



Appeal Decision

Inquiry Held on 29 September - 7 October 2020

Site visit made on 6 October 2020

by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th November 2020

Appeal Ref: APP/K2610/W/19/3239986

Land to the east of Memorial Hall, Brundall, Norfolk

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant a hybrid planning permission.
 - The appeal is made by Quantum Land (Brundall Ltd) against the decision of Broadland District Council.
 - The application Ref 20171386, dated 9 August 2017, was refused by notice dated 19 July 2019.
 - The development proposed is outline planning application with the details of appearance, landscaping, layout and scale reserved for later determination, with the exception of Phase 1 for which details of all matters in relation to the 23 dwellings within that Phase are provided. Development to comprise: up to 170 dwellings (Use Class C3), and a community/sports pavilion (Class D1 and D2 use), a Country park, formal and/or informal outdoor sports provision, access, and other earthworks and engineering works. All development works and operations to be in accordance with the Development Parameters Schedule and Plans.
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Decision

1. The appeal is allowed, and planning permission is granted for an outline planning application with the details of appearance, landscaping, layout and scale reserved for later determination, with the exception of Phase 1 for which details of all matters in relation to the 23 dwellings within that Phase are provided. Development to comprise: up to 170 dwellings (Use Class C3), and a community/sports pavilion (Class D1 and D2 use), a Country park, formal and/or informal outdoor sports provision, access, and other earthworks and engineering works. All development, works and operations to be in accordance with the Development Parameters Schedule and Plans at land to the east of Memorial Hall, Brundall, Norfolk in accordance with the terms of the application, Ref 20171386, dated 9 August 2017 subject to the conditions set out in the schedule to this decision notice.

Preliminary Matters

2. The planning application was submitted and considered as a hybrid planning application with part seeking outline planning permission with all matters reserved apart from access. However, the submission is accompanied by Development Parameter Plans which identify maximum building heights, the extent of built development, finished ground levels, recreational and ecological zones and the primary movement corridor. Full planning permission for 23

dwellings as phase 1 of the proposal was also applied for. I have treated the appeal on the same basis.

3. With agreement, after the Inquiry, a legal agreement under S106 of the Town and Country Planning Act 1990 was submitted (the S106). This secures contributions towards the provision and maintenance of a Village Green and a Country Park together with other open space provision. It also includes for the provision of 33% affordable housing. The S106 is a material consideration to which I return later in the decision.
4. During its opening, the Council confirmed that it considered that the harm caused to the setting of the Church of St Andrew and St Peter (the Church) would be less than substantial. However, given that, in its opinion, the harm caused would be at a low level it considered that it would be outweighed by the public benefits of the proposal. Accordingly, the Council is of the view that any harm caused to the heritage asset is not in itself a basis for refusing permission. However, as the proposal relates to a listed building, I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
5. The Council also confirmed that although in its reason for refusal regarding the heritage asset it refers to conflict with Policy 3 of the Brundall Neighbourhood Plan 2016-2026 adopted in 2016 (BNP) that policy is a landscape policy and is not breached for any heritage reasons. I concur with that view.
6. As there is no description of the proposal contained on the planning application form, I have used that on the appellant's appeal form, which is also used by the Council on its decision notice.

Main Issues

7. The main issues are:
 - the effect of the proposal on the landscape character and appearance of the area, including on identified public viewpoints;
 - the effect of the proposal on the setting of the Grade I Listed Church of St Andrew and St Peter;
 - the effect of the proposal on the identified strategy for growth for the district; and,
 - whether any adverse effects, including conflict with the development plan considered as a whole, would be outweighed by other material considerations.

Reasons

Site and Area Description

8. The appeal site forms open fields surrounded on three sides by built development within Brundall. It has Public Rights of Way Public running along the southern and western edges of the appeal site (FP1 and FP2 respectively) and a golf course to the north.

Planning Policy Context

9. The development plan includes the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 with amendments 2014 (JCS), the Broadland

Development Management Development Plan Document 2015 (DMDPD), the Broadland Site Allocations Development Plan Document 2016 (SADPD) and the BNP.

10. Policies within the JCS set out the housing requirement for the District, directing major growth and development to the Norwich Policy Area (NPA). Smaller sustainable settlements will accommodate smaller scale growth. Those within the DMDPD set out more detailed criteria for the management of development including the restriction of development outside of settlement limits. The SADPD allocates areas of land for specific types of development.
11. The BNP does not include any site specific allocations for land use or contain policies relating to the overall spatial strategy. Instead its policies seek to ensure that Brundall remains a high quality rural village surrounded by tranquil open countryside and the Broads landscape where people want to live, visit, work and engage with a vibrant and thriving community.

Landscape character and appearance

12. The appeal site sits within Landscape Character Area D4 (LCA D4), which is a subset of the Tributary Farmlands Landscape Character Type (LCT) as described in the Council's Landscape Character Assessment Supplementary Planning Document 2013 (the SPD). The essential characteristics of the LCT are a gently undulating landform, cut by small tributary valleys, predominantly rural character, hedgerows, medium to large scale arable farmland, elusive tributaries hidden within the landscape by topography and tree. Particular to LCA D4 is the gentle undulating landscape, medium to large field sizes, limited removal of hedgerows, church towers and an abrupt transition between housing developments and the surrounding agricultural land, with a small scale enclosed character.
13. The appeal site displays many of these characteristics. It forms gently undulating agricultural land, with many hedgerows intact, that slopes down towards the Witton Run which is a good example of one of the elusive tributaries hidden by trees and vegetation. It has housing development to its east west and south. That to the west is mainly hidden by existing vegetation, although the Memorial Hall is clearly seen. Housing to the east and south is more readily visible. While vegetation forms part of the boundary to the built form, there is the characteristic abrupt transition between housing and agriculture, particularly on the southern boundary which erodes the rural character of the area. This is further eroded by the presence of the golf course to the north of Wittons Run which gives a domestic manipulated appearance to the area, although still providing an open setting. The existing housing and the vegetation on the northern boundary give a small scale enclosed character to the appeal site.
14. The proposal would lead to the total loss of agricultural land within the appeal site amounting to a major adverse impact on that aspect of landscape character as identified in the appellants Landscape and Visual Impact Assessment 2017 that accompanied the planning application. However, I am mindful that a large part of the site is allocated within the SADPD for recreational use, both formal and informal, which would result in the loss of agricultural land use. Therefore, there must be some acceptance from the

Council that there would be a loss of a substantial area of the agricultural land at this location at some point.

15. In addition, the sense of the existing open, undulating valley side would be eroded both through the erection of the housing and the alterations to the landform outlined in Parameters Plan 1. In my view the valley side is just as important as the valley floor in its contribution to the landscape character of the area. However, while Parameters Plan 1 shows that land levels would be changed, there is nothing to suggest that development could not be provided which would be sympathetic to the valley side character retaining the slope down to the tributary as I observed on development to the east.
16. Furthermore, due to the containment of the appeal site the erosion of both of these features would only have a small localised effect with the essential characteristics of the LCA D4 being apparent elsewhere in the local area. The development of houses would be seen against the backdrop of existing development and the context of the man-made landscape of the golf course. Although the detail is largely unknown at this stage, the northern and western boundaries of the proposed development could be reinforced with new planting and create a similar transition between built form and countryside as currently exists reinforcing that aspect of LCA D4.
17. In addition, other aspects of the character area would be retained such as hedgerows and the elusive character of Wittons Run, which would conserve the green open landscape setting to Brundall in this location. Both parties agree that the appeal site does not have wide visibility within the surrounding area, and this was apparent at my site visit. The retention of the hedgerows, tributary and sense of containment, together with the siting of the appeal site close to existing development, would ensure that there would be no materially harmful effect on the wider landscape character.
18. Turning to visual impacts, both main parties agree that as the appeal site is visually contained, the focus of the most change would be from viewpoints adjacent to the appeal site, including from FP1 and FP2. In addition, on the southern edge of the appeal site is a play area on Meadow View from which views of the appeal site and beyond are apparent. Moreover, Policy 3 of the BNP regarding important views seeks to protect and enhance the views to the north east from Memorial Hall. Any development within these views must ensure that key features of the view can continue to be enjoyed including distant buildings, areas of landscape and the juxtaposition of village edges and open agricultural countryside.
19. FP 2 runs along the western edge of the appeal site and is bound by mature vegetation on the side closest to the appeal site. As a result, there are only intermittent views towards the appeal site, although they would be more prevalent in the winter months. Walking south towards the appeal site, the existing housing to the south and east is apparent within the landscape. The proposed development would not substantially alter this view in that housing would still be visible within the landscape, albeit it would be closer to the footpath. In addition, there would still be a significant area of open space where the proposed Village Green would be. Views of the Church, where currently available, would be largely retained. Therefore, although there would be some adverse impact at year one, once landscaping had chance to

mature by year 15 there would be a neutral impact. There would be a similar effect when walking north along this footpath, although views of the housing would be quickly lost as the walker approached Wittons Run.

20. Viewpoint 5 to the east of the Westfield Mission Church boundary is, according to the appellant representative of the users of FP 1. The Council consider it should have been located where FP 1 enters the Site. Wherever the viewpoint, I saw that users of FP1 would experience a change in their view. Currently the footpath has open panoramic views across the appeal site to Witton Run and beyond to the golf course and Blofield. However, while walking FP1 I noted that although it is apparent that you are in the open countryside, it is equally evident that the settlement of Brundall is close by. I accept that there would be adverse visual impacts for users of FP1 as the open views, including those of the Church, particularly on the eastern part of the appeal site, would largely be replaced with views of housing. However, according to the illustrative layout B3¹ the amended line of the footpath would be set within a fairly substantial area of open space and, as I observed when walking the path, users would already be aware of the proximity of Brundall. Furthermore, the length of path that would be affected is not significant, and would emerge onto the Village Green, which is already allocated for recreational use in the SADPD. As a result, it is likely that impacts would be only very localised and experienced for a short distance. Furthermore, the proposed planting mitigation and level of open space would, over time, limit the adverse impacts for walkers.
21. While the proposed layout plan is illustrative only, it does show that the proposed number of houses could be accommodated while providing the footpath within a relatively open, green environment.
22. Mr Chard states that viewpoint 4 is representative of users of the play park and residents of properties adjacent to the site. The viewpoint is taken from a point on Meadow View. The Council considers that a viewpoint from within the play park would have been more representative. I observed the appeal site from both viewpoints and found little difference. The appeal site is visible, and the view would change in a similar fashion to that from FP1, certainly from the play park and for the residents to the east of it. Those to the west would have a view directly over the Village Green and only an oblique view of the housing. Overall, therefore as with my findings regarding FP1 there would be a major adverse effect in year 1 which would decrease over time.
23. Policy 3 of the BNP seeks to protect important views. The explanatory text advises that views to the south, across the Broads are almost obscured by historic development. However, views to the north and east remain and are valued by residents. The view to the north east from the Memorial Hall is one of only three such views. Viewpoint 2 is representative of the view which is to be protected and enhanced within Policy 3 of the BNP. I saw that the viewpoint provides existing views over the tributary valley towards Blofield. The Church tower is prominent in the view as is the housing of Blofield together with the edges of development to Brundall, the golf course and the vegetation associated with Wittons Run.
24. The location of the development is such that it would encroach into those views. However, the view of the distant Church tower would be retained. I

¹ Figure MDC-11 Mr Chard Proof of Evidence Document A

accept that the view of it would change and that the wider panorama of the landscape within which it sits would be truncated. However, Mr Chard's evidence² shows that while the proposed development would punctuate the skyline, it would not do so by an unacceptable degree and would still allow views of the Church to sit within a wide open view within which development edges are clearly visible.

25. Whilst Mr Chard's evidence³ demonstrates a more acute truncation of the view of the church, this is to be expected as walkers travel along FP1 from where the picture has been taken.
26. The juxtaposition of the village edge would change, and the open agricultural countryside would be lost. However, the newly created village edge could, with appropriate landscaping, be very similar to that existing and therefore views would not be significantly diminished in this respect. In addition, landscape features such as Wittons Run would be retained and enhanced. There would be a loss of open agricultural countryside. However, this is not the only aspect of that view. There is also an acceptance by the Council through its allocation of part of the site for recreational purposes that agricultural land would be lost. The provision of a substantial area of the appeal site as the Village Green as part of the proposal would allow the land to remain open, significantly limiting the impact on views from the Memorial Hall. Furthermore, similar public views would be available from the new Village Green.
27. Drawing all of the above together, there would be some initial adverse impacts both visually and to elements of the landscape character, but, taking into account the context of the appeal site against existing housing, together with the location of the proposed housing and its relationship to the proposed recreational facilities those impacts would be very localised and limited in the longer term. Much will depend on the layout of the dwellings and their appearance, together with the specific detail of the landscaping scheme, all of which for the outline part of the proposals would be reserved for future consideration by the Council. The detailed layout for the full part of the application shows a green edge to the proposal and I see no reason why this could not be continued in the remainder of the development to provide similar development edges to those existing.
28. For the reasons above I conclude that the proposal would cause a minor level of harm to the landscape character and appearance of the area including on identified public viewpoints. It would therefore be contrary to the requirements of Policy EN2 (ii) and GC4 of the DMDPD, Policies 1 and 2 of the JCS and Policy 3 of the BNP. These require, amongst other things that the impact on valley sides and important views should be protected and enhanced and regard had to the LCA SPD, local distinctiveness should be reinforced and respected taking into account the landscape setting of settlements including the urban/rural transition. In addition, environmental assets of the area will be protected, maintained, restored and enhanced.

Heritage asset

29. The Church of St Andrew and St Peter (the Church) was listed grade I in 1962 (Ref: 1304595) and dates from the fourteenth century with later additions,

² wireline photomontage view 02 Mr Chard Proof of Evidence Document B

³ wireline photomontage view 53 Mr Chard Proof of Evidence Document B

notably including the fifteenth century four stage tower. The Church documents the Perpendicular style of English Gothic architecture and is constructed from flint with stone dressings in the Norfolk tradition. The interior displays fine examples of craftsmanship and decoration, including a rood screen base with painted saints, bench ends with carved poppy heads and a fifteenth century font decorated with scenes from the life of Christ.

30. The Church is of considerable size and status and has one of the tallest towers in Norfolk. In historic terms the tower is symbolic of the period in architecture when the perpendicular towers were purposely built taller. This demonstrates its religious importance to the medieval community of the small settlement of Blofield and the rural wealth in the county at that time. The size and height of the tower means that not only does it dominate the immediate church yard setting and in the core of Blofield, but it is visible in the surrounding area for some distance dominating the surrounding countryside including views from neighbouring settlements such as Brundall forming a beacon in the wider rural landscape. The age and prominence of the church reflects its social and community importance and forms an important historic landmark building.
31. Given the above, as a grade I listed building the Church has great architectural and historic significance. I find that the setting of the building, insofar as it relates to this appeal, to be primarily associated with the visibility and prominence of the tall Church tower within the wider rural area and that this directly contributes to its significance and special interest.
32. At its closest the proposed built form on the appeal site is, according to the appellant, about 600m from the Church in the village of Brundall. The Church tower is visible from FP1 and FP2, as well as the play park to the south of the appeal site. By virtue of the appeal site being within the surrounding rural area, over which the views of the Church tower dominate, then it is within the setting of the Church. It therefore contributes to its significance, albeit in a small way, given the large extent of surrounding land over which the Church tower is visible and that the views currently available from the appeal site are no more important than any other in the wider landscape.
33. The focus of the discussion at the Inquiry related to the views available, over agricultural land, towards the Church tower. The proposal would result in the erection of up to 170 dwellings being built on the existing agricultural field together with recreational facilities. There would therefore be change to both the character of the field and the views towards the church, particularly from FP1 and FP2. Due to existing vegetation, views of the Church tower are only experienced intermittently along FP2 and these would mostly be retained. Along FP1 though, at the eastern part of the site views of the Church tower would be lost behind the proposed housing.
34. At points where the Church tower would remain visible, the view would no longer be across agricultural land. However, although the land would be somewhat domesticated through the provision of recreation facilities, the area would still be predominantly open. Furthermore, I acknowledge that the edge of the proposed built up area would encroach marginally into some of the views but would, with the benefit of an appropriate landscaping scheme, be capable of satisfactory integration into the landscape.
35. Moreover, although some views of the Church tower would be lost, this would only be for a limited distance along FP1, and its demonstration of historic

religious importance and rural wealth would continue to be appreciated from the wider rural area from a large number of other vantage points in the surrounding area, even allowing for the modern growth of the village and the layout of the nearby golf course. Indeed, the proposal would allow new views of the Church tower through public access of the appeal site where there is currently none, particularly from the proposed Village Green.

36. Therefore, given the very limited extent of views that would be lost, particularly when considering the very wide setting of the heritage asset within the landscape, I am satisfied that visual dominance of the Church tower as a historic landmark in the landscape would be preserved. Consequently, the setting and significance of the heritage asset would not be harmed.
37. I note that the Appellant was initially happy to sign up to a Statement of Common Ground agreeing that the appeal scheme would “further urbanise the area and, to an extent, further erode the wider rural setting of the church”, resulting in a “harmful impact on the wider rural setting of the listed church” which was “at the low end of less than substantial harm”. However, this was not the position of the appellant at the Inquiry. In any case, I have found no harm based on the evidence presented to the Inquiry and my observations on site.
38. For the reasons above, I conclude that the proposal would preserve the setting and therefore the significance of the Grade I listed building. This would satisfy the requirements of the Act, paragraph 192 of the Framework and would not conflict with policy 1 of the JCS which seeks, among other things, to protect the settings of heritage assets.

Identified strategy for growth

39. The rationale behind the modest housing allocation of 50 dwellings within Policy 14 of the JCS is contained within paragraph 6.51 of the JCS which points to the limited range of dispersed shops, services and recreational facilities. Although it has two railway stations and relatively frequent bus services to Norwich the JCS considers that there are more sustainable options for accommodating new housing developments. Mr Judson, for the Council, confirmed that the purpose of the spatial strategy underlying the development plan is to direct growth to locations depending on their sustainability and capacity.
40. Although granted at a time when the Council was unable to demonstrate a five year housing land supply, some 305 dwellings outside and adjacent to the settlement limits of Brundall⁴ have received planning permission. Therefore, should the appeal be allowed, this would lead to 475 dwellings with planning permission in Brundall, nearly 10 times that envisaged within Policy 14. However, there is some flexibility within the Policy in that settlements that are also within the Norwich Policy Area (NPA), such as Brundall, may be considered for additional development, if necessary, to help deliver the smaller sites in the NPA allowance as identified in Policy 9 of the JCS of 2000 dwellings. Nonetheless, the explanatory text to that policy states that smaller sites will reflect the scales of development provided for at each level of the settlement hierarchy.

⁴ 150 homes at Land to West of Cucumber Lane and 155 homes at Land at Yarmouth Road

41. In my view therefore, the proposed 170 dwellings, in addition to the existing housing already approved, means the proposal would be in conflict with the expected housing levels in Policy 14 of the JCS. This is a similar finding to the Inspector in the Salhouse Road appeal⁵, albeit in relation to Policy 15 of the JCS. The Inspector in that appeal then went on to discuss the accessibility of the location of the appeal site.
42. I saw at my site visit that Brundall has a good range of local services and facilities including doctors, dentist, primary school, two co-ops, other local shops, post office, restaurants, church, library and village hall as well as access to two railway stations. In addition, there is a regular bus service to Norwich which operates seven days a week and early evenings.
43. Local residents identify issues, particularly that The Street and Strumpshaw Road provide a poor environment for pedestrians and cyclists and this is echoed in the background and justification to Policy 2 of the BNP. These are the two roads along which the majority of services and facilities are located in the village. I saw for myself that in some places the footway is narrow. Furthermore, parked cars reduce the width of the carriageway in places. Residents also raise concern regarding the availability of parking at the co-op, which is often full and difficult to access, causing cars to wait on the carriageway for spaces to become available.
44. However, I also saw many pedestrians accessing services within the village. While the access routes may not be ideal in certain places, the appeal site would be in convenient walking and cycling distance of the services and facilities as well as bus stops and railway stations. While future residents may use the car to reach these facilities, and there may be sites which are more sustainable, given the range of services available and the good public transport links, there would be no conflict with paragraphs 8b and 103 of the National Planning Policy Framework (the Framework) in that future residents would have nearby accessible services, with the location of the appeal site offering a genuine choice of transport modes. Furthermore, whether the amount of services and facilities has changed since the original allocations were made is not evidenced. However, the appeal site is closer to the majority of the facilities than proposed houses at the land at Yarmouth Road site which the Council found, in its committee report, to be a sustainable location for 155 houses. Mr Judson acknowledged that the assessment for that scheme applied equally to this proposal.
45. As well as accessibility, the underlying aim of the spatial strategy is to direct development to locations with capacity for development. On this issue the Council raised no concerns. However, local residents also raised issues regarding the capacity of local infrastructure to accommodate the appeal proposal citing in particular the lack of school places and inability to get doctor appointments.
46. Comments from the Infrastructure and Economic Growth Officer at Norfolk County Council suggest that taking account of existing extant planning permissions in the Brundall and Blofield area, both the primary schools in the area will be full as well as the Early Education sector. Brundall school is on a restricted site and therefore it is unlikely that expansion could occur there. The County Council therefore state that it would be seeking CIL funding for the

⁵ APP/K2610/W/18/3207888

additional school places required at Early Education, Primary and Sixth Form. As the proposal would attract a contribution to CIL it is not therefore for this proposal to contribute further funding for educational purposes.

47. In relation to healthcare the Parish Council received an email from Brundall medical practice indicating they are confident that they have capacity to deal with extra patients. NHS England though report that the proposal would have an impact on primary healthcare and seek financial contribution towards the provision of primary care services in the area. However, there is no accompanying evidence supporting the request to demonstrate the lack of capacity, or any detail of how much funding would be required. I also note that discussions are ongoing regarding the inclusion of health facilities within the CIL regime. While I appreciate the comments of local residents, the lack of any substantive evidence means it has not been demonstrated that such a contribution is necessary to make the development acceptable in planning terms.
48. I was also presented with photographs and a video of a flooding event taken at 2 Langham Green close to the appeal site. The local residents consider that the existing mains and foul sewers struggle because of recent developments in the village resulting in burst mains. However, both the Environment Agency and the Lead Local Flood Authority raise no objection to the development subject to the addition of appropriate conditions, based on the appellants drainage strategy. Furthermore, Anglian Water has confirmed that Whitlingham Trowse Water Recycling centre will have available capacity for the foul water flows resulting from the development. There is nothing conclusive before me that would lead me to disagree with the conclusions of the expert bodies on this matter.
49. There is no substantive evidence before me therefore to suggest that the infrastructure of Brundall would not have the capacity for a further 170 dwellings.
50. Policy GC2 of the Broadland Development Management Development Plan Document 2015 (DMDPD) states that development outside of settlement limits which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the development plan. There is no dispute between the parties that the appeal site is outside of, but adjacent to the settlement limits of Brundall.
51. Policy BRU3 of the SADPD allocates approximately 4.9Ha of the appeal site for recreational open space. The guidelines for development of the allocation within the SADPD state that the open space will be used for formal and informal recreation purposes.
52. The proposal would include about 3Ha of land for formal recreational purposes on the allocated land within BRU3 referred to as the Village Green, causing a shortfall of 1.9 Ha of the proposed allocation. However, the development would provide a further 7Ha of open space within the appeal site, referred to as the Country Park which would include informal recreation facilities. Therefore, in as much as the open space would not be provided within the area of the allocation there would be conflict with Policy BRU3.
53. In terms of Policy GC2, this leaves whether or not the proposal is in accordance with a specific policy of the development plan. Mr Meakins, for the appellant, in

his proof of evidence contends that Policy GC1 would be a specific policy for this purpose. However, under cross examination he seemed to agree with the Council that since the outcome of applying GC1 is to grant or refuse permission, there is no purpose in then going back to GC2 to decide whether that policy is complied with.

54. To my mind Policy GC1 is one applied following the consideration of other policies in the development plan and directs the Council to consider the presumption in favour of sustainable development as contained in paragraph 11 of the Framework, rather than one for consideration within another policy of the plan.
55. I have already found that there would be no significant adverse impacts caused by the proposal. However, in as much as the proposal does not accord with a specific allocation and/or policy of the development plan then there would be conflict with Policy GC2 of the JCS.
56. Paragraph 2.14 of the DMDPD states that the JCS seeks to focus residential development in settlements which are well linked and well related to existing development, services, facilities and employment opportunities. The SADPD identifies those settlement limits along with specific sites that the Council will seek to allocate to achieve the growth targets set out in the JCS.
57. I have already found that the appeal site is within a very accessible location, irrespective of its location outside of the settlement limits. Furthermore, the location of the appeal site in Brundall means that it is well linked and related to existing development services and facilities. The proximity of the site to bus and rail links means that it is well related to employment opportunities elsewhere.
58. Nevertheless, for the reasons above, I conclude that the proposal would be in conflict with the identified strategy for growth for the district and would be contrary to Policies 14 of the JCS and Policy GC2 of the DMDPD.

Material considerations

Open space

59. The open space required to serve the future occupiers of the development would be provided within the housing layout and its provision is secured by the S106 agreement. Therefore, any open space over and above this requirement would be capable of being a benefit.
60. There is an historic shortage of recreational open space within Brundall which resulted in the allocations of BRU2 and BRU3 within the SADPD. Currently that shortfall is considered by the Council to be about 6.49 Ha. BRU2 is allocated for about 7.2ha of primarily formal recreation space. Planning permission was granted on this site by the Council for 155 houses, a supermarket as well as 1.12 Ha of formal open space to provide a full size 3G artificial football pitch, space for parking and a clubhouse. The Parish Council (PC) point to this as the right type of Public Open Space (POS) to meet identified needs within the village. The PC has a good record of securing and delivering POS in the form of a countryside park and allotments. It considers that the provision proposed for the appeal site is not sufficient for the needs of the village, although presented little evidence to support this position.

61. In essence the proposal secures the provision of 10Ha of open space over and above that required for the future occupiers of the houses by the development plan. This would be divided between a Country Park of 7Ha and a Village Green of 3Ha. The Country Park would have an ecological zone which would not form part of the recreational facility. In addition, SuDs features would be likely placed in the Country Park and would not be available for recreational purposes. Nevertheless, they would form part of an attractive landscape through which residents of the village would be able to walk and appreciate the local area. Even taking account of the ecological zone and the SuDs features, the Country Park and Village Green would still likely form an area of open space significantly in excess of the 4.9Ha allocation in the SADPD.
62. The details of the Village Green are not fixed within the S106 agreement , primarily to allow future discussion with local residents to achieve what is needed in the area. The S106 agreement secures the provision of the land and a sum of money to design, implement and maintain the open space. The land would first be offered to the Council to provide the facilities, who may then seek to involve others, such as the PC, in the provision. Otherwise it would be provided by the developer involving a sum of no more than that contained in the legal agreement.
63. On that point, at the Inquiry, the PC raised concerns regarding its ability to take on the areas of land with respect to sections 6 and 7 of the Countryside Act 1968. However, both the Council and the appellant were confident that these sections would not preclude the PC from taking on the open space and I have seen nothing substantive to suggest otherwise.
64. The sum of money secured for the implementation of the Village Green is £300,000. This is based on an indicative layout which would deliver a football pitch, junior cricket pitch and open space area with some planting and footpaths. The cost of the provision is estimated at about £347,000, with the bulk on the provision of the sports pitches. On that basis, although the commuted sum is less than the estimated cost of the entire provision, I am satisfied that it would be sufficient to provide the sports facilities identified.
65. The PC has put forward an alternative proposal for the entire 4.9Ha allocated site which it considers necessary to meet the existing shortfall within the village, primarily of formal recreational facilities. This scheme would see the provision of a mix of formal and informal recreational provision including a car park, pavilion, MUGA, community and club level cricket square and trim trail, the estimated cost being about £1.8 million. Mr Wilkins for the PC advised that the money had not yet been secured for the proposals. Mr Judson confirmed that there was no current intention to pursue a Compulsory Purchase Order to secure the land.
66. While the PC advise that the most demand is for formal recreational facilities, the policy allocation is for formal and informal facilities. It seems to me that the appeal proposal would provide some certainty that formal recreation facilities would be provided on this site that has been lacking since the site was allocated in the early 2000s. It would also be a similar approach to that adopted by the Council in its consideration of the BRU2 allocation, albeit that was at a time when it was unable to demonstrate a five year housing land supply. Moreover, the actual provision of facilities is not fixed and therefore there would continue to be flexibility for local residents to achieve what they wish for the allocation.

67. There was some discussion regarding the division of the money between the Country Park and the Village Green at the Inquiry and whether the S106 would allow for money to be passed between the implementation of the two facilities. As written, it would not. However, there is no reason why the S106 could not, with agreement, be varied at a later stage when the detailed schemes are considered by the Council in the first instance.
68. Therefore, I am of the view that the proposal would not only give more certainty to the delivery of the existing allocation BRU3, albeit in a different location to that within the SADPD, but also deliver in excess of that allocation in an area where there is an existing shortfall of recreational facilities. It would therefore deliver a significant benefit in the form of informal and formal recreational open space secured by the S106 agreement.
69. In addition, the Country Park, incorporating the ecology park, would deliver many aspects of Project 10 of the East Broadland Green Infrastructure Project Plan known as Witton Run GI Project. Witton Run is described as a crucial green infrastructure corridor and the document considers that there is significant potential to use this corridor to increase access links around Blofield and Brundall, so it follows the Witton Run more closely.
70. While this project would not be necessary to unlock growth in the way other Green Infrastructure may be, nevertheless the appeal proposal would deliver a footpath link alongside the Witton Run, linking areas of green space within the local area. I acknowledge that a link is available via FP1 and FP2, however, the proposed Country Park would facilitate a more direct route and have the advantage of being alongside the Wittons Run.
71. Policy 2 of the BNP seeks to improve walking and cycling routes within the village by helping provide Brundall with an improved and joined up network of high quality footpaths and cycleways to help residents and visitors move around more safely and easily and reduce the dependence on the car. While this new link would not be one identified within the policy as a priority to achieve a continuous orbital link around the village, the proposal would nevertheless accord with the broad underlying principles of the policy. Therefore, moderate weight can be attached to this improvement.
72. The proposal would provide 170 market houses in an accessible location. The Council considers that it is able to demonstrate a 5.56 year housing land supply, while the appellant is of the view it is 4.46 years. Even if, for the purposes of this appeal, I was to adopt the Council's figure, the provision of 170 homes within an accessible location would support the Government's objective of significantly boosting the supply of homes contained within the Framework. I therefore give the provision of market housing significant weight.
73. The scheme would provide 33% affordable housing, secured by the S106 agreement. This figure is in excess of the Local Plan requirement of 28%. The appellant suggests that the Annual Monitoring Reports produced by the Greater Norwich Growth Board show that from 2008/09 until 2018/19 the JCS area has delivered 4,471 affordable units against a requirement of 6,171 units giving a shortfall of 1,700. This is not disputed by the Council. Against such a shortfall, the provision of 56 affordable units would be a significant benefit.

74. The Council consider that the economic benefits associated with appeal proposal should only be attributed modest weight as they are generic benefits applying to any scheme anywhere.
75. There would be some economic benefits of the scheme in the form of construction jobs. Future occupiers would also lead to an increased spend in local businesses supporting the local economy. While such benefits may be attributed to any new housing development, the scheme would deliver these benefits and should be included within any balance and given significant weight based on the number of houses proposed.
76. There would be additional benefits from £0.3m of New Homes Bonus and about £1.5m of Community Infrastructure Levy payments. However, no schemes upon which the bonus would be spent have been identified. In accordance with advice in the Planning Practice Guidance (PPG)⁶ it would not be appropriate to make a decision based on the potential for the proposal to raise money for the Council in the absence of evidence to demonstrate how that money would be used to make this particular development acceptable in planning terms.
77. The overall scheme would deliver ecological benefits, given the proposed planting and potential work to the ecology park adjacent to Wittons Run. However, while there will likely be an improvement, the benefits are not quantified and therefore I have given this benefit limited weight.
78. It is alleged that the off-site highway works to Cucumber roundabout would not only mitigate the impacts of the proposed development, but also deliver the benefit of reduced queuing times at the roundabout. While this may be the case, again the benefit is not quantified and therefore I give it limited weight.

Other Matters

79. Local residents raise considerable concerns regarding the impact of the proposal on highway safety, in particular relating to the amount of additional traffic and its impact on the surrounding road network, particularly Brundall Road and the narrow bridge, the site access and the A47/Cucumber Road roundabout.
80. The appellant's Transport Assessment (TA) assessed the likely traffic generation of the scheme based on the use of the TRICS 7.3.2 database. On this basis, the TA reports that the proposal would produce between 81 and 86 two way movements at the proposed access at peak periods. Although local residents allege a much higher figure, in some cases above 300 traffic movements, based on the number of houses and residents, I have seen no substantive evidence on which such numbers are based.
81. Residents are of the view that the figures used did not relate to the peak period based on a letter from Fenley Highways, Transportation and Road Safety dated 13 July 2018, which states that they observed the traffic conditions for a 90 minute period at 12.20pm on 16 March 2018. However, this was in relation to the Road Safety Audit and not the TA. I am satisfied that the data used for the TA does relate to peak hour movements.
82. The TA finds that the flows currently along Brundall Road are just over 300 vehicles in the peak hours. In terms of distribution of vehicles, the TA found that at the morning peak hour there would be about 41 additional vehicles travelling

⁶ ID 21b-011-20140612

to the north of the site and 45 to the south. At evening peak period there would be about 44 to the north of the site and 37 to the south. As a result, the appeal proposal would increase the flows to about 350 vehicles in the peak periods. Given the relatively small increase, then Norfolk County Council as the Highway Authority (HA) were of the view that the flows could be accommodated on the existing highway network. I have seen nothing to lead me to disagree with this view.

83. Traffic leaving the appeal site would enter the road network and travel north to Blofield, or south into Brundall. The speed limit on the road is 30 mph and I observed traffic generally in compliance with this speed and the speed survey in the TA confirms this.
84. To the north is a narrow bridge on Brundall Road which reduces the width of the carriageway to allow one vehicle only resulting in drivers having to give way to one another. The Personal Injury Accident Statistics provided by the appellant for the last 3 years indicate that there has been no injury accident near this bridge. Furthermore, there is no substantive evidence before me to indicate that the structure of the bridge would be unable to tolerate an increase in construction and general traffic that would be generated by the appeal proposal. From my observations on site the bridge helps to slow traffic serving as a traffic calming feature.
85. Therefore, on the evidence before me and my observations on site, I am satisfied that the relatively small increase in traffic could be safely accommodated on the surrounding highway network.
86. The junction access on Brundall Road has been designed to comply with Norfolk County Council's Residential Design Guide and the visibility splays to be provided would accord with the 85 percentile wet weather speeds recorded in the vicinity of the site. From my observations on site, I see no reason why this access could not be implemented in accordance with the proposed drawing.
87. The appellants Transport Assessment Addendum 2017 (TAA) considers the impact of the appeal proposal on the A47/Cucumber road roundabout, also taking into consideration other consented housing development and that under consideration at the time. The TAA found that with that other development the roundabout would be operating at capacity. Therefore, adding further traffic from the appeal proposal would add to the delay and queues at the roundabout which local residents report experiencing.
88. The appellant therefore proposes improvements to the roundabout which would involve the widening of the approach to it from Yarmouth Road and Cucumber Road and additional white lining. A resident submitted an article casting doubt on the use of ARCADY which was used in the TAA to assess the operational capacity of the roundabout. Although Mr Roberts for the appellant was not aware of the article, I have seen no substantive evidence to suggest that the particular issues highlighted in the article would be applicable here. Furthermore, I note that the article relates to ARCADY version 4 released in 1996 now quite dated. Given that the TAA uses ARCADY 9 then I cannot be sure that the issue is still relevant. Moreover, the HA found that the improvements to the roundabout would satisfactorily address the impacts from the additional traffic generated by the development. I have seen no substantive evidence to demonstrate otherwise.

89. Residents raised concerns regarding the speed of traffic entering the roundabout from the A47, making it difficult for drivers from Cucumber Road and Yarmouth Road to enter the roundabout. However, the development proposals would have no effect on the speed of traffic using the A47. Consequently, it would be unreasonable therefore to expect this appeal scheme to address this issue.
90. I am satisfied therefore that the proposal would not be harmful to highway safety and that the improvements to the Cucumber Road/A47 roundabout are necessary to make the development acceptable.
91. The appeal site is around 650 metres from the Broadland Special Protection Area (SPA) and the Broads Special Area of Conservation (SAC) and both are part of the Natura2000 network. The Habitats Regulation Assessments for the JCS, DMDPD, and SADPD identified that development in Greater Norwich, both at a site level and cumulatively, has the potential to lead to an impact on the integrity of the designated features of the Natura2000 network from increased recreational use. In addition, it was identified that in some locations in close proximity to Natura2000 component units, there was the potential for individual developments to impact wetland features via watercourses.
92. The proposal for up to 170 houses would result in a significant number of new residents close to the SPA and SAC. Therefore, based on the evidence before me it is likely that, in the absence of mitigation measures, the proposal would have a significant adverse effect on the integrity of the SPA and SAC. This would be both in terms of the additional number of residents which would lead to an increased recreational use of the protected sites and the potential for the impact on water quality within the Witton Run. This flows along the northern boundary of the appeal site and is a tributary to the River Yare and enters the SPA/SAC/Ramsar site at the Strumpshaw Fen RSPB nature reserve via the Lackford Run. Accordingly, therefore, I have carried out an Appropriate Assessment.
93. The explanatory text to Policy EN1 of the DMDPD states that housing development will be required to implement or contribute to measures to mitigate the adverse effects of recreational disturbance impact on Natura200 sites. Measures will include the provision of suitable natural greenspace that provides a viable alternative to visiting Natura 2000 sites for daily recreational needs. Green infrastructure provision on the appeal site would be in line with Policy EN3 of the DMDPD which requires developments of more than 5 dwellings to provide at least 4ha of informal open space per 1000 population.
94. The Council has concluded in its planning application report regarding the appeal proposal that, in accordance with Policy EN3, the mitigation provided in the form of the open space on the appeal site and secured by Schedule 4 of the S106 agreement, together with the imposition of conditions regarding construction contamination and pollution control measures in a Construction Environment Management Plan (CEMP) and an appropriate SuDS drainage scheme is sufficient to avoid adverse effects on the integrity of the SPA and SAC. Natural England, in its consultation response to the planning application considered it was for the Council to make the assessment as to whether there was sufficient information to determine whether there would likely be any significant effects on the designated sites. Based on the evidence before me, I see no reason to disagree with the findings of the Council on this matter. Therefore, I conclude

that, with the S106 in place, the proposal would not adversely affect the integrity of the SPA or the SAC.

Legal Agreement

95. Policy 4 of the JCS states that a proportion of affordable housing, including an appropriate tenure mix, will be sought on all sites of 5 or more dwellings. The proportion of affordable housing and mix of tenure sought will be based on the most up-to-date needs assessment for the plan area. The most up to date need assessment for the plan area, albeit untested, is the SHMA 2017 which identifies an affordable housing requirement of 28%. The proposal would provide 33% affordable housing. While this would be in excess of the amount required by Policy 4, given the evidence before me regarding the extent of the shortfall in affordable housing provision I am satisfied that the amount is necessary to make the development acceptable in planning terms.
96. The remainder of the S106 agreement deals with the provision of the Country Park and Village Green together with open space within the proposed housing layout. The proposed open space as set out in Schedule 4 of the S106 agreement would meet the requirements of Policies RL1, EN1 and EN3 of the DMDPD regarding the provision of open space either on site or an off-site contribution. The financial contributions include money for the purchase of land, equipment and maintenance in accordance with the figures within the Council's Recreational Provision in Residential Development SPD 2016.
97. The 3Ha of the appeal site which would provide the Village Green would be partly in accordance with Policy BRU3 of the SADPD. The provision of the Country Park would be mostly in accordance with the East Broadland Green Infrastructure Plan through the part delivery of Project 10: Witton Run GI Project. The financial contributions for the implementation and maintenance of the two areas are necessary to ensure that the projects are delivered on site. Although the detail is not fixed as to what would be provided on each area of green space, the appellants costings of the two projects including design, implementation and maintenance give a realistic assessment of what could satisfactorily be achieved in a manner that would fairly and reasonably relate in scale and kind to the development proposed. Given the allocation within the SADPD for formal and informal recreational facilities on the appeal site, these facilities are necessary to make the development acceptable.
98. Therefore, based on the evidence before me, these obligations are necessary, and meet the statutory tests contained in Regulation 122 of the CIL, and the requirements of paragraph 56 of the Framework.

Planning balance and conclusion

99. To develop the appeal site as proposed would be contrary to Policy 14 of the JCS and Policy GC2 of the DMDPD regarding the spatial strategy of the development plan. I am mindful that the Framework recognises that the planning system should be genuinely plan led. However, I have found in this instance that the aims of the spatial strategy regarding directing growth to locations depending on their sustainability and capacity would not be unacceptably harmed.
100. I have also found that the proposal would be in conflict with policies 1 and 2 of the JCS, Policy GC4 and EN2 of the DMDPD and Policy 3 of the NP regarding

the impact of the proposal on the landscape character and appearance of the area. However, the harm caused by these conflicts would be minor.

101. The proposal would also conflict with Policy BRU3 of the SADPD. However, as the total area of open space in the Country Park and Village Green, secured within the S106 agreement, within the wider appeal site would exceed the allocated amount in BRU3 then the harm caused by the conflict would be very minor.
102. I have found that there would be no harm to the setting and significance of the Church. Therefore, this would be neutral in any planning balance.
103. Drawing all of the above together, any harm caused by the conflict with the development plan as a whole would be minor.
104. Planning law requires that applications be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case I have found that the provision of the Village Green and Country Park on the site as proposed would be a significant benefit, as would the delivery of affordable housing, market housing and economic benefits. Furthermore, the opportunity to enhance Wittons Run and deliver most of Project 10 would attract moderate weight. Moreover, there would be limited biodiversity and highway benefits. On a straightforward development plan balance, I am firmly of the view that the provision of the benefits I have described above are significant material considerations which, in this instance, outweigh the development plan conflict.
105. Some time was spent at the Inquiry discussing which were the most important policies for determining the appeal and whether or not they were out of date, and whether or not the Council is able to demonstrate a five year housing land supply for the purposes of paragraph 11d of the Framework. However, given my findings regarding the development plan balance I have not considered these matters further.
106. For the reasons given above I conclude that, on balance, the appeal should be allowed.

Conditions

107. The conditions imposed are those that were agreed by the appellant and the Council at the Inquiry. In the interests of precision and clarity I have undertaken some minor editing and rationalisation where necessary.
108. Conditions relating to timeliness, the submission of reserved matters, the overall quantum of development, and the identification of plans and phasing plans are necessary to provide certainty.
109. In the interests of highway safety conditions are imposed in relation to an emergency access, the access arrangements including visibility splays, footways, cycleways, street lighting, highway drainage, on-site parking for construction workers, construction traffic management plan, wheel cleaning facilities, off-site highway works and the maintenance of the streets. To ensure the development does not compromise the character and appearance of the area, conditions are necessary in relation to materials, a landscape and ecological management plan, levels, arboricultural details and landscaping. To prevent undue risk to the local environment it is necessary to attach conditions

relating to drainage, contamination, archaeology and ecological matters. To encourage the use of renewable energy a condition is necessary to ensure that a minimum of 10% of the predicted energy requirement is sourced from renewable and/or low carbon sources.

110. A condition restricting the change of ground level in flood zones 2 and 3 is necessary to ensure that land is safeguarded from flooding. A condition securing a mineral resource assessment is necessary to ensure opportunities from potential on site resources are taken in the interests of sustainability.
111. A condition is necessary to ensure that, notwithstanding the detail on Parameter Plan 4, land is available for formal outdoor play in accordance with policy BRU3 of the SADPD.
112. The conditions relating to contamination, levels, archaeology, renewable energy, on-site parking for construction workers, Construction Traffic Management Plan, wheel cleaning facilities, the Construction Environmental Management Plan, surface water drainage, the Arboricultural Method Statement and the mineral resource assessment are pre-commencement conditions as they relate to the construction of the development, or matters need to be determined prior to the ground being disturbed by construction.

Zoe Raygen

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY

Ms Emma Dring of Counsel

Instructed by:

Jodie Cunnington-Brock, solicitor

She called:

Mr Chris Bennett

Senior Heritage and Design
Officer, Broadland DC

Mr Robin Taylor

Landscape Architect, Norfolk
County Council

Mr Paul Harris

Place Shaping Manager,
Broadland DC

Mr Charles Judson

Principal Planning Officer,
Broadland DC

FOR THE APPELLANT

Ms Anjoli Foster of Counsel

Instructed by:

Amy Fender

She called:

Ms Joanna Burton

Director, Barton Wilmore

Mr Matthew Chard

Partner Barton Wilmore

Mr Ian Roberts

Partner Bellamy Roberts

Mr Martin Taylor

Planning Director, Lichfields

Mr Robin Meakins

Senior Planning Partner, Barton
Wilmore

INTERESTED PERSONS

Councillor Andrew Proctor

Chair, Branston Parish Council

Mr David Carty

Local Resident

Councillor Kevin Wilkins

Chair, Brundall parish Council

Ms Sharon Smyth

Clerk, Brundall Parish Council

Mrs Diana Vanderson

Local Resident

Graham Abbott

Local Resident

Steven Millbank

Local Resident

Stella Shackle

Local Resident

DOCUMENTS SUBMITTED AT THE INQUIRY

- 1 Summary note of the S106 Agreement
- 2 Greater Norwich Development Partnership Minutes and Agenda 10 July 202 and 30 September 2020
- 3 Inspector's Report to Broadland District Council for the SADPD
- 4 Opening statement on behalf of the appellant Quantum Land (Brundall Ltd)
- 5 Opening statement on behalf of the Local Planning Authority
- 6 Statement by Councillor Proctor
- 7 Statement by Mr Abbott
- 8 Statement of Councillor Wilkins
- 9 Mr and Mrs Vanderson email 29 September 2020 – site visit viewpoints
- 10 Agreed Appeal Note: five year housing land supply
- 11 Errata sheet: Paul Harris's Rebuttal to Martin Taylor's Proof of Evidence
- 12 Mrs Nicola Millbank email 30 September 2020 – site visit viewpoints
- 13 Sections 6 and 7 Countryside Act 1968
- 14 Statement of Mr Carty
- 15 CO/2801/2020 R (on the application of Bryan Robinson) v Broadland District Council
- 16 Parish Council open space feasibility options
- 17 Parish Council open space costings
- 18 Mr and Mrs Vanderson email and attachments re highway evidence 2 October 2020
- 19 Council Appeal Note: Five year housing land supply
- 20 Appellant Post Round Table Note: Five Year Housing Land Supply
- 21 Closing Submissions on behalf of the Local Planning Authority
- 22 Closing submissions on behalf of the appellant Quantum Land (Brundall) Limited

DOCUMENTS SUBMITTED AFTER THE HEARING

- A Section 106 Agreement

SCHEDULE OF CONDITIONS

OUTLINE

- 1) Application for approval of ALL “reserved matters” must be made to the Local Planning Authority not later than the expiry of THREE YEARS from the date of this decision.

The development hereby permitted must be begun in accordance with the “reserved matters” as approved not later than the expiration of TWO YEARS from either, the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such reserved matter to be approved.
- 2) Application for the approval of the “reserved matters” shall include plans and descriptions of:
 - i) the details of the layout;
 - ii) the scale of each building proposed;
 - iii) the appearance of all buildings including details of the type and colour of the external materials to be used in their construction;
 - iv) the landscaping of the site.
Approval of these “reserved matters” must be obtained from the Local Planning Authority in writing before any development is commenced and the development shall be carried out in accordance with the details as approved.
- 3) Reserved Matters shall not include provision for more than 147 dwellings.
- 4) The reserved matters required pursuant to conditions 1 and 2 shall be in accordance with the following plans:
 - i) Dwg 26007 03.1 Rev C Site Location Plan
 - ii) Development Parameters Schedule Document ref 26007/A3/HL/RM/sl dated 15th October 2018 including the following plans:
 1. Dwg 26007 06 Rev E Development Parameters Plan 1 – Finished Ground Levels
 2. Dwg 26007 07 Rev D Development Parameters Plan 2 – maximum Building Heights and Built Dev Extents
 3. Dwg 26007 08 Rev C Development Parameters Plan 3 – Recreation and Ecological Connectivity Zones
 4. Dwg 26007 09 Rev D Development Parameters Plan 4 – Recreational Zones
 5. Dwg 26007 10 Rev D Development Parameters Plan 5 – Primary Movement Corridor
- 5) Where the reserved matters pursuant to condition 1 are submitted on a phased basis, each subsequent submission shall be accompanied by a phasing plan. The scheme shall be implemented in accordance with the approved phasing plan.
- 6) Notwithstanding the details show on Dwg 26007 09 Rev D Development Parameters Plan 4 – Recreational Zones, the “Zone within which informal outdoor play to be provided” shall also be available for formal outdoor play.

- 7) Prior to the occupation of the 100th dwelling, the emergency access onto Links Avenue shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority and shall be retained thereafter in its approved form.
- 8) Prior to the commencement of development within a phase an investigation and risk assessment into land quality shall be completed for that phase in accordance with a scheme to be first submitted to and agreed in writing by the Local Planning Authority, to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The written report(s) shall identify and consider the potential impacts on all identified receptors. Based on the findings of this study, details of whether remediation is required together with a remediation method strategy as appropriate shall be submitted to and approved in writing by the Local Planning Authority.
- 9) If the reports produced in compliance with condition 8 above determined that remediation is required, the development hereby permitted shall be carried out in accordance with the approved contamination remediation scheme for that phase. Following completion of remediation and prior to first occupation of the dwellings/use of the land, a verification report that scientifically and technically demonstrates the effectiveness and success of the remediation scheme shall be submitted to and approved in writing by the Local Planning Authority.
- 10) In the event that contamination that was not previously identified is found at any time when carrying out the approved development within a phase, it must be reported in writing immediately to the Local Planning Authority. All development shall cease and shall not recommence until:
 - i) a report has been submitted and agreed in writing by the Local Planning Authority which includes results of an investigation and risk assessment together with proposed remediation scheme to deal with the risk identified and
 - ii) the agreed remediation scheme has been carried out and a validation report demonstrating its effectiveness has been submitted to and approved in writing by the Local Planning Authority.
- 11) A) Prior to the commencement of development within a phase an archaeological written scheme of investigation for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of significance and:
 - i) The programme and methodology of site investigation and recording,
 - ii) The programme for post investigation assessment,
 - iii) Provision to be made for analysis of the site investigation and recording,
 - iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation,
 - v) Provision to be made for archive deposition of the analysis and records of the site investigation and
 - vi) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

In this case the evaluation should commence with a geophysical survey, a brief for which can be obtained from Norfolk Historic Environment Service.
and,

B) No development within a phase shall take place other than in accordance with the written scheme of investigation approved under paragraph (A).

and,

C) No dwelling within a phase shall be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under paragraph (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

- 12) Prior to the commencement of development within a phase a scheme for generating a minimum of 10% of the predicted energy requirement of the development within that phase from decentralised renewable and/or low carbon sources shall be submitted to and approved in writing by the Local Planning Authority. None of the development in that phase shall be occupied until the approved scheme has been implemented and made operational and the approved scheme shall remain in operation for the lifetime of the development.
- 13) Prior to the commencement of development within a phase detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage for that phase shall be submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- 14) Prior to first occupation of a dwelling all works shall be carried out on roads/footways/cycleways/street lighting/foul and surface water sewers serving that dwelling in accordance with the details approved under condition 13 to the satisfaction of the Local Planning Authority.
- 15) Before any dwelling is first occupied the road(s)/footway(s)/cycleway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with details, which shall first be submitted to and approved in writing by the Local Planning Authority.
- 16) No dwelling within a phase shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within that phase have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act (1980) or a private company has been established to secure the management and maintenance of the streets in perpetuity.
- 17) Prior to the commencement of development within a phase a scheme detailing provision for on-site parking for construction workers for the duration of the construction period of that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved for the duration of the construction period.

- 18) Prior to the commencement of development within a phase a Construction Traffic Management Plan including Construction Traffic Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway shall be submitted to and approved in writing by the Local Planning Authority. For the duration of the construction period all traffic associated with the construction of the development will comply with the approved details.
- 19) Prior to the commencement of development within a phase details of wheel cleaning facilities for construction vehicles for that phase shall be submitted to and approved in writing by the Local Planning Authority. For the duration of the construction period for that phase all traffic associated with the construction of the development will comply with the approved details.
- 20) Notwithstanding the details shown on the submitted plans, there shall be no changes to ground levels within flood zones 2 and 3 unless details have been provided to demonstrate that any changes will not result in increased flood risks on or off site.
- 21) Prior to the first occupation of development on any phase, a landscape and ecological management plan (LEMP) in respect of that phase to comply with British Standard BS42020 shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:
 - i) Description and evaluation of features to be managed;
 - ii) Ecological trends /timings and constraints on site that might influence management;
 - iii) Aims and objectives of management;
 - iv) Appropriate management options for achieving aims and objectives;
 - v) Prescriptions for management actions;
 - vi) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period);
 - vii) Details of the body or organization responsible for implementation of the plan;
 - viii) Ongoing monitoring and remedial measures.to set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/ or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning objectives of the approved scheme

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

- 22) Prior to the commencement of development (including demolition, ground works and vegetation clearance) a Construction Environmental Management Plan relating to that phase (CEMP: Biodiversity) to comply with British Standard BS42020 shall be submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following:

- i) Identification of 'biodiversity protection zones';
- ii) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
- iii) The location and timing of sensitive works to avoid harm to biodiversity features;
- iv) The times during construction when specialist ecologists need to be present on site to oversee works;
- v) Responsible persons and lines of communication;
- vi) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- vii) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP: Biodiversity shall be adhered to and implemented through the construction phases strictly in accordance with the approved details.

- 23) Prior to the commencement of the development within a phase the following will be submitted to and approved in writing by the Local Planning Authority:
- A) Mineral Resource Assessment for that phase will be carried out to inform a Materials Management Plan-Minerals (MMP-M). The Mineral Resource Assessment will include a written methodology for an intrusive site investigation, including Particle Size Distribution testing to determine if the site contains a viable mineral resource for prior extraction.

Assessment of the results of the Particle Size Distribution testing should refer to material class types in Table 6/1 of the Manual of Contract Documents for Highway Works: vol 1: Specification for Highway Works Series 600, in order to identify potential suitability for use in the construction phases.
 - B) The MMP-M will
 - consider the extent to which on-site materials which could be extracted during the proposed development would meet specifications for use on-site through intrusive site investigations, testing and assessment;
 - outline the amount of material which could be reused on site; and for material extracted which cannot be used on-site its movement, as far as possible by return run, to an aggregate processing plant;
 - require the developer to keep a record of the amounts of material obtained from on-site resources which are used on site and the amount of material returned to an aggregate processing plant.

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

The developer shall provide an annual return of the amounts referred to in the third bullet point above to the Local Planning Authority, or upon request of the Local Planning Authority.

- 24) Prior to the commencement of development within a phase details of existing and proposed ground and slab levels for that phase shall be submitted to and approved in writing by the Local Planning Authority. The details shall comply with the parameters established in Dwg 26007 06 Rev

E Development Parameters Plan 1 – Finished Ground Levels. The development shall be constructed in accordance with the approved details.

- 25) Prior to commencement of development within a phase, in accordance with the submitted FRA (Rossi Long Consulting Ref 161068 dated July 2016), detailed designs of a surface water drainage scheme incorporating the following measures for that phase shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:
- i) Detailed ground investigation should be undertaken including infiltration testing in accordance with BRE Digest 365 along the length of the proposed soakaways /infiltration basins, as stated within section 7.6 of the FRA / Drainage Strategy. The investigation should also establish the seasonally high groundwater level.
 - ii) If infiltration is proven to be unfavourable, then connection to a watercourse is proposed. In this event, the Greenfield runoff rate for the 17.25 Ha site will be Q_{bar} (2.84 l/s/Ha), excluding large areas of open space. These post development runoff rates will be attenuated to the equivalent Greenfield rate for all rainfall events up to and including the 1% Annual Exceedance Probability. The discharge location for surface water runoff will be confirmed to connect with the wider watercourse network.
 - iii) Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
 - 3.33% annual probability critical rainfall event to show no above ground flooding on any part of the site.
 - 1% annual probability critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.
 - iv) Provision of surface water attenuation storage sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1% Annual Exceedance Probability rainfall event including appropriate allowances for climate change.
 - v) The design of any infiltration basin will show that its base will be 1.2m above the seasonally high groundwater level, any attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances
 - vi) Finished ground floor levels of properties should be not less than 300mm above any sources of flooding (including fluvial flooding associated with the ordinary watercourse and the proposed drainage scheme) and not less than 150mm above surrounding ground levels.
 - vii) Information needs to be provided to demonstrate that any subsequent application for different phases of development considers how sustainable drainage relates to the surface water drainage strategy for the whole site. In particular, highlighting where different phases rely on each another for the disposal of surface water, how

this will be implemented during construction and operation of the development.

viii) Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

- 26) Concurrently with the submission of reserved matters for any phase of development an Arboricultural Impact Assessment to comply with BS5837:2012 Trees in relation to design, demolition and construction - Recommendations Section 5.4 shall be submitted to and approved in writing by the Local Planning Authority, detailing the extent of the direct and indirect impacts of the development proposals on existing trees on and adjoining that phase of the site to be approved by the Local Planning Authority. This will include details of Root Protection Areas (RPA's), Construction Exclusion Zones (CEZ's), and Tree Protection.

Additionally, an Arboricultural Method Statement shall be similarly submitted to and approved in writing by the Local Planning Authority prior to the commencement of development on any phase. This will specify the methodology for the implementation of any aspect of the development that has the potential to result in loss of or damage to any retained tree on or adjacent to that phase of the site. All works shall be carried out as approved to the satisfaction of the Local Planning Authority and in accordance with the requirements of BS 5837:2012 "Trees in relation to design, demolition and construction - Recommendations".

The development shall be implemented in full accordance with the approved details.

FULL PERMISSION

- 1) The development hereby permitted must be begun before the expiry of three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the application form, plans and drawings and other documents and details received as listed below:

26007_PL01_F, 26007_HT06_5_C, 26007_HT06_4_C, 26007_HT05_C
26007_HT05_3_C, 26007_HT05_2_C, 26007_HT05_1_C, 26007_HT04_C,
26007_HT04_2_C, 26007_HT03_C, 26007_HT03_1_C, 26007_PL05_B,
26007_HT12_A, 26007_HT12_3_A, 26007_HT12_2_A, 26007_HT12_1_A,
26007_HT11_A, 26007_HT11_1_A, 26007_HT10_B 26007_HT10_1_B,
26007_HT09_A, 26007_HT09_2_A, 26007_HT09_1_A, 26007_HT08_B,
26007_HT08_1_B, 26007_HT07_A, 26007_HT06_B, 26007_HT06_3_B,
26007_HT06_2_B, 26007_HT06_1_B, 26007_HT04_1_A,
26007_HT03_2_A, 26007_HT02_B, 26007_HT02_1_B, 26007_HT01_3_B
26007_HT01_2_B, 26007_HT01_1_A, 26007 HT07_1_A, 26007 HT01_A,
26007_03_B, 26007_03_C, 26007 PL03 Sections Rev B, 26007 PL04
Building Materials Rev B, 26007 06 Rev E Development Parameters Plan 1
– Finished Ground Levels, 26007 07 Rev D Development Parameters Plan
2 – maximum Building Heights and Built Dev Extents, 26007 08 Rev C
Development Parameters Plan 3 – Recreation and Ecological Connectivity
Zones, 26007 09 Rev D Development Parameters Plan 4 – Recreational

Zones, 26007 10 Rev D Development Parameters Plan 5 – Primary Movement Corridor

- 27) Development shall not progress above slab level until details of the materials used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.
- 28) Development shall not begin until an investigation and risk assessment into land quality has been completed in accordance with a scheme to be first submitted to and agreed in writing by the Local Planning Authority, to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The written report(s) shall identify and consider the potential impacts on all identified receptors. Based on the findings of this study, details of whether remediation is required together with a remediation method strategy as appropriate shall be submitted to and approved in writing by the Local Planning Authority.
- 29) If the reports produced in compliance with condition 4 above determined that remediation is required, the development hereby permitted shall be carried out in accordance with the approved contamination remediation scheme. Following completion of remediation and prior to first occupation of the dwellings/use of the land, a verification report that scientifically and technically demonstrates the effectiveness and success of the remediation scheme shall be submitted to and approved in writing by the Local Planning Authority.
- 30) In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All development shall cease and shall not recommence until:
 - i) a report has been submitted and agreed in writing by the Local Planning Authority which includes results of an investigation and risk assessment together with proposed remediation scheme to deal with the risk identified, and
 - ii) the agreed remediation scheme has been carried out and a validation report demonstrating its effectiveness has been approved in writing by the Local Planning Authority.
- 31) A) Prior to the commencement of development within a phase an archaeological written scheme of investigation for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of significance and:
 - i) The programme and methodology of site investigation and recording,
 - ii) The programme for post investigation assessment,
 - iii) Provision to be made for analysis of the site investigation and recording,
 - iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation,
 - v) Provision to be made for archive deposition of the analysis and records of the site investigation and

- vi) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

In this case the evaluation should commence with a geophysical survey, a brief for which can be obtained from Norfolk Historic Environment Service.
and,

B) No development within a phase shall take place other than in accordance with the written scheme of investigation approved under paragraph (A).

and,

C) No dwelling within a phase shall be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under paragraph (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

- 32) Prior to the commencement of development, a scheme for generating a minimum of 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources shall be submitted to and approved in writing by the Local Planning Authority. None of the development shall be occupied until the approved scheme has been implemented and made operational, and the approved scheme shall remain operational for the lifetime of the development.
- 33) Prior to the commencement of development detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- 34) Prior to first occupation of a dwelling all works shall be carried out on roads/footways/cycleways/street lighting/foul and surface water sewers serving that dwelling in accordance with the details approved under condition 9 to the satisfaction of the Local Planning Authority.
- 35) Before any dwelling is first occupied the road(s)/footway(s)/cycleway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with details, which shall first be submitted to and approved in writing by the Local Planning Authority.
- 36) No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act (1980) or a private company has been established to secure the management and maintenance of the streets in perpetuity.
- 37) Prior to the first occupation of any of the dwellings hereby approved visibility splays shall be provided in full accordance with the details indicated on the approved drawing 161068-SK100 rev P1. The splay(s) shall thereafter be maintained at all times free from any obstruction

exceeding 600mm metres above the level of the adjacent highway carriageway.

- 38) Prior to the commencement of development, a scheme detailing provision for on-site parking for construction workers for the duration of the construction period shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved for the duration of the construction period.
 - 39) Prior to the commencement of development, a Construction Traffic Management Plan including Construction Traffic Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway shall be submitted to and approved in writing by the Local Planning Authority. For the duration of the construction period all traffic associated with the construction of the development will comply with the approved details.
 - 40) Prior to the commencement of development details of wheel cleaning facilities for construction vehicles shall be submitted to and approved in writing by the Local Planning Authority. For the duration of the construction period all traffic associated with the construction of the development will comply with the approved details.
 - 41) Notwithstanding the details indicated on the submitted drawings, prior to the commencement of development a detailed scheme for the off-site highway works as shown on Bellamy Roberts drawing 5111/1002 rev A shall be submitted to and approved in writing by the Local Planning Authority.
 - 42) Prior to the first occupation of the dwellings hereby permitted the off-site highway works referred to in condition 17 shall be implemented in full.
 - 43) Development shall not proceed above slab level until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - Hard landscaping:
 - i) Proposed finished levels or contours
 - ii) Means of enclosure
 - iii) Details of any hard surfacing
 - iv) Location type and materials to be used for hard landscaping including specifications, where applicable for: Permeable paving, Tree pit design, Underground modular systems and SUDS
 - v) Street furniture
 - vi) Proposed and existing services above and below ground
 - vii) Retained historical landscape features and proposals for restoration where relevant.
 - Soft landscaping:
 - i) A scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted
 - ii) Implementation programme and specification for cultivation and establishment
- The scheme as approved shall be carried out not later than the next

available planting season following the commencement of development or such further period as the Local Planning Authority may allow in writing. If within a period of TEN YEARS from the date of planting any tree or plant (or any tree or plant planted in replacement for it), is removed, uprooted or is destroyed or dies, or becomes in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 44) No dwelling shall be occupied until a long term landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all nondomestic landscape areas has been submitted to and approved in writing with the Local Planning Authority. The development shall be carried out in accordance with the details as agreed and the management of the landscaping shall commence immediately after planting in accordance with the agreed details.
- 45) Prior to the commencement of development (including demolition, ground works and vegetation clearance) a Construction Environmental Management Plan (CEMP: Biodiversity) to comply with British Standard BS42020 shall be submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following:
- i) Identification of 'biodiversity protection zones';
 - ii) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
 - iii) The location and timing of sensitive works to avoid harm to biodiversity features;
 - iv) The times during construction when specialist ecologists need to be present on site to oversee works;
 - v) Responsible persons and lines of communication;
 - vi) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
 - vii) Use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity shall be adhered to and implemented through the construction phases strictly in accordance with the approved details.

- 46) Prior to the commencement of the development within a phase the following will be submitted to and approved in writing by the Local Planning Authority:
- A) Mineral Resource Assessment for that phase will be carried out to inform a Materials Management Plan-Minerals (MMP-M). The Mineral Resource Assessment will include a written methodology for an intrusive site investigation, including Particle Size Distribution testing to determine if the site contains a viable mineral resource for prior extraction.
- Assessment of the results of the Particle Size Distribution testing should refer to material class types in Table 6/1 of the Manual of Contract Documents for Highway Works: vol 1: Specification for

Highway Works Series 600, in order to identify potential suitability for use in the construction phases

B) The MMP-M will:

- consider the extent to which on-site materials which could be extracted during the proposed development would meet specifications for use on-site through intrusive site investigations, testing and assessment;
- outline the amount of material which could be reused on site; and for material extracted which cannot be used on-site its movement, as far as possible by return run, to an aggregate processing plant;
- require the developer to keep a record of the amounts of material obtained from on-site resources which are used on site and the amount of material returned to an aggregate processing plant.

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

The developer shall provide an annual return of the amounts referred to in the third bullet point above to the Local Planning Authority, or upon request of the Local Planning Authority

- 47) Prior to commencement of development, in accordance with the submitted FRA (Rossi Long Consulting Ref 161068 dated July 2016), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:
- i) Detailed ground investigation should be undertaken including infiltration testing in accordance with BRE Digest 365 along the length of the proposed soakaways /infiltration basins, as stated within section 7.6 of the FRA / Drainage Strategy. The investigation should also establish the seasonally high groundwater level.
 - ii) If infiltration is proven to be unfavourable, then connection to a watercourse is proposed. In this event, the Greenfield runoff rate for the 17.25 Ha site will be Q_{bar} (2.84 l/s/Ha), excluding large areas of open space. These post development runoff rates will be attenuated to the equivalent Greenfield rate for all rainfall events up to and including the 1% Annual Exceedance Probability. The discharge location for surface water runoff will be confirmed to connect with the wider watercourse network.
 - iii) Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
 - 3.33% annual probability critical rainfall event to show no above ground flooding on any part of the site.
 - 1% annual probability critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.
 - iv) Provision of surface water attenuation storage sized and designed to accommodate the volume of water generated in all rainfall events up

- to and including the critical storm duration for the 1% Annual Exceedance Probability rainfall event including appropriate allowances for climate change.
- v) The design of any infiltration basin will show that its base will be 1.2m above the seasonally high groundwater level, any attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances
 - vi) Finished ground floor levels of properties should be not less than 300mm above any sources of flooding (including fluvial flooding associated with the ordinary watercourse and the proposed drainage scheme) and not less than 150mm above surrounding ground levels
 - vii) Information needs to be provided to demonstrate that any subsequent application for different phases of development considers how sustainable drainage relates to the surface water drainage strategy for the whole site. In particular, highlighting where different phases rely on each another for the disposal of surface water, how this will be implemented during construction and operation of the development
 - viii) Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
- 48) The development hereby permitted shall be carried out in full accordance with the submitted Arboricultural Impact Assessment ref 800.2 July 2017.