

These draft conditions are agreed between the Council and the Appellant, save for condition 7 relating to the provision of a fire hydrant. The Appellant does not consider this condition to meet the Paragraph 55 tests, specifically whether the proposed condition is necessary or relevant to planning.

1. The development hereby permitted shall be begun before the expiration of THREE years from the date of this permission.

Reason

As required to be imposed by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the approved plans and drawings referenced:

List of approved plans, as detailed in the SoCG.

Reason

For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans.

3. No trade deliveries or collections, including trade waste shall take place before 07:00 or after 23:00 Monday to Saturdays or before 09:00 and after 18:00 Sundays, with no trade deliveries or collections on Bank or Public Holidays.

Reason

To safeguard the amenity of the surrounding area, in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.

4. No works, save for demolition shall commence on the site until such time as detailed plans of the roads, footways, cycleways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.

Reason

To ensure satisfactory development of the site which provides for adequate parking, turning, cycle parking and servicing provision for the development, in accordance with policy 2 of the Greater Norwich Local Plan 2024 Document 1. and policy DM28, DM29, DM30 and DM31 of the Development Management Policies Local Plan 2014. This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the

development.

5. No development shall take place, including any works of demolition, in pursuance of this permission until a Construction Management Plan, including Construction Traffic Management Plan and Access Route has been submitted to, and approved in writing by the local planning authority.

The approved Plan shall be adhered to throughout the construction period.
The Plan shall provide for:

- (a) a Construction Traffic Access Route which shall incorporate adequate provision for safety of vulnerable road users (pedestrians and cyclists) and for addressing any abnormal wear and tear to the highway;
- (b) the parking of vehicles for construction workers and visitors (within the red or blue line);
- (c) loading and unloading of plant and materials;
- (d) storage of plant and materials used in constructing the development;
- (e) the erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate;
- (f) wheel washing facilities;
- (g) measures to control the emission of dust and dirt during construction;
- (h) a scheme for recycling/disposing of waste resulting from demolition and construction.
- (i) A detailed noise and dust management plan to protect the occupants of residential dwellings surrounding the site from noise, dust and smoke, including.
 - 1.Details of construction working hours.
 - 2.Communication with neighbours before and during works.
 3. Contact arrangements by which residents can raise any concerns and issues.
 4. The mechanism for investigation and responding to residents' concerns and complaints
 5. Management arrangements to be put in place to minimise noise and dust (including staff training such as toolbox talks).
 6. Hours during which noisy and potentially dusty activities will take place.
 7. Measures to control loud radios on site.
 8. Measures to be taken to ensure noisy activities take place away from residential premises where possible such as a separate compound for cutting and grinding activities.
 9. Measures to control dust from excavation, wetting of soil; dust netting and loading and transportation of soil such as minimising drop heights, sheeting of vehicles.
 10. Measures to control dust from soil stockpiles such as sheeting, making sure that stockpiles exist for the shortest possible time and locating stockpiles away from residential premises.
 11. Measures to control dust from vehicle movements such as site speed limits, cleaning of site roads and wetting of vehicle routes in dry weather.

12. Measures to minimise dust generating activities on windy and dry days
13. Confirmation of no burning activities on site.
14. Method statements and risk assessments relating to the identification, removal and disposal of any asbestos containing materials which are present on site.

The construction operations on the site shall fully accord with the approved Construction Management Plan and all traffic associated with the construction of the development shall comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing by the Local Planning Authority

Reason

In order to safeguard highway safety and the amenity of the surrounding area, in accordance with policy 2 of the Greater Norwich Local Plan 2024 Document 1 and policy DM2, DM11 and DM30 of the Development Management Policies Local Plan 2014. Given that the condition relates to construction details it is essential that it is a true condition precedent.

6. With the exception of any demolition, site clearance works, archaeological work, tree protection works, ground investigations and below ground works, no development shall take place in pursuance of this permission until a detailed landscaping scheme, which broadly reflects the details within the submitted landscaping scheme, has been submitted to and agreed in writing by the Local Planning Authority. Notwithstanding the submitted landscaping details the landscaping scheme shall include the following information:

Existing landscape details:

- (a) location, spread and levels of existing trees, hedgerows and other significant areas of vegetation on or adjoining the site;
- (b) details of existing boundary treatments and forms of enclosure;
- (c) details of existing open watercourses or other aquatic features and associated vegetation on the site;

Hard landscape details:

- (d) details of the materials for paved areas, including manufacturer, product type and colour;
- (e) proposed and existing functional services above and below ground (e.g. power and communication cables, pipelines, indicating manholes, supports etc.);
- (f) details of all new boundary treatments at the site, including the material and colour finish of any walls, fences or railings;
- (g) details of new external lighting;
- (h) details of vehicle and pedestrian access and circulation areas;
- (i) details of car parking layouts and cycle parking provision;
- (j) proposed finished levels and contours across the site including detailed finished levels and contours of the embankment and ramp arrangement to Dereham Road;
- (k) details of the pedestrian/cycle path along the eastern boundary

of the site including lighting, signage and demarcation appropriate to its use. The path shall be provided and made available for use by the general public before first use of the development hereby approved and retained available for that use thereafter;

- (l) details of any minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs);

Soft landscape details:

- (m) planting plans showing the location, species and numbers of proposed new replacement trees, hedging, shrubs and other planting on the site;
- (n) planting schedules, noting species, planting sizes (at time of planting) and proposed numbers and densities where appropriate;
- (o) written specifications (including cultivation and other operations associated with plant and grass establishment).

Implementation and management details:

- (p) an implementation programme clearly indicating a timescale for the completion of all landscaping works;
- (q) a landscape management plan, including management responsibilities and a schedule of maintenance operations for all landscaped areas for a minimum period of five years following implementation.

The development shall be carried out in full accordance with the agreed details and implementation programme and the landscaped areas of the site shall be made available for the enjoyment of residents of the development hereby permitted. Management of the landscaping shall commence immediately after planting in accordance with the agreed details. All hard and soft landscaping works shall thereafter be retained as such.

If within a period of FIVE 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 no later than the end of the first available planting season (October-March inclusive), unless the local planning authority first gives its written consent to any variation.

Reason

In the interests of the satisfactory appearance of the development, to enhance biodiversity and to provide a high standard of amenity for future users, in accordance with sections 12 and 15 of the NPPF, policy 2 and policy 3 of the Greater Norwich Local Plan 2024 Document 1, and policies DM2, DM3 and DM6 of the Development Management Policies Local Plan 2014. The development as approved requires the loss of existing

trees on site. It is considered important, in accordance with policy 2 and 3 of the Greater Norwich Local Plan 2024 Document 1 and policy DM7 of the Development Management Policies Local Plan 2014 to provide new trees on site to replace the trees which will be lost.

7. With the exception of any demolition, site clearance works, archaeological work, tree protection works, ground investigations and below ground works no development shall take place on site in pursuance of this permission until details have been submitted to and agreed in writing by the local planning authority for the provision of a minimum of 1 fire hydrant (served by mains water supply) for the development.

No use of the development hereby approved shall take place until the applicant has provided the hydrant and made it available for use in accordance with the details as agreed and, once provided, it shall be retained as such thereafter.

Reason

To ensure that adequate provision is made for fire hydrant infrastructure, required for health and safety purposes as a direct result of the development hereby approved, in accordance with policy 4 of the Greater Norwich Local Plan 2024.

8. Notwithstanding the details provided with the application, with the exception of any demolition, site clearance works, archaeological work, tree protection works, ground investigations and below ground works, no development shall take place until a detailed scheme to manage surface water run-off has been submitted to and agreed in writing by the local planning authority. The scheme shall identify the net change in impermeable surfacing at the site which is the subject of this permission and provide details of measures to mitigate any increase in surface water run-off. These details shall include an assessment of the potential for disposing of surface water by means of a sustainable drainage system, this shall include the results of infiltration testing (in accordance with BRE365). If the assessment demonstrates that a sustainable drainage scheme is feasible, the submitted details shall:

- a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and surface waters;
- b) include a timetable for its implementation; and
- c) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker; or
- d) identify a private organisation or company that will be utilised to manage and maintain the facilities and include details of ownership and organisational structure, and its source of funds; and
- e) any organisation or company agreed in d) above shall produce a report annually by 31st March for the previous calendar year identifying the state of the SuDS features, the maintenance undertaken, the anticipated

maintenance in the following 12 months, the anticipated long term maintenance over the following 10 years, the amount spent over the previous 12 months, the anticipated expenditure over the next 12 months and 10 years and the balance of monies available for maintenance at the end of the calendar year and the proposed charges and income for the next year. The report shall be made available to all owners of properties on the site and be available on demand to the local planning authority within 14 days of any such request. If the content of the document is not considered to be acceptably managing the long term maintenance adequately a further revised report shall be submitted and agreed with the local planning authority within 2 months of its request.

The surface water drainage scheme shall be implemented in full accordance with the agreed details and timetable. Following the implementation of the surface water drainage works, the drainage systems shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason

To ensure that the development does not adversely contribute to surface water flooding and contributes towards climate change adaptation, and is maintained in the long term in accordance with section 14 of the NPPF, and policy DM5 of the Development Management Policies Local Plan 2014.

9. With the exception of any demolition, site clearance works, archaeological work, tree protection works, ground investigations and below ground works, no development shall take place until details of water conservation measures designed to maximise water conservation and meet the BREEAM 'Very Good' water efficiency standard, or any equivalent successor, have been submitted to and agreed in writing by the local planning authority.

No use of the development hereby approved shall take place until the agreed measures have been installed and brought into use and such measures shall be permanently retained.

Reason

To ensure the development is constructed to an appropriate standard in accordance with policy 2 of the Greater Norwich Local Plan 2024 Document 1.

10. Demolition and construction of the development hereby approved shall take place in complete accordance with the approved Arboricultural Impact Assessment (AIA), Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS). No other operations shall commence on site in connection with the hereby-approved development until the tree protection works and any pre-emptive tree works required by the approved AIA or AMS have been carried out and all tree protection barriers are in place. The approved protective fencing shall be retained in a good and effective condition for the duration of the development and shall not be moved or removed, temporarily

or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior written approval of the local planning authority has first been sought and obtained.

Reason

To ensure the satisfactory protection of those trees to be retained on the site and to accord with policy 3 of the Greater Norwich Local Plan 2024 Document 1 and policy DM7 of the Development Management Policies Local Plan 2014.

11. No works shall take place within the root protection areas, as identified within the approved Arboricultural Impact Assessment (AIA), Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS), including any demolition works or the breaking and lifting of existing ground surfaces, unless carried out under the supervision of a suitably qualified arborist.

Reason

To ensure the satisfactory protection of those trees to be retained on the site and to accord with policy 3 of the Greater Norwich Local Plan 2024 Document 1 and policy DM7 of the Development Management Policies Local Plan 2014.

12. If, during the removal of existing foundations or as part of the wider site development, contamination not previously identified is found to be present, then all works shall stop and no further development shall be carried out in pursuance of this permission until a scheme has been submitted to and approved by the Council as Local Planning Authority detailing how this contamination shall be dealt with in accordance with the remediation scheme as set out above. Only when evidence is provided to confirm the contamination no longer presents an unacceptable risk, can development continue.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with paragraph 197 of the NPPF, and policy DM11 of the Development Management Policies Local Plan 2014.

13. Prior to the construction above damp proof course level, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To prevent environmental and amenity problems arising from flooding in accordance with section 14 of the NPPF, and policy DM5 of the Development Management Policies Local Plan 2014.

14. Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing

until detailed drawings for the off-site highway improvement works as indicated on Drawing No's J000420-SK001 Rev C, J000420-SK501 Rev A, J000420-SK502 Rev A, J000420-SK503 & J000420-SK505 have been submitted to and approved in writing by the Local Planning Authority.

The off-site highway improvement works shall be completed to the written satisfaction of the Local Planning Authority prior to the first use of the development hereby approved.

Reason

To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety, to protect the environment of the local highway corridor and to support sustainable modes of transport in accordance policy 2 of the Greater Norwich Local Plan 2024 Document 1 and policy DM28, DM29, DM30 and DM31 of the Development Management Policies Local Plan 2014.

15. Prior to the first use of the development hereby approved visibility splays shall be provided in full accordance with the details indicated on the approved plan Figure TA3 Rev A which forms part of the Transport Assessment. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225metres above the level of the adjacent highway carriageway.

Reason

In the interests of highway safety in accordance policy 2 of the Greater Norwich Local Plan 2024 Document 1 and policy DM30 of the Development Management Policies Local Plan 2014.

16. Prior to the first use of the development hereby approved a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include a monitoring programme to ensure that the identified travel plan targets are met. The Travel Plan shall be implemented in accordance with the timetable and targets contained therein and continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority.

Reason

To ensure that the development supports sustainable modes of transport and to reduce the impact of travel and transport on the environment in accordance with policy 2 and policy 4 of the Greater Norwich Local Plan 2024 Document 1 and policy DM28 of the Development Management Policies Local Plan 2014.

17. No use of the development hereby approved shall take place until details have been submitted to and agreed in writing by the local planning authority of all external lighting for the site, including any security or other intermittent lighting. Such details shall include specifications for the lighting proposed, its location and position within the site, height and levels of illumination proposed. The details shall also specify that any external lighting includes cowling, or other similar device, to ensure that the lighting only illuminates the

site directly. The development shall be carried out in accordance with the details as agreed and retained as such thereafter.

Reason

To ensure that the development minimises light pollution and the potential impact on biodiversity in accordance with sections 12 and 15 of the NPPF, and policies DM2, DM3 and DM6 of the Development Management Policies Local Plan 2014.

18. No use of the development hereby approved shall take place until a mechanical plant system (including for the purposes of extract, ventilation and refrigeration) has been installed in full accordance with a scheme to be first submitted to and agreed in writing by the local planning authority and, once installed, shall be retained as such thereafter.

The scheme shall conform to the recommendations given at paragraphs 5.11 and 5.12 of the submitted noise impact assessment.

Reason

To ensure adequate protection between different uses takes place to avoid unacceptable noise and odour nuisance in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.

19. No use of the development hereby approved shall take place until details of measures to ensure sensitive and appropriate means of securing the land outlined in blue on the submitted site location plan are submitted to and agreed in writing by the local planning authority. The agreed measures shall be installed within the agreed timescales and retained in good order while ever the land remains vacant/unused.

Reason

To ensure a satisfactory appearance of the development and to safeguard residential amenities, in accordance with section 12 of the NPPF, policy 2 of the Greater Norwich Local Plan 2024 Document 1, and policies DM2 and DM3 of the Development Management Policies Local Plan 2014.

20. No use of the development hereby approved shall take place until the car and motor cycle parking (including active and passive EV provision), vehicle turning, cycle storage and parking and servicing facilities have been provided and made available for use in accordance with the details as agreed and, once provided, they shall retained as such thereafter.

Reason

To ensure satisfactory development of the site which provides for adequate parking, turning, cycle parking and servicing provision for the development, in accordance with policy 2 of the Greater Norwich Local Plan 2024 Document 1. and policy DM28, DM29, DM30 and DM31 of the Development Management Policies Local Plan 2014.

21. The development shall be constructed to include the energy efficiency measures detailed within the planning submission including the measures set out within the approved Energy Statement.

No use of the development hereby approved shall take place until the identified energy efficiency measures have been provided in full and made available for use. Once provided the energy systems shall be thereafter retained as such.

Reason

To secure at least 10% of the site's energy from decentralised and renewable or low carbon sources, so as to reduce carbon dioxide emissions and contribute towards climate change adaptation, in accordance with policy 2 of the Greater Norwich Local Plan 2024 Document 1, and policy DM4 of the Development Management Policies Local Plan 2014.

22. The development shall be carried out in full accordance with the methodology, mitigation and enhancement measures hereby approved within the submitted Preliminary Ecology Assessment, in particular items within Chapters 5 and 7.

Reason

To ensure the ecological interest of the site, in terms of both wildlife and habitat, is fully considered and taken into account during the development of the site and that appropriate ecological mitigation is carried out as part of the development process in accordance with section 15 of the NPPF, and policies DM1 and DM6 of the Development Management Policies Local Plan 2014.