018 and further amended on 30 August 2018 with the inclusion of the Means of Access to be considered.		
Site:	Former Gas Works Site, Gas House Drove, Brandon		
Applicant:	Mr Vincent Somers		

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

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Background:

This application is referred to the Development Control Committee at the request of Councillor Christine Mason as one of the Ward Members (Brandon East). The application is recommended for APPROVAL.

Proposal:

1. The application seeks outline planning permission for the construction of 10 no. dwellings on the former Gas Works Site, Gas House Drove, Brandon. The means of access to the development is included for consideration at this stage, with matters of appearance, landscaping, layout and scale being 'reserved matters' and not therefore for consideration at this time. Vehicular access to the development is proposed via Gas House Drove.
2. The application has been amended since its original submission increasing the number of proposed dwellings from 8 to 10. The indicative layout has also been amended as a result of this change. The application has also been amended to include the means of access for consideration, where originally all matters were reserved. A pedestrian right of way has also been indicated along the southern boundary of the site leading to Webb's Row to the west of the site, with improvement works to Webb's Row also proposed. The existing 1.8m wide footpath along the southern edge of Gas House Drove is to be continued across the frontage of the site. The indicative layout also details a bin presentation area alongside a central access road.

Application Supporting Material:

3. Information submitted with the application is as follows:
 - Application Form
 - Site Plan
 - Location Plan
 - Indicative Layout Plan
 - Biodiversity Checklist
 - Ecological Survey
 - Reptile Survey
 - Contamination Assessment
 - Design and Access Statement
 - Highway Mitigation Measures
 - Surface Water Drainage Strategy

Site Details:

4. The site was in use in the past as a gas works. The site is accessed via Gas House Drove, a Byway Open to All Traffic (BOAT). Webb's Row, a public right of way, runs north-south and lies adjacent to the western boundary. The site has been subject to some remediation works in the past to remove contamination that has arisen due to the site's former use. There is sporadic residential development along Gas House Drove itself, with more dense residential development to both the east and west of the site. There is open farmland/paddock land immediately to the north of the site.
5. The site falls within the 63dB noise contour for RAF Lakenheath and within the Stone Curlew Buffer and Recreational Pressure Buffer for the Special Protection Area. The site is located within the Housing Settlement Boundary

for Brandon and is allocated for residential development within the Emerging Local Plan (ref. SA2(b)) with an indicative capacity of ten dwellings.

Planning History:

Reference	Proposal	Status	Decision Date
DC/14/0574/FUL	Remediation of former gasworks for the improvement of the site and to reduce potential environmental liabilities (Development Affecting a Public Right of Way)	Application Granted	08.08.2014
DCON(1)/14/0574	Discharge of condition 11 of planning application DC/14/0574/FUL	Application Granted	15.09.2014
DCON(2)/14/0574	Discharge of conditions 3 (Remediation/Verification Report) and 9 (Remediation/Verification Report) of planning permission DC/14/0574/FUL	Application Granted	08.09.2015

Consultations:

6. Town Council

No response received.

7. Highway Authority

Comments 01.09.2016:

PROW team potentially has concerns about impact of construction traffic and permanent increased traffic on Gas House Drove (a Byway). The Highway Authority are likely to have requirements regarding parking provision and whether the development is sustainable. Further comments to follow.

Comments 08.09.2016:

As a Byway Open to All Traffic (BOAT) Gas House Drove is maintained by the County Council at public expense. They have concerns that damage will be caused to the surface by construction vehicles and increased vehicle use arising from the development. Further concerns that the permanent increased traffic level would be detrimental to the safety of pedestrians using the Byway. The applicant does not propose any measures to protect or make improvements to Gas House Drove which may mitigate these issues. They noted that the pedestrian facility stops before Webb's Row so does not extend to the development site and provide a route for occupiers of the proposed development. Furthermore, it does not propose a pedestrian link to the southern half of Webb's Row (which is maintainable highway).

Comments 03.10.2016:

This response is sent following receipt of the applicant's highways advice letter from GH Bullard & Associates. The mitigation described in the letter would make the proposal acceptable to the Highway Authority. No information or amended plans have been received to confirm whether the mitigation will be provided. Therefore, a definitive highways response cannot be provided at this stage. It is accepted that passing places or safety improvements to Gas House Drove do not appear feasible due to the constraints of the route. Extension of the pedestrian route and provision of an alternative metalled route to Webb's Row would provide mitigation in this respect.

Comments 18.11.2016:

Gas House Drove is a BOAT (Byway Open to All Traffic) and therefore falls outside the scope of the Highway Authority and the responses provided has been formulated after consultation with SCC PROW. Therefore, the comments below are advice for the LPA based on expertise in advising on matters of highway safety which is felt is relevant due to the regular vehicular use of Gas House Drove.

We are aware of the existing situation on Gas House Drove whereby vehicles have difficulty passing one another and must use the footway in order to pass. This is detrimental to the safety of footway users, particularly vulnerable footway users such as young children and those with mobility difficulties. Undoubtedly the proposal to provide 8 additional dwellings on Gas House Drove would result in additional vehicle movements (particularly involving large vehicles during the construction period). My view is that it is highly likely that the permanent increase in vehicle movements associated with the proposal would be further detrimental to the safety of footway users on Gas House Drove.

It is worth noting that a final consultation response (with recommended conditions) has not been provided by the Highway Authority as yet. A number of measures to protect and maintain the condition of Gas House Drove surface and mitigate the impact of additional use have been proposed in the GH Bullard report. However, I am not aware if these have been agreed and proposed by the developer so recommended conditions have not been provided as yet. It is envisaged that the conditions would include surveys of Gas House Drove before and after construction, construction delivery plans as well as conditions related to improved pedestrian links via Webb's Row. We would also require Section 106 contributions towards the future maintenance of Gas House Drove surface.

Comments 08.06.2017:

While it is accepted that Gas House Drove is a Byway Open to All Traffic (BOAT), and can be used by vehicular traffic, it is currently predominantly a pedestrian right of way. Recent safety improvement works have created a metalled surface with traffic calming and a 1.5m footway provision, reducing the available width for vehicles to 3.0m. This footway provision is flush with the carriageway and vehicles over-run this when passing each other, giving potential for vehicle-pedestrian conflict.

Our previous comments have all raised concerns that the width of Gas House Drove is too narrow to allow 2 vehicles and pedestrians to pass safely, and while the proposed improvements to Webb's Row are necessary to ensure a safe route for pedestrians toward the school and that side of the town, it

must be assumed that Gas House Drove will still be the preferred route for many, being a more direct access to shops and the railway.

Passing places would be ideal but it is stated this may not be feasible for land ownership and/or cost reasons. However, there does not seem to be any qualification to this assertion. We would therefore request that the applicant investigates the possibility of providing some passing places if there is no alternative to using Gas House Drove to access the proposed development.

Previous comments have requested S106 contributions for the improvement and continuing maintenance of Gas House Drove and the provision of passing places would be accepted for this.

Proposed development of 10 houses will alter the pedestrian-vehicle balance to being predominantly vehicular, which will have an impact on pedestrian safety and raise the potential of pedestrian-vehicle conflict. However, in addition to the number of properties currently accessed via Gas House Drove, the impact cannot be considered as severe enough to recommend refusal, and we therefore aim to improve safety as much as is possible.

Reiterate previous comments made in relation to Construction and HGV traffic, and that any agreed development should be constructed in accordance with the Suffolk Design Guide and Parking Standards.

Comments 04.01.2018:

Note that passing places are not possible. Conditions recommended regarding surfacing of access, width of access, bin storage and presentation areas, details of estate roads and footpaths, construction and deliveries management plan, parking and manoeuvring including cycle storage, improvements to Webb's Row footpath and provision of visibility splays.

Comments 24.08.2018:

Note that passing places are not possible. The indicative parking for plots 1 and 2 is accessed from Gas House Drove. 6.0m clear space must be allowed behind all parking spaces for manoeuvring. Recommendation of conditions to this outline application does not infer the indicative layout is acceptable. Conditions recommended in relation to the access, areas for storage and presentation of refuse/recycling, construction of estate roads and footpaths, submission of a Construction and Deliveries Management Plan, parking areas, right of way improvements and visibility splays.

8. Public Rights of Way Team

Comments 07.09.2016:

Brandon Byway 3 is recorded along Gas House Drove, providing access to the proposed development area. Brandon Public Footpath 8 is adjacent.

The Team has concerns over the vehicular impact on the byway surface by construction and increased vehicle use as a result of the development. The byway, which is maintained by the County Council at public expense, is not surfaced to the same specification as that required by highways of a higher status.

It would be beneficial to the residents of this development if a pedestrian access was available onto Public Footpath 8 (Webb's Row) which leads to Thetford Road and the School.

Comments 20.04.2017:

Should the application be approved it is requested that a Deliveries Management Plan is secured by condition.

Comments 22.08.2018:

Byway 3 Brandon is recorded along Gas House Drove, and Footpath 8 Brandon is adjacent. Previous comments should be taken into account. The driveways off of Gas House Drove are unacceptable in their current form, as there is insufficient turning space. The new public right of way to Webb's Row will be for pedestrians only.

No objection – number of informative notes apply.

9. Ministry of Defence (Noise)

Comments 25.05.2017:

The application site is inside the 63dB(A) contour as set out in "A Report on A Military Aviation Noise Contour of F15MK/C and F15MK/E Aircraft Activity at RAF Lakenheath". No objection subject to adequate noise mitigation measures being incorporated.

10. Environment Agency

Comments 02.09.2016:

Satisfied that based on the remediation work that was carried out between 2005 and 2015, as documented in the verification report by Sirius (2015), the proposed development does not pose an unacceptable risk to controlled waters.

Comments 31.07.2018:

No objection subject to comments previously made and a condition in relation to a remediation strategy. The technical comments should be resolved in future submissions.

11. Natural England

Comments 23.08.2016:

Statutory nature conservation sites – no objection. Natural England has not assessed this application and associated documents for impacts on protected species. This application may provide opportunities for biodiversity and landscape enhancements.

Comments 24.01.2017:

Comments as per 23.08.2016.

Comments 13.07.2017:

The proposed amendments are unlikely to have significantly different impacts on the natural environment than the original proposal.

Comments 18.07.2018:

Advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

12.Suffolk Wildlife Trust

Comments 14.02.2017:

Request that the recommended reptile survey is undertaken prior to determination of the application. Also, should any further tree removal be required, a bat survey should be undertaken prior to works.

It is regrettable that the area of mixed plantation woodland was felled prior to the ecological survey as the true character of the site could not be assessed. It is noted that due to the small area of the site, and the housing density, there is a lack of opportunity for landscaping planting, which if done appropriately, could have offered biodiversity enhancement. The consultant has offered enhancement recommendations, but it is questionable whether these are achievable given the size and layout of the site.

13.Suffolk County Council Flood and Water Team

Comments 08.02.2017:

SCC Floods recommend a holding objection as no drainage strategy has been submitted at this time.

Comments 06.07.2018:

No objection in principle to drainage strategy as infiltration rates are satisfactory. However there are concerns that regarding contamination and whether the site requires further remediation.

The site is within close proximity to Source Protection Zone 1 and the use of soakaways, as proposed by the drainage strategy, has the ability to mobilise contaminants towards groundwater if they still exist on site.

SCC Floods will not approve a drainage strategy until such time that the site has been certified free of contamination by an appropriate risk management body or a remediation strategy is required at the next stage of planning.

Comments 24.07.2018:

Content on the basis that conditions on remediation would need to be discharged in advance of any surface water drainage conditions being discharged. Conditions recommended regarding surface water drainage scheme.

14.Suffolk County Council Development Contributions

Comments 24.08.2018:

Request the following contributions: Education £56,617 and Libraries £128.

Comments 06.09.2018:

Request the following contributions: Education £36,710 and Libraries £128.

15.Suffolk Fire and Rescue Service

Comments 30.09.2016:

Adequate provision for fire hydrants should be made.

16.Environment Team

Comments 19.08.2016:

Application is supported by a Phase 1 Contamination Assessment undertaken by AF Howland Associates, reference MSH/16.144/Phase1, dated 5th May 2016. The report gives a brief summary of the history and environmental setting of the site, but fails to provide some of the detail that would normally be expected for such a site and makes some basic errors (such as indicating the incorrect location on the site location plan). However, the report recognises that the previous investigations and remedial works, which have been extensive in nature, will need to be reviewed to enable an appropriate and targeted intrusive investigation. We are therefore satisfied that the risks to human health associated with land contamination at the site can be appropriately managed by attaching the standard land contamination condition to any planning permission. However, due to the further research required prior to the undertaking of the intrusive investigation, we would draw particular attention to part i) of the first condition in this instance, which requires the site investigation scheme to be provided to the Local Planning Authority prior to the site investigation taking place.

Comments 23.01.2017:

Previous comments in relation to contaminated land remain valid.

The approach to air quality has changed since comments were last made. The EPUK document *Land-Use Planning & Development Control: Planning For Air Quality* (May 2015(v1.1)) suggests major developments (in terms of planning – i.e. 10 dwellings or greater) are subject to measures to help reduce the impact on Local Air Quality. All major developments should be targeted as there are very few developments which will show a direct impact on local air quality, but all developments will have a cumulative effect. It is therefore recommended that a condition is attached to ensure that local air quality is enhanced through the increased uptake of zero emission Electric Vehicles.

17. Public Health and Housing

Comments 21.11.2016:

Do not object, however in accordance with the noise mapping provided by the MOD, the proposed development is likely to be affected by aircraft noise. Condition recommended regarding acoustic insulation.

Comments 30.01.2017:

Refer to previous comments.

18. Landscape and Ecology Officer

Comments 10.11.2016:

Unclear from ecological report whether the whole extent of the site has been surveyed. Woodland trees to the south of the site have been removed.

The ecological report recommends that retille surveys are undertaken. This does not appear to have been completed.

The proposals are likely to impact on birds, through habitat loss and potentially reptiles and bats depending on whether any further tree clearance is required. Mitigation measures are included although these are incomplete pending the results of the reptile survey.

The site layout submitted does not allow for the existing trees that have been removed to be replaced. It is unlikely that the pepper potting of trees around the periphery of the site within domestic gardens will not realistically

be retained. A plan showing how the public amenity of Gas House Drove and Webb's Row will be protected is required. This should include the proposed improvements to pedestrian access on Webb's Row.

Comments 14.03.2017:

The introduction of an access onto Webb's Row is welcomed. The ecological report has been amended and the new plan shows the trees that have been felled to allow development. The ecological consultant has confirmed that the whole site was surveyed. However the recommendations remain the same and the applicant should be required to undertake and submit a reptile survey prior to determination.

It remains the case that the proposals have the potential to impact on birds, hedgehogs and reptiles. The layout of the site demonstrates that there is not sufficient room to mitigate any impacts particularly in relation to reptiles and for replacement trees. A plan showing how the public amenity of Gas House Drove and Webb's Row will be protected is required.

Comments 01.03.2018:

The applicant has submitted a reptile survey for the site. The findings of this survey inform the updated Ecological Survey, which includes a preliminary mitigation method statement and enhancement. Details of the enhancements should be submitted for approval.

The indicative layout for the site has not been revised and remains unacceptable. Any reserved matters application should include sufficient room to allow for the replacement planting of trees (previously removed from the site) and consideration should be given to fronting at least some properties onto Webb's Row to improve the amenity of this route. The public amenity of Gas House Drove should also be a primary consideration at the reserved matters stage.

Comments 18.10.2018:

Habitats Regulations Assessment

Site is outside of Breckland SPA and SAC. The site is within the 1500km buffer protecting those parts of the SPA suitable for stone curlew however it is separated from the relevant parts of the SPA by the built development of Brandon. The site is outside of the 400km buffer protecting those parts of the SPA suitable for woodlark and nightjar. Given the small size of this development and the location as described, likely significant effects arising from this development alone can be screened out.

Site is located approximately 1km from the Breckland Forest SSSI which is a component part of Breckland SPA. There is potential for the new residents to walk from their properties into the forest. However the site is small and located within the town of Brandon where there are facilities for informal and formal recreation. The most direct route to the forest is on a well-used Public Right of Way, which forms the long distance St Edmund Way and Hereward Way. This route leads to Santon Downham where it links to the footpath on the northern side of the Little Ouse River. There are other footpath connections from the development site which would be equally attractive recreational routes. Taking the above factors into account likely significant effects from the development alone can be screened out.

Site is within the 7.5km of the SPA which is considered to be the distance from which additional residential development has the potential to contribute to in-combination recreational effects.

The proposed residential dwellings would have access to garden space. In addition the proposals to improve Webb's Row and include additional links

to the west will encourage the residents to walk to the existing town to use the green space and facilities avoiding and reducing the need for these new residents to get into their car and drive to other locations within the forest. On the basis of the above information, and so long as the improvements and access onto Webb's Row is secured, the Local Planning Authority in its role as Competent Authority is able to conclude that the proposals, in combination with other plans and projects, would not have an adverse effect on the integrity of Breckland SPA.

It is recommended that as well as the conditions required by the highway authority to secure the improvements to Webb's Row and the footpath link on Gas House Drove, the link to Webb's Row from the southern part of the site is also secured through condition with details to be submitted at the Reserved Matters stage.

Other Biodiversity Matters

The applicant has submitted a reptile survey for the site. The findings of this survey inform the updated Ecological Survey, Gas House Drove, Brandon June 2017, which includes a preliminary mitigation method statement and enhancement. Should the application be given permission section 6.3 and 6.4 should be conditioned. Details of the enhancements should be submitted for approval.

Landscape

The indicative layout for the site has been revised and as discussed above the link from the site to Webb's Row is welcomed however the layout remains unacceptable because the requirement for replacement tree planting. The public amenity of Webb's Row should also be a primary consideration at the reserved matters stage. It is recommended that the requirement for replacement tree planting and boundary treatment, for example a hedge, along Webb's Row are conditioned.

19.Planning Policy Team

Comments 20.07.2017:

- The Council has demonstrated an up to date five year supply of housing land;
- This site lies within the settlement boundary;
- The Submission Site Allocations Local Plan, taking into account all available evidence at this time, allocates this site for residential development under policy SA2(b);
- Although this is an outline application with all matters reserved, the reserved matters will need to consider an appropriate relationship of the scheme with the surrounding area and address criteria in Policies DM2 and DM22;
- Appropriate landscaping should be incorporated;
- Despite being outline, the proposal is for 10 dwellings and should have regard to affordable housing as required by Policy CS9. This does not appear to have been demonstrated. Furthermore, the dwellings are described as being 3-5 bedroom, and therefore do not represent an affordable mix of unit sizes;
- In accordance with the noise mapping provided by the MOD, the proposed development is likely to be affected by aircraft noise, and it is recommended that condition/s suggested by Public Health and Housing are utilised to safeguard future residential amenities;
- A study undertaken by Footprint Ecology on behalf of Forest Heath DC and St Edmundsbury BC identified that over half of visitors to Breckland SPA locations within the districts lived within 7.5km of the SPA. It is

therefore considered that new residential development within 7.5km of the SPA will result in increased numbers of visitors accessing the SPA; this could in turn result in significant impacts on the features for which the SPA is designated. Prior to granting planning consent for residential development at this site the proposed development should be assessed to see if acceptable under the requirements of the Conservation of Habitats and Species Regulations (2010) (as amended) to determine whether it is likely to result in a likely significant effect on the SPA, either alone or in-combination with other plans or projects;

- HRA screening should be undertaken by the Ecology Officer.

Comments 23.02.2018:

- The latest FHDC assessment of a five year supply of housing land was published on 24th July 2017. This shows the Council has a five year supply of housing. The application site is included in the Council's five year housing land supply.
- The site is identified within the Submission Site Allocations Local Plan as SA2(b). It is at an advanced stage, currently being under examination with Hearings having been held in October 2017. It should be given more substantial weight than when the original planning policy response was sent. No main modifications or additional modifications to the Submission version SALP in relation to site SA2(b) are proposed at the present time.
- Query whether affordable housing trigger is met in this case.

Comments 13.12.2018:

- The site is in the Council's five-year supply (July 2017) and policy comments are unchanged from those sent on 23.02.2018.
- The Site Allocations Plan has been through Examination, with a modifications consultation taking place between April and June 2018, and a further post-modifications hearing session in June 2018. The Inspector is now preparing her report into the Examination.
- No main or additional modifications were proposed to the SA2(b) allocation, and given the advanced stage in the preparation of the Site Allocations Local Plan the allocation can be given significant weight.

20.Strategic Housing

Comments 10.08.2018:

The application is to deliver 10 dwellings and in accordance with Policy CS9 this will trigger the provision of 3 affordable dwellings. The Council's affordable housing tenure split is 70% Affordable Rent and 30% Shared Ownership. The mix required is:

- Affordable rent – 2 x 2 bed (4 person) house
- Shared ownership – 1 x 2 bed (4 person) house

Representations:

21.33 no. letters of representation received, all objecting to the proposal and raising the following points:

Access

- Gas House Drove is narrow – insufficient room for two vehicles to pass.
- Will endanger users of footpath.
- Increase in vehicles using Gas House Drove.

- Disabled residents rely on walkway for safe access to town.
- Contamination clearance will involve HGVs removing soil and will cause damage to surface.
- The Drove does not meet the Council's standards.
- Existing surface was created after years of campaigning by local residents and is only suitable for existing light traffic.
- Road regularly floods.
- Lack of street lighting.
- Land used for keeping of horses attracts traffic including hay deliveries, vets and horse lorries.
- Makes access difficult for emergency vehicles.
- Footpath finishes before the application site.
- Mobility scooters have limited options for keeping themselves safe.
- Additional sewerage collection tankers will cause inconvenience and further health and safety concerns for road and path users.
- Refuse truck will have to cross a pedestrian area to enter the site or block Gas House Drove.
- Increased traffic will make leaving the Webb's Row entrance far more dangerous.
- Advance of online shopping - already too many delivery trucks having a problem with reversing or passing other vehicles.
- Mitigation proposals do not deal with the problem of safety.
- Increasing the number of dwellings from 8 to 10 will increase traffic and safety concerns even further.
- Full detailed planning would give a better indication of the volume of traffic.
- Any planning granted should include a condition that construction traffic is not to use the private road at Wishing Well Close as a turning point.
- Object to new right of way proposed from the site onto Webb's Row. Three properties have existing vehicle access onto Webb's Row, two are opposite the exit from the site.
- Roadworks have recently partially blocked the Drove. Situation would be made worse with additional traffic.
- Part of the byway is not even wide enough to be considered single carriageway.
- Since original objection there have been several incidents involving emergency vehicles blocking and closing off the Drove.
- Additional traffic would put lives of residents at a disadvantage and potentially at risk.
- Large vehicles are unable to turn and have to reverse the length of the Drove.
- Entrance into Webb's Row is a blind turning.
- Proposal would have a dramatic effect on the quality of life for residents already enduring difficult journeys down Gashouse Drove.

Residential amenity

- Two storey dwellings will overlook properties and gardens and will compromise privacy.
- Developing the site off-set as opposed to square will reduce overshadowing.
- Do not agree that the rear of houses back onto the rear of bungalows.
- Modern buildings will be taller than adjacent flint cottages.
- Even if the dwellings were bungalows they would still overlook Webb's Row due to the land elevation.

- Object to location of bin store, which will be noisy and smelly and attract flies and vermin.
- Fail to see how the size of the plot could sustain 10 properties that would give residents some space and quality of life.
- Amended plans still show houses that would overlook. Trees and hedges would take too long to grow.

Landscaping, ecology and trees

- Number of mature trees should not have been removed.
- Wildlife disturbance as the site has been left for so long.

Contamination

- Why is planning being considered for contaminated land. There is a vent pipe in the land and house surveys confirm contamination.
- Works to excavate and construct 8 houses could disturb soil and potential contamination at a deeper level in areas around the edges which have not previously been treated.
- Any spread of contamination is unacceptable and the Council should be held accountable for any problems arising.
- Ground under the trees that has been removed will not have been treated.
- Can the Council confirm that adjacent land is not contaminated and that no seepage has occurred from the former gas tanks.
- Everyone living close should be assured by the environmental office that the land is clear of any risk.
- There has been some activity on the land but cannot believe this would constitute a complete survey as no drilling or soil samples were taken.
- Land must be declared contamination free before work is carried out. Houses need to be built but people must come first.

Other matters

- Devaluation of neighbouring property.
- Only one or two residents were notified but the proposal concerns most of Gas House Drove.
- Lack of infrastructure in Brandon.
- Site does not appear to be big enough for houses and parking required.
- Development is not in keeping with surrounding area.
- Amended proposals do not appear to have taken in any of the local people's concerns.
- Drawings do not detail heights of dwellings.

Policy:

22. The following policies of the Joint Development Management Policies Document and the Forest Heath Core Strategy 2010 have been taken into account in the consideration of this application:

- Core Strategy Policy CS1 - Spatial Strategy
- Core Strategy Policy CS2 - Natural Environment
- Core Strategy Policy CS3 - Landscape character and the historic environment

- Core Strategy Policy CS4 - Reduce emissions, mitigate and adapt to future climate change
- Core Strategy Policy CS5 - Design quality and local distinctiveness
- Core Strategy Policy CS9 - Affordable Housing Provision
- Core Strategy Policy CS13 - Infrastructure and developer contributions
- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM6 Flooding and Sustainable Drainage
- Policy DM7 Sustainable Design and Construction
- Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance
- Policy DM11 Protected Species
- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM13 Landscape Features
- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM20 Archaeology
- Policy DM22 Residential Design
- Policy DM44 Rights of Way
- Policy DM46 Parking Standards

Emerging Local Plan Policy

23. The Proposed Submission Single Issue Review (SIR) and Site Allocations Local Plan (SALP) have through Examination, with a modifications consultation taking place between April and June 2018, and a further post-modifications hearing session in June 2018. The Inspector is now preparing her report into the Examination. The SALP sets out the council's development sites across the district up to 2031. The SALP includes a Policies Map which defines the proposed settlement boundaries, sites and other policy constraints. No main or additional modifications were proposed to the SA2(b) allocation at Gas House Drove and the Planning Policy Team advise that given the advanced stage in the preparation of the Site Allocations Local Plan the allocation can be given significant weight.

Other relevant Planning Policy and Guidance

24. The National Planning Policy Framework was revised in July 2018 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework, the greater weight that may be given. The key development plan policies in this case are policies DM1, DM2, policies relating to the protection and enhancement of biodiversity, DM14, DM22 and DM44. It is necessary to understand how the NPPF deals with the issues otherwise raised in these policies, and to understand how aligned the DM Policies and the NPPF are. Where there is general alignment then full weight can be given to the relevant DM Policy. Where there is less or even no alignment then this would diminish the weight that might otherwise be able to be attached to the relevant DM Policy.
25. In accordance with a core principle of the NPPF, policy DM1 sets out the presumption in favour of sustainable development and explicitly states that a positive approach will be taken to development proposals. Chapter 12 of the revised NPPF promotes a key objective of the planning system to achieve well-designed places. Paragraph 124 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Policies DM2 and CS3 fully accord with the aims and objectives of the NPPF in relation to good design and ensure that local distinctiveness is addressed and that the requirements of paragraph 127 of the revised NPPF are met.
26. Policies DM11 and DM12 seek to protect and enhance ecology and biodiversity and policy DM12 seeks to ensure that development will not have an adverse impact on the character of the landscape. These policies accord with Chapter 15 of the NPPF in relation to the conservation and enhancement of the natural environment and reflect the direction given by paragraph 170 to decision makers.
27. Policy DM14 requires development proposals on land which is known to be affected by contamination to be accompanied by an appropriate assessment of risk levels, site investigations and other relevant studies. This fully accords with paragraph 178 of the NPPF with both policies addressing the need for remediation.
28. Chapter 9 of the revised NPPF promotes the principle of sustainable transport. Policy DM46 seeks to reduce over-reliance on the car and to promote more sustainable forms of transport. These policies, together with Policy CS7, fully accord with the aims and objectives of paragraphs 108, 110 and 111 of the revised NPPF.

Officer Comment

29. The issues to be considered in the determination of the application are:
- Principle of development
 - Access and highway safety
 - Residential amenity
 - Visual amenity

- Ecology and biodiversity
- Contaminated land and drainage
- Planning obligations
- Other issues

Legislative Context for Outline Applications

30. This application is for outline planning permission. The National Planning Practice Guidance (NPPG) confirms that an application for outline planning permission allows for a decision on the general principles of how a site can be developed. Outline planning permission is granted subject to conditions requiring the subsequent approval of one or more 'reserved matters'.
31. Reserved matters are those aspects of a proposed development which an applicant can choose not to submit details of with an outline planning application, i.e. they can be 'reserved' for later determination. These are defined in Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 as:
- Access
 - Appearance
 - Landscaping
 - Layout
 - Scale
32. An application for outline permission does not need to give details of any reserved matters, albeit information is often provided at the outline stage in 'indicative' fashion to demonstrate that the site is capable of accommodating the level of development proposed. In this case, an indicative site layout has been provided. All matters other than access however, are reserved.

Principle of Development

33. The site is located within the defined housing settlement boundary for Brandon and is a former gas works, now registered on West Suffolk's Brownfield Land Register with an indicative number of 10 dwellings. Paragraph 68 of the NPPF encourages Local Planning Authorities to identify, through the development plan and brownfield registers, land to accommodate a significant proportion of their housing requirement. In addition, paragraph 118 states that planning policies and decision should *'give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land'*.
34. Brandon is one of the three market towns classified as such by Policy CS1 (Spatial Strategy), which also sets out a broad vision for the area including the redevelopment of brownfield sites for residential housing. The site is allocated for residential development in the Site Allocations Local Plan, which is now at an advanced stage of preparation. Given that the site is located within the settlement boundary, has been identified through the brownfield register as having potential for redevelopment and is allocated in the SALP, it is considered that there is significant weight in favour of the

redevelopment of the site, subject to all other material considerations being satisfied.

Access and Highway Safety

35. The site is located within close proximity to the town centre with good access to the services and facilities on offer in the town. Vehicular access to the site is via Gas House Drove, a Byway Open to All Traffic (BOAT). The Drove is narrow in places and many local residents have reported the fact that two vehicles are unable to pass without mounting the adjacent footpath. This footpath does not currently extend past Webb's Row, a public right of way running alongside the western boundary of the site. The Highway Authority and Public Rights of Way Team have been extensively involved in the consideration of the application and have raised concerns that the surface of the Drove could be damaged by construction vehicles and by the additional traffic generated by the development. In addition, the proposal, in its original format was considered to be detrimental to the safety of pedestrians using the Drove.
36. In response to these concerns the applicant submitted details of a number of mitigation measures that could be incorporated into the scheme. The applicant has suggested that the use of Gas House Drove by construction traffic can be addressed through the use of a Construction Management Plan. This would include surveys being undertaken before and after construction with the developer responsible for any damage caused by construction vehicles. The applicant also suggests that a financial contribution could be made to the Highway Authority for ongoing repairs and maintenance to the Drove, justified by the increase in vehicular traffic generated by the development.
37. To improve pedestrian safety the applicant suggests that the existing footpath along Gas House Drove could be extended across the frontage of the site. In addition, a pedestrian link from the south-west corner of the site into Webb's Row is proposed. An amended indicative site layout has been submitted depicting both of these measures.
38. The mitigation measures make reference to the desirability of providing passing places on Gas House Drove or securing other safety improvements. The Highway Authority has repeatedly asked the applicant to pursue this point, however, given the limited width of Gas House Drove (approximately 4.45m including the pedestrian corridor/footpath) there is little opportunity to do so. The applicant is not in control of sufficient land to provide passing places and as the Drove is already traffic calmed the improvements are limited to enhancing alternative pedestrian routes.
39. Policy DM2 requires development proposals to provide access for all that encourage the use of sustainable forms of transport through the provision of pedestrian and cycle links. In addition developments should be designed to maintain or enhance the safety of the highway network.
40. It is not known what level of traffic was generated by the gas works previously on the site and it is acknowledged that since the gas works ceased to be in existence that local residents have become used to the level of vehicular traffic using the Drove. Representations received from residents describe the difficulties encountered by residents and visitors to

the area when two vehicles need to pass. Reference is also made to the increase in the number of delivery vehicles using the Drove and the fact that horse boxes and similar vehicles need to access the paddock land to the north of the Drove.

41. The Highway Authority has submitted a number of consultation responses, the most recent being dated 24 August 2018. In this response the Highway Authority repeats that its preference is for passing places to be constructed along Gas House Drove. Previous comments from the Highway Authority acknowledge however that this is not possible. The agent has confirmed that the owner of the relevant land has been approached and is not willing to sell the land or permit passing place to be constructed. Whilst the Highway Authority has previously raised concerns regarding the proposal, they do not object to the application. Of note are the following comments for the Highway Authority from June 2017:

"We feel that the proposed development of 10 houses will alter the pedestrian-vehicle balance to being predominantly vehicular, which will have an impact on pedestrian safety and raise the potential of pedestrian-vehicle conflict. However, in addition to the number of properties currently accessed via Gas House Drove, the impact cannot be considered as severe enough to recommend refusal, and we therefore aim to improve safety as much as is possible."

42. The most recent response from the Highway Authority goes on to recommend a number of planning conditions should the application be approved. It is therefore considered that the Highway Authority does not fundamentally object to the scheme such that the application should be refused on highway safety grounds. The extension of the footpath on Gas House Drove and the connection into Webb's Row will enhance pedestrian safety and meet the requirements of Policy DM2 and accord with the objectives of paragraph 110 of the NPPF. These factors therefore attract weight in favour of the proposal. The increase in vehicular traffic created by ten additional dwellings will add to the difficulties reported by local residents and this is a factor to be considered in the planning balance. It should be noted that paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Amenity

43. Policy DM2 requires proposals to ensure that residential amenity is not adversely effected. This can be translated to apply to existing occupiers and to future occupiers, ensuring that they will enjoy a satisfactory level of amenity. The area immediately surrounding the site is characterised by a variety of style and height of dwellings with the adjoining development to the east being predominantly single storey.
44. The application seeks outline planning permission for the construction of ten dwellings with matters relating to scale, layout and design to be reserved matters. The indicative layout submitted suggest that the dwellings would be aligned around a central access road and does not state whether the dwellings would be single or two storey. The layout has been amended during the course of the application in order to increase the length of the

proposed rear gardens, thereby increasing the separation distance with the dwellings to either side of the site.

45. The applicant has suggested that the proposal could comprise ten two storey dwellings but given the proximity of the neighbouring properties this is unlikely to be acceptable. However, it is considered that an acceptable scheme could be designed for the site, taking into account its surroundings. The applicant would therefore need to address this at reserved matters stage.
46. It is inevitable that there will be some noise and disturbance during the construction stage, however, this is likely to be short term and can in part be addressed through the use of a construction management plan.
47. In its consultation response the Ministry of Defence (MOD) stated that the application site is within the 63dB(A) noise contour as set out in "A Report on Military Aviation Noise Contour of F15MK/C and F15MK/E Aircraft Activity at RAF Lakenheath". The MOD specifically states that does not object to the proposed development subject to the incorporation of adequate mitigation measures.
48. Since the consultation response was received the Local Planning Authority has reached agreement with the MOD as to the nature of the mitigation required for residential development and having taken national policy and advice into account, as well as local policy, a number of planning conditions have been agreed to address noise. It is acknowledged by all parties that it is only possible to address internal noise levels through mitigation and that external areas will remain affected. Given that aircraft noise is characterised by short periods of relatively high noise levels, with lower residual noise levels at other times it is considered that the amenity of future occupiers would not be so adversely effected so as to make the dwellings uninhabitable. The requirement to incorporate mitigation measures to address internal noise can be addressed by planning condition.
49. On balance it is considered that the proposal adequately addresses residential amenity, subject to appropriate conditions and the issue being considered further at reserved matters stage. The proposal therefore complies with the residential amenity aspects of policies DM2, DM14 and DM22.

Visual Amenity

50. As stated above, the area immediately surrounding the site is characterised by a variety of styles and height of dwellings. There is no predominant architectural style along Gas House Drove, the individual dwellings of varying sizes of plot featuring in the street scene. The built environment is concentrated on the south side of Gas House Drove, with open paddock and farming land to the north. The proposal would ensure that this pattern of development was not interrupted and would infill a currently vacant area. Since the site has been vacated it has become a feature of the area and this 'gap' would be lost by the development.
51. However, space will need to be retained for the access into the site, thereby restricting the amount of frontage development. Subject to a sensitive design that respects the semi-rural nature of the area it is considered that

the site has capacity to accommodate the proposed development without adversely affecting the street scene. On this basis it is considered that the proposal accords with policies DM2 and DM22 in relation to good design.

52. It is noted that a number of trees were removed from the site by the applicant prior to the application being submitted. This has reduced the landscape value of the site and it is therefore expected that the future development of the site makes sufficient provision for replacement planting and associated landscaping in order to compensate for the loss of the trees. The Landscape and Ecology Officer has expressed concern that there will be insufficient space within the site for this to be done if ten dwellings are constructed. As this is an outline application with all matters reserved it is not possible to comment further, however, the applicant's attention is drawn to this point and the reserved matters application(s) will need to address this in detail. Subject to an appropriate condition requiring replacement planting it is considered that the proposal will not have an unacceptable adverse impact on the character of the landscape and so complies with policy DM13 in this regard.

Ecology and Biodiversity

53. An Ecological Report has been submitted with the application and has been reviewed by the Landscape and Ecology Officer. Clarification has been sought on the extent of the site surveyed and it has been confirmed that the whole site was surveyed and considered. A reptile survey was also subsequently submitted, which demonstrated that the site has a low population of reptiles with only one common lizard being observed during the survey period.

54. The Ecological Report concludes that as the site has been disused for many years it has become well established for wildlife. The development has the potential to impact on birds, through habitat loss and potentially reptiles and bats. The Report proposes that a method statement be put in place in respect of site clearance to protect breeding birds and reptiles and this can be secured by condition. To mitigate for the disturbance to wildlife the Report also proposes a number of enhancements that can be incorporated at the detailed design stage. These include the installation of bird nesting boxes and cavities, creating native hedgerows through and on the perimeter of the site, the provision of roosting sites for bats and the use of native plants, trees and shrubs. These measures can be fully assessed at a later stage and secured by way of condition.

55. Subject to the mitigation and enhancement measures referred to above it is considered that the proposal adequately addresses the requirements of policy DM12.

56. A Habitats Regulations Assessment has been carried out by the Council's Ecology and Landscape Officer. The site lies outside of the Breckland SPA and SAC. The site is within the 1500km buffer protecting those parts of the SPA suitable for stone curlew however it is separated from the relevant parts of the SPA by the built development of Brandon. The site is outside of the 400km buffer protecting those parts of the SPA suitable for woodlark and nightjar. Given the small size of this development and the location as described, likely significant effects arising from this development alone can be screened out.

57. The site is located approximately 1km from the Breckland Forest SSSI which is a component part of Breckland SPA. There is potential for the new residents to walk from their properties into the forest. However the site is small and located within the town of Brandon where there are facilities for informal and formal recreation. The most direct route to the forest is on a well-used Public Right of Way, which forms the long distance St Edmund Way and Hereward Way. This route leads to Santon Downham where it links to the footpath on the northern side of the Little Ouse River. There are other footpath connections from the development site which would be equally attractive recreational routes. Taking the above factors into account, likely significant effects from the development alone can be screened out.
58. The site is within the 7.5km of the SPA which is considered to be the distance from which additional residential development has the potential to contribute to in-combination recreational effects. The proposed residential dwellings would have access to garden space. In addition the proposals to improve Webb's Row and include additional links to the west will encourage the residents to walk to the existing town to use the green space and facilities avoiding and reducing the need for these new residents to get into their car and drive to other locations within the forest. On the basis of the above, and provided that the improvements and access onto Webb's Row are secured, the Local Planning Authority in its role as Competent Authority is able to conclude that the proposals, in combination with other plans and projects, would not have an adverse effect on the integrity of the Breckland SPA.

Contaminated Land and Drainage

59. As documented throughout this report, the site is a former gas works. A Phase 1 Contamination Assessment has been submitted with the application and details the extensive history of the site as a gas works up to more recent times when the site became vacant. The site has been subject to a number of site investigations and subsequent remedial work dating from 1984 to 2015. Works carried out in 2015 were designed to render the site suitable for the storage of equipment or materials and left in a condition that would not pose a significant risk to controlled waters.
60. The proposed use of the site for residential development is considered a much more sensitive end-use and further investigative and remedial work is therefore recommended in the report.
61. The Council's Environment Team agrees with this approach and is satisfied that the risks to human health associated with land contamination at the site can be appropriately managed by attaching planning conditions requiring the necessary investigative and remedial works. To address resident's concerns it has also confirmed that the remedial works carried out to date have been designed to prevent any 'seepage' onto adjoining land and that any future ground disturbance to further remediate the site can be carried out in such a way as to prevent migration of pollutants.
62. The Environment Agency has stated that based on the remediation work that was carried out between 2005 and 2015, it is satisfied that the proposed development does not pose an unacceptable risk to controlled waters. It considers that planning permission could be granted for the proposed

development subject to a planning conditions requiring contamination not previously identified to be remediated and further details of the surface water drainage strategy to be submitted.

63. Further information in respect of the surface water drainage strategy has been submitted during the course of the application and this information has been considered by the Environment Agency and the SCC Floods and Water Team.
64. As the applicant is proposing the use of soakaways and infiltration SuDS the Environment Agency has requested that a detailed remediation strategy for the site is submitted and approved prior to work commencing on site in order to further protect and prevent the pollution of controlled waters from potential pollutants on the site.
65. The SCC Floods and Water Team takes a similar precautionary approach, accepting that the use of soakaways and infiltration SuDS could be achieved subject to a satisfactory remediation strategy being implemented. Further details as to the precise nature of the SuDS system will be required as the SCC Floods and Water Team recommends that this is secured by condition, with details submitted with the first reserved matters application for the site.
66. The Council's Environment Team also makes reference to the fact that developments of this size should be subject to matters to help reduce the impact on local air quality. The Team has therefore recommended a condition that all dwellings with dedicated off street parking should be provided with an operational electric vehicle charge point.
67. The principle of the development of this potentially contaminated site has been considered in some detail by a number of competent authorities. It is considered that the site can be remediated to accommodate the sensitive nature of residential development and on this basis the brownfield nature of the site is not a barrier to development. The Environment Agency, Floods and Water Team and the Council's Environment Team all agree with this approach and have recommended a number of planning conditions to address the issue. On this basis it is considered that the proposal meets the requirements of policy DM14, in respect of the protection and enhancement of natural resources, the minimisation of pollution and safeguarding from hazards, and paragraph 170 of the NPPF.

Planning Obligations

68. Planning obligations secured must be in accordance with the Community Infrastructure Levy Regulations 2010, which came into force on 06 April 2010. In particular, Regulation 122 states that a planning obligation may only constitute a reason for approval if it is:
- (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development.
69. These are the three principal tests set out in Paragraph 56 of the Framework and are of relevance in guiding the negotiation of planning obligations sought prior to the coming into force of the CIL Regulations. In assessing potential S106 contributions, officers have also been mindful of Core

Strategy Policy CS13 and the Suffolk County Council guidance in respect of Section 106 matters, 'A Developers Guide to Infrastructure Contributions in Suffolk'.

70. The application proposes 10 dwellings, which in accordance with the NPPF 2018 triggers the requirement for affordable housing. Policy CS9 of the Core Strategy sets this affordable housing target at 30%, which comprises 3 dwellings in this case. The Strategic Housing Team advises that the tenure split is 70% Affordable Rent and 30% Shared Ownership. The mix required in this case therefore is:
Affordable rent – 2 x 2 bed (4 person) house
Shared ownership – 1 x 2 bed (4 person) house
71. Suffolk County Council has advised that the local catchment secondary school has no surplus places and a financial contribution towards education provision of £36,710 is therefore being sought. A libraries contribution of £128 is also sought. These requests are considered to be reasonable and necessary in order to make the development acceptable in planning terms.
72. The applicant has agreed to provide the above and a Section 106 Agreement has been drafted to secure these matters.

Planning Balance and Conclusions

73. The application has been submitted in outline form with matters of detail with the exception of the means of access reserved for future consideration. The application therefore seeks only to establish the principle of residential development of 10 no. dwellings on the site, accessed from Gas House Drove. Whilst layout and scale are not included for consideration at this stage, officers are satisfied that the site could accommodate ten dwellings in an appropriate manner.
74. The existing constraints associated with Gas House Drove as a route for vehicles are acknowledged and the proposals have been the subject of extensive discussions with the Highway Authority and the agent for the application. The provision of passing places along the Drove has been explored but unfortunately cannot be secured due to land ownership constraints. The scheme however provides a number of measures to mitigate the development's impact as far as possible. These comprise extending the existing footpath along the site frontage; the provision of a footpath link from the site to Webb's Row; improvements to Webb's Row including the provision of a metalled surface along its entire length; and a Construction Management Plan including surveys of Gas House Drove pre and post-construction with the developer responsible for any damage caused by construction vehicles. The footpath works and connection to Webb's Row will enhance pedestrian safety, therefore meeting the requirements of Policy DM2 and the objectives of paragraph 110 of the NPPF.
75. Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The Highway Authority advise that whilst the addition of 10 no. dwellings on the site would raise the potential for pedestrian-vehicle conflict as a result of additional vehicle movements,

given the number of properties currently accessed via the Drove this impact is not considered to be severe and would not therefore warrant a refusal of permission on such grounds. The scheme would provide much needed additional housing on a currently vacant brownfield site within the housing settlement boundary of Brandon, which is also allocated for residential redevelopment within the emerging Local Plan.

76. In conclusion it is considered that the impact of the development on users of Gas House Drove has been mitigated as far as possible, and that this factor should not otherwise prevent the development of this site given the clear benefits of the scheme in providing additional housing in a sustainable location. As a matter of balance and subject to appropriate conditions and the completion of a S106 agreement, it is recommended that outline planning permission should be granted.

Recommendation:

77. It is recommended that outline planning permission be **APPROVED** subject to the applicant first entering into a Section 106 Agreement in respect of affordable housing provision, education and library contributions.

Any such approval to thereafter be granted by Officers to also be subject to conditions covering the following matters:

- 1) Standard time limit condition for outline planning permission (submission of reserved matters and commencement of development).
- 2) Standard outline condition requiring approval of reserved matters.
- 3) Development to be carried out in accordance with approved plans and documents.
- 4) Land contamination condition requiring a site investigation scheme, results of the site investigation, detailed risk assessment, options appraisal and remediation strategy, and long term monitoring and maintenance plan.
- 5) Surface water drainage scheme to be submitted and approved concurrent with the first reserved matters application.
- 6) Construction Surface Water Management Plan to be submitted and agreed detailing how surface water and storm water will be managed on the site during construction.
- 7) Development not to be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted and approved for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
- 8) All HGV and construction traffic movements to and from the site over the duration of the construction period to be subject to a Construction and Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence. No movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan.

The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

The plan will ensure that:

- A. All vehicles accessing Gas House Drove as part of the construction phase works;
 - will not be wider than the available metalled surface,
 - will not cause any impediment to the flow of existing traffic,
 - will not cause a safety issue for pedestrians,
 - will not block or otherwise cause an obstruction to Gas House Drove.
 - B. All construction traffic, materials and equipment will be stored and parked within the site boundary at all times.
 - C. The surface of Gas House Drove and connecting verges and frontages will be restored to the condition they are in before the construction works started.
 - D. A survey of the existing condition will be undertaken with a representative of the highway authority before construction commences.
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- 9) Improvements to Webb's Row Brandon footpath 008 to be submitted and approved by the LPA. Footpath to have a metalled surface for its entire length, with suitable lighting and surface water drainage for all-weather use and with a widened junction onto Gas House Drove. There shall be no additional vehicle movements onto Webb's Row. Improvements to be carried out before first occupation.
 - 10) 1.8m wide footway to be provided along the frontage of the site and link to be provided from within the site to Webb's Row, both as shown on the indicative layout plan, to provide a safe route for pedestrians. Improvements to be carried out before first occupation.
 - 11) Proposed access onto Gas House Drove shall be properly surfaced with a bound material for a minimum distance of 10m metres from the edge of the metalled surface of Gas House Drove.
 - 12) Vehicular access to be a minimum width of 5 metres throughout the development, measured from the nearby edge of the carriageway.
 - 13) Details of the areas to be provided for storage and presentation of refuse and recycling bins to be submitted and approved.
 - 14) Details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage) to be submitted and approved.
 - 15) Details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles including secure cycle storage to be submitted and approved.
 - 16) Before the access is first used visibility splays shall be provided in accordance with details previously approved in writing and shall thereafter be retained in the approved form.
 - 17) Prior to first occupation, all dwellings with dedicated off street parking shall be provided with an operational electric vehicle charge point at

reasonably and practicably accessible location.

- 18) Details submitted for landscaping to include replacement tree planting to compensate for the loss of the trees removed prior to the determination of this application.
- 19) Details to be provided at reserved matters stage of open space to be provided either on or off site in accordance with the Council's Supplementary Planning Document for Open Space (children's play space).
- 20) Reserved matters to include an 'Acoustic Design Statement', as advocated by ProPG - Planning and Noise: new residential development (May 2017). the 'Acoustic Design Statement' shall as a minimum demonstrate:
 - (i) How the approach to the proposed layout of the site has considered and mitigated against noise
 - (ii) How lowest practicable noise levels in the external amenity areas of the site can be achieved.
- 21) The acoustic insulation of the dwelling units within the proposed development shall be such to ensure noise levels with windows closed do not exceed an LAeq(16hrs) of 35dB (A) within bedrooms and living rooms between 07:00 and 23:00hrs and an LAeq (8hrs) of 30dB(A) within bedrooms and living rooms between 23:00 and 07:00hrs.
- 22) Development to be carried out strictly in accordance with the mitigation measures detailed at Section 6.3 of the Ecological Survey prepared by Norfolk Wildlife Services, dated June 2017.
- 23) Reserved matters to include details of ecological enhancement measures based upon the details contained at Section 6.4 of the Ecological Survey prepared by Norfolk Wildlife Services, dated June 2017. The measures shall be fully implemented prior to first occupation.
- 24) Scheme for the provision of fire hydrants within the application site to be submitted to and approved in writing by the Local Planning Authority.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/16/1450/OUT](https://www.norfolk.gov.uk/DC/16/1450/OUT)