

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2018/0642/O	CASE OFFICER	Fiona Hunter
LOCATION:	FRANSHAM Top Farm,Main Road,Little Fransham Fransham	APPNTYPE:	Outline
APPLICANT:	Mr & Mrs Hill C/O Parker Planning Services	POLICY:	Out Settlemnt Bndry
AGENT:	Parker Planning Services Ltd Orchard House Hall Lane	ALLOCATION:	N
PROPOSAL:	Outline application for the erection of up to 8 No. dwellings with associated parking (amended description)	CONS AREA:	N
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is referred to Planning Committee as it is a departure from policy.

KEY ISSUES

Principle
Impact on the Character of the area
Amenity
Access and Highways Issues
Biodiversity
Flooding
Other matters
Conclusion

DESCRIPTION OF DEVELOPMENT

The application is for outline planning permission with all matters other than access reserved. The proposal was originally for 10 dwellings but has been amended to 8 dwellings during the course of the application. An ecological enhancement area is shown on the indicative layout.

Affordable housing is proposed, the percentage to be confirmed and reported in the supplementary agenda.

A previous application was refused on this site for 15 dwellings for 4 reasons, namely the site being remote from local services and not sustainable, lack of affordable housing, the new access to the A47 would present a risk to highway safety and insufficient information relating to potential impact on the natural environment.

SITE AND LOCATION

The application site is located to the south of the A47 and measures 1.23 hectares. The application site is reasonably flat and currently comprises of a grassed area to the west of Fransham. The application site is surrounded by fields/open countryside to the west and south. To the east is a small modern housing development, comprising of three pairs of semi-detached two storey dwellings. There is a narrow access to Top Farm running along the western boundary of the site with a short section of hedgerow marking the site.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2017/0216/O - Outline application for the creation of 15 dwellings & shop - refused 31.05.17

Adjacent site to east:

3PL/2000/0130/F - New bungalow and double garage plus additional car sales area

3PL/2008/0498/D - Erection of 4 no. dwellings and garages together with ancillary works

Other relevant applications in Fransham:

3PL/2018/0459/O - - Outline permission for the erection of 7no dwellings, and at Kirkhams Meadow Little Fransham refused on highway grounds

3PL/2018/0664/O - Erection of 4 dwellings, land adjacent to Main Road - permitted 05.09.18

3PL/2016/1314/F - 2 dwellings, refused then allowed on appeal 18.08.17

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

CP.01	Housing
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.13	Accessibility
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.16	Design
DC.19	Parking Provision
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SS1	Spatial Strategy

OBLIGATIONS/CIL

CONSULTATIONS

FRANSHAM P C

Fransham Parish Council approve the application although they have concerns regarding increased traffic and safety of vehicles turning into the development which they trust the Highways Department will address. The Council wish to see a Section 106 barring any further development on or adjacent to the site, especially the Ecology Enhancement Area.

ENVIRONMENT AGENCY

Groundwater The site is located above a Principal Aquifer. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination, Foul Drainage Government guidance contained within the National Planning Practice Guidance (Water supply, wastewater and water quality considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order: 1. Connection to the public sewer 2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation) 3. Septic Tank Foul drainage should be connected to the main sewer if the distance from the development is within 30 metres of less of a main sewer (multiplied by the number of dwellings).

ANGLIAN WATER SERVICE

Development will lead to an unacceptable risk of flooding downstream. The developer has not confirmed the foul discharge regime strategy for this site including a connection point and discharge regime from the site. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures.

We request a condition requiring the drainage strategy covering the issue(s) to be agreed.

HIGHWAYS ENGLAND

Recommend that conditions should be attached to any consent requiring the highway improvements to the A47 Main road/Top Farm junction before any other works commence.

NATURAL ENGLAND

No comments. Refer to standing advice.

NORFOLK COUNTY COUNCIL HIGHWAYS

Comments in revised plan:

We accept the revised plan shows the access road measuring 6m between A47 and the farm access. The width of 6m should be continued passed the farm access to ensure farm vehicles entering/exiting the farm access have full benefit of an appropriate width carriageway.

Layout is not marked for consideration at this time and we are satisfied the width of the proposed road can be agreed as part of any reserved matters application.

Initial comments:

The site takes access from A47 Trunk Road. It is not within our remit to comment on such proposals; you will need to consult Highways England. We offer the following comments in response to the indicative layout,

drawing 005-18-200: 1. Access to Top Farm is proposed via the new estate road. From Main Road to at least the farm access the carriageway should be 6m wide. 2. The alignment of the farm access should be designed to safely accommodate farm vehicles. 3. Bends in the estate road should have 20m centreline radii. 4. Visibility splays at internal junctions should measure 2.4m x 33m. 5. The developer may consider providing a traditional style road up to the farm access and then a shared surface road to serve the residential dwellings. 6. The footway along the eastern side of the Ecology Enhancement Area should measure 2m in width and connect direct with the estate road. The footway should be provided with natural surveillance to minimise the potential for personal safety concerns. 7. Shared private drives should be provided with appropriate turning provision. The shared private drive serving plots 7-10 would require a size 3 turning head. 8. Garages should be set back sufficient distance to provide two parking spaces in front of them.

FLOOD & WATER MANAGEMENT TEAM

This is below our current threshold for providing detailed comment. This is because the proposal is for less than 100 dwellings or 2 ha in size and is not within a surface water flow path as defined by Environment Agency mapping. You should satisfy yourself that the applicant has demonstrated compliance with National Planning Policy Framework by ensuring that the proposal would not increase flood risk elsewhere. The applicant should also demonstrate how the proposal accords with national standards and relevant guidance. If the proposal does not accord with these the applicant should state their reasoning and the implications of not doing so.

TREE AND COUNTRYSIDE CONSULTANT

No objection. Adjustments required to finalised layout to ensure all surfacing is outside root protection areas and dwellings 3 and 4 are moved away from shaded areas. An updated AIA and TPP will be required based on final layout.

HOUSING ENABLING OFFICER

In the event 10 no units are developed, this would trigger the requirement for affordable housing, and in this instance 4 units would be required, 3 for rent and 1 for intermediate housing. The affordable housing mix i.e., unit types, layout etc. will need to be addressed in the reserved matters application. Whilst at this stage I appreciate that it is difficult to agree the type of affordable housing unit, ie 2bed, 3 bed etc, I would recommend that, in order to best meet an identified housing need, mainly smaller units i.e. 2bed 4 person unit is provided. Please note however that housing need is not static and therefore the affordable housing mix may change as time progresses particularly if there is a significant delay in submitting the reserved matters. The affordable housing should be integrated into residential layouts to provide a distribution of affordable housing within the development site that will enhance community cohesion.

The affordable units must be transferred to a Registered Provider of Affordable Housing agreed by the Council at a price that requires no form of public subsidy.

A S.106 Agreement will be required to secure the affordable housing contribution.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

We agree with Preliminary Ecological Appraisal & Ecological Impact Assessment (Parker Planning Services; July 2017) report that an Ecological Management Plan (EMP) should be created and agreed with Breckland District Council prior to works commencing. This document should include further details on any measures required to protect retained habitats and existing wildlife at the site during construction and operation phases, and a detailed schedule to maintain the retained marshy grassland and orchid populations in a favourable condition. It should be noted there should be no need for the planting of wetland plants, improvement of the habitat should lead to colonisation by wetland plants naturally. We recommend that the management plan is put in place for at least 20 years. A Construction Environmental Management Plan also needs to be produced to identify biodiversity protection zones and outline practical measures (both physical measures

and sensitive working practices) to avoid or reduce impacts during construction. We agree with the Preliminary Ecological Appraisal & Ecological Impact Assessment (Parker Planning Services; July 2017) report that major excavations within and/or amendments to the perimeter ditch need to be avoided, especially in the north of the site, and any artificial drainage should consider the impacts upon existing habitats. Disturbance to the hydrology of the site would potentially have a major adverse impact upon existing habitats.

We agree with the precautionary mitigation measures to reduce the likelihood of impacts on reptiles and great crested newts to acceptable levels. We agree with the mitigation measures proposed.

Trees were not assessed for their potential to support roosting bats. The Arboricultural Impact Assessment (A.T. Coombes Associates; May 2018) states no trees will be removed for development purpose. A Preliminary Roost Assessment (PRA) of trees should be undertaken if any boundary trees are to be removed or impacted upon by the development, including where tree root protection zones cannot be adhered to. The NPPF requires that planning decisions should enhance the natural environment by providing net gains for nature (paragraph 170). Enhancement measures for the site need to be outlined in the Ecological Management Plan.

Conditions recommended.

CONTAMINATED LAND OFFICER

This site is adjacent to a former garage. Owing to the potential for contamination to have migrated onto the site, it is recommended that a targeted site investigation is undertaken.

Based on both the accuracy of the information provided and the current records of contaminated land issues we hold to date, I recommend approval providing the development subject to conditions requiring a site investigation and remediation scheme.

ENVIRONMENTAL HEALTH OFFICERS

No objection subject to condition relating to surface water drainage and a noise scheme to protect the development from noise from the A47.

P WINFIELD

No objection. Condition required for a hydrant to be installed and for the developer to meet the costs.

OBLIGATIONS OFFICER, NORFOLK COUNTY COUNCIL

No Comments Received

NORFOLK RIVERS INTERNAL DRAINAGE BOARD

No Comments Received

NATIONAL GRID

No Comments Received

REPRESENTATIONS

2 of objection:

Lack of amenities in village

Disturbance

Loss of view

Loss of value to house

The site is in a semi-rural location but properties are now to the west and soon to the east of us. This will be to the south at the end of our back garden.

Overlooking

Could the green space be to the rear of us

ASSESSMENT NOTES

1.0 Principle of the development - location

1.1 The National Planning Policy Framework (NPPF 2019) states that local authorities should attach significant weight to the benefits of economic and housing growth and enable the delivery of sustainable developments. It states that achieving sustainable development means that the planning system has three overarching objectives, namely an economic objective, a social objective and an environmental objective. The application will therefore be assessed in the context of the presumption in favour of sustainable development.

1.2 In relation to housing, NPPF states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. In order to achieve this objective government requires that authorities should identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements plus an additional buffer of 5% to ensure choice and competition in the market for land. Where there has been persistent under delivery the buffer should be increased to 20%.

1.3 Paragraph 78 of the NPPF states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.

1.4 The application site lies outside any designated settlement boundary. Development outside settlement boundaries is restricted by policies SS1, CP14 and DC02 of the adopted Core Strategy.

1.5 However, paragraph 11 of the NPPF (2019) states that where an authority does not have an up-to-date Development Plan or five year housing land supply, the relevant local policies for the supply of housing should not be considered up-to-date and that housing applications should be considered in the context of the presumption in favour of sustainable development.

1.6 Little Fransham does not have a settlement boundary and is considered to be 'The Countryside' as outlined in policy SS1, which states, the countryside is not considered to be a sustainable option for development. The previous application was refused for 4 reasons, one of these relating to the site being remote from local services.

1.7 It is noted that the Planning Inspectorate, for an appeal for 2 dwellings at a site at The Old Post Office, Main Road, Little Fransham (against the refusal of 3PL/2016/1314/F), in August 2017, concluded that Little Fransham is a sustainable area. The Planning Inspector's report for that site noted the following:

"8. A public footpath runs along the road frontage where the occupants would be able to walk to a limited range of local services including a farm shop, public house and a village hall. There are also bus stops close by which afford relatively frequent connections to nearby larger settlements where services and employment can be easily accessed.

9. Thus, whilst the occupants would inevitably require the use of a private car, they would not in my view be entirely dependent on the private car and could undertake some of their journeys through walking or public transport.

10. The occupants of the proposed dwelling might therefore work locally and use local services as part of a wider network of communities. There would be social benefits associated with housing provision and economic benefits in terms of new customers and employees for local businesses and there would also be economic benefits associated with construction."

1.8 It is noted that this development is for a larger scale development of 8 units and this site is to the west of the settlement whereas the appeal site was further east adjacent to the public house. However, the site is within approximately 500m of the bus stops therefore residents would not be solely reliant on the use of a car. The development would contribute to the Council's 5 year housing land supply shortfall.

1.9 Principle of the development - impact on the character and appearance of the area

2.0 The NPPF and the Breckland Core Strategy and Development Control Development Plan Document (2009) require new development to give careful consideration to its impact on the site and surroundings. Core Policy DC2 deals with housing mix and density, whilst Policy DC16 promotes good design and highlights the importance of local character and the important role layout and siting have on the appearance of an area.

2.1 The applicant has reserved all other matters apart from access for consideration at a later stage. The submitted indicative plans show 8 detached dwellings set back from the A47. Two properties are shown to the west of the site with the rest to the east. The plan indicates an area of ecological enhancement to the front of the site with the site access from the west.

2.2 The proposed site layout under the last application incorporated housing across the site. This application omits housing from the north western part of the site adjacent to the main road, as was previously proposed under the refused application. It is considered that the proposed dwellings integrate appropriately with the adjacent development to the north east and the proposed landscaping in the form of the green buffer zone would help to mitigate the impact on the open countryside.

2.3 The proposed development is therefore considered to be acceptable in terms of its impact on the character of the area in compliance with policies DC16, and CP11 of the adopted Breckland Core Strategy and Development Control Policies (2009) and policies contained in the NPPF.

3.0 Impact on amenity

3.1 Policy DC1 of the Core Strategy requires that all new developments have regard to amenity considerations and states that development will not be permitted where there are unacceptable impacts on the amenity of neighbouring residents and future occupants.

3.2 The applicant has reserved all other matters apart from access for consideration at a later stage therefore the exact siting and design of the dwellings will be dealt with under a reserved matters application. There are dwellings to the north and east of the site and it is important to protect the amenity of the occupiers of these dwellings. Objections have been received which raise concern about the impact of the dwellings on the amenity of the occupiers. Given the siting of the existing dwellings,, it is considered that a scheme could be submitted with sufficient distances to be maintained with neighbouring properties in accordance with the NPPF and DC01 and DC16 of the adopted Core Strategy.

3.3 Environmental Protection have advised no objections subject to conditions, including a requirement for a noise protection scheme in order to protect the occupants of the dwellings.

3.4 Subject to conditions it is considered that an acceptable layout can be secured at reserved matters stage to protect the amenity of adjacent residential properties.

4.0 Highways Issues

4.1 Policy CP4 of the Core strategy seeks to ensure that all access and safety concerns are resolved in new developments.

4.2 Highways England objected to the previous outline application for this site on the grounds it would create another access onto the A47, contrary to Highways England guidance which states new accesses should not be created when other existing accesses can be utilised.

4.3 Fransham Parish Council raise concerns with regards to increased traffic and safety of vehicles. NCC Highways have offered comments on the internal layout and the agent has submitted a plan in response to this. NCC Highways have advised that the revised plan shows the access road measuring 6m between A47 and the farm access. The width of 6m should be continued passed the farm access to ensure farm vehicles entering/exiting the farm access have full benefit of an appropriate width carriageway. As layout is not marked for consideration at this time they are satisfied the width of the proposed road can be agreed as part of any reserved matters application.

4.4 The applicant has submitted a Road Safety Report and additional information in relation to highway safety. Highways England have withdrawn their objection subject to conditions requiring certain works.

4.5 Subject to conditions it is considered that the proposal is acceptable in terms of its impact on highway safety.

5.0 Biodiversity

5.1 The NPPF and Policy CP10 of the adopted Core Strategy requires new development to contribute to and enhance the natural environment. Policy DC12 states that development that would result in the loss or the deterioration in the quality of important natural features such as protected trees and hedgerows will not normally be permitted. Policy CP10 of the Core Strategy which requires the maintenance and positive enhancement of bio-diversity.

5.2 The previous outline application was refused because insufficient information was submitted regarding ecological survey work. A Preliminary Ecological Appraisal & Ecological Impact Assessment have been submitted.

5.3 The ecological work undertaken by the applicants identifies that the refused site layout included houses in an area which contained Marsh Grassland Habitat of Principal Importance and a large population of marsh orchids. They have therefore revised the site layout to remove housing from this area and retain this habitat and plants and they are proposing to retain it and protect it.

5.4 The submitted reports and the Natural Environment Team state that an Ecological Management Plan should be created prior to works commencing to include a detailed schedule to maintain the retained marshy grassland and orchid populations in a favourable condition. The Natural Environment Team advise that a management plan should be put in place for at least 20 years. Natural England have no objections. The Natural Environment Team (ecology) therefore has no objections to the current application subject to conditions requiring the implementation of the ecological area. A condition is proposed for this purpose.

5.5 The applicant has advised that conditions would ensure that there will be measures in place during construction to provide the ecological area then following construction the ecological management plan will come into force and protect the area for at least 20 years and they see no reason why this area could not continue to be protected as part of the development. The applicant also advises that the ecological area is important because of plants and the types of species that are there and is further surrounded by farmland and the protection of this area would result in an enhancement. They also advise that following the construction of appropriate fencing, the maintenance of the site would be very low key and they would either assign this area and the responsibility of its maintenance to a specific property or ask for it to be maintained as well as the shared drive all as part of a shared management company. The applicant has advised that in terms of maintenance and up keep their ecologist recommends getting a topper once a year in the autumn and maintain as grass and to construct and maintain a simple post and rail fence around the area keeping pedestrians off the area.

5.6 The Tree Officer has advised no objections but an updated Tree Protection Plan and Arboricultural Impact Assessment will be required with the reserved matters application.

5.7 It is considered that subject to conditions there would be no significant harm caused to important landscape features and nature conservation interests within and around the site as required by policy DC12 and CP10 of the Core Strategy DPD.

6.0 Flooding

6.1 The Local Lead Flood Officer has no comments as the site is below the consultation threshold and is not within a surface water flow path. The Environment Agency and Anglian Water do not object subject to conditions.

7.0 Other Issues

7.1 Due to the site exceeding the 0.5 threshold advised by the NPPF, affordable housing is proposed. The exact % and the amount required will be confirmed in the supplementary report prior to committee.

7.2 The Contaminated Land Officer was consulted on the proposal and has advised no objections subject to conditions.

8.0 Conclusion

8.1 The application has been assessed having regard to the presumption in favour of sustainable development.

8.2 It is considered that the proposal is acceptable in terms of its principle, impact on the character of the area and on adjacent properties.

8.3 On the basis of the above assessment, the proposal is recommended for approval subject to conditions and S106.

CONDITIONS

1 Outline Time Limit (2 years) Early Delivery

Application for Approval of Reserved Matters must be made not later than the expiration of TWO YEARS beginning with the date of this permission, and the development must be begun within TWO YEARS of the FINAL APPROVAL OF THE RESERVED MATTERS or, in the case of approval at different dates, the FINAL APPROVAL OF THE LAST SUCH MATTER to be approved.

Reason for condition:-

As required by section 92 of the Town & Country Planning Act 1990 and in order to ensure the early delivery of housing.

2 Standard Outline Condition

No development whatsoever shall take place until the plans and descriptions giving details of the reserved matters referred to above shall have been submitted to and approved by the Local Planning Authority and these plans and descriptions shall provide details of the appearance, layout, scale and landscaping of the development.

Reason for condition:-

The details are not included in the current submission.

3 In accordance with submitted plans NEW 2017

The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.

Reason for condition:-

To ensure the satisfactory development of the site.

4 Construction Method Statement

No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. detailed proposals for the removal of asbestos from existing buildings to be demolished
- viii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason for condition:

The details are required prior to the commencement of the development in the interests of the amenity of the area and to ensure a safe development from the outset of the development.

This condition will require to be discharged

5 External materials and samples to be approved

Prior to the commencement of any works above slab level details and samples of all external materials to be used shall be submitted to and approved in writing by the Local Planning Authority, and this condition shall apply notwithstanding any indication as to these matters which have been given in the current application. Only such agreed materials shall be used in connection with this approval.

Reason for condition:-

To ensure the satisfactory appearance of the development, in accordance with Policy DC 1 and DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

6 Hardlandscaping - details and completion

Prior to the occupation of the development hereby permitted details of the hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. Such approved works shall be completed in all respects before the occupation of the development hereby permitted and thereafter retained.

Reason for condition:-

To ensure the satisfactory appearance of the development, in accordance with Policy DC01 and DC16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

7 Landscaping - details and implementation

The approved landscaping scheme shall be carried out during the planting season November/March immediately following the commencement of the development, or within such longer period as may be agreed in writing with the Local Planning Authority. The details shall take account of the Council's leaflet "Tree pack" (Landscaping advice for applicants). Any trees or plants which within a period of 5 (five) years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with others of the same size and species unless the Local Planning Authority gives written consent to any variation.

Reason for condition:-

To ensure the satisfactory appearance of the development, in accordance with Policy DC 12 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

8 Precise details of surface water disposal

Prior to the commencement of any works above slab level precise details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. Only such agreed system or works shall be used in connection with this approval.

Reason for condition:-

The details are required to be submitted prior to the commencement of development to minimise the possibilities of flooding from the outset of the development.

This condition is imposed in accordance with Policies DC 1 and DC 13 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

This condition will require to be discharged

9 Non-standard condition

The development hereby approved shall be limited to no more than 8 dwellings.

Reason: To ensure a form of development compatible in scale and massing with the adjacent buildings and in the interests of residential amenity, as required by policies DC 1 & DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

10 Non-standard condition

The details to be submitted at Reserved Matters Stage shall include details of the access road and the parking and turning for each dwelling. The details as approved at reserved matters shall be implemented in accordance with the agreed details prior to the occupation of any of the dwellings hereby approved and retained thereafter.

Reason: In the interests of highway safety, accessibility and sustainability.

11 Non-standard condition

No part of the development shall be brought into beneficial use or occupation until the Highway Improvement works to the A47 Main road/Top Farm junction as shown on Drawing No. 005 -18 -400 rev P4 dated 13/08/18 Drawing Title Vision Splay Setting Out Plan have been completed to the satisfaction of the Local Planning Authority in consultation with the Highways Authority on behalf of the Secretary of State for Transport. The design of the improvement shall be to requirements set out in the Design Manual for Roads and Bridges.

Reason: To ensure that the A47 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 of the Highways Act 1980, and to satisfy the reasonable requirements of road safety on the A47 and connecting roads.

12 Contaminated Land - Desk Study/Site Investigation

Unless otherwise agreed in writing, the following details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved:

A. Site Investigation

A site investigation and risk assessment to determine the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of the preferred option(s).

B. Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

The above must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason for condition:-

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.

INFORMATIVE:-

Land contamination risk assessment is a step-by-step process. During the course of the risk assessment process set out in the above condition, it may become clear that no further work is necessary to address land contamination risks. Where this is the case the condition may be discharged by the Council without all the steps specified being completed. In all cases written confirmation should be obtained from the Council confirming that the requirements of the condition have been met..

This condition will require to be discharged

13

Non-standard condition

No development shall take place (including demolition ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall include the following:

- Risk assessment of potentially damaging construction activities;
- Identification of 'biodiversity protection zones';
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- 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, unless agreed in writing by the local planning authority.

Reason: In the interests of safeguarding protected species and protecting and enhancing biodiversity in accordance with Policy CP10 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

14

Non-standard condition

An ecological management plan (EMP) shall be submitted to, and approved in writing by the LPA prior to commencement of development (including demolition ground works, vegetation clearance). The content of the EMP shall include the following.

- a) Description and evaluation of features to be managed,
- b) Ecological constraints on site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives including mitigation and enhancement measures detailed in the Preliminary Ecological Appraisal & Ecological Impact Assessment (Parker Planning Services; July 2017) report submitted with the

application namely that for

- protection and improvement of the retained marshy grassland and orchid populations,
- protection and enhancement of bat feeding and commuting corridors,
- protection and enhancement of hedgerows,
- protection of the ditch,

mitigation measures for reptiles, invertebrates, breeding birds, terrestrial mammals and bats as outlined in principle in sections 5.3 and 5.4.3 of the Preliminary Ecological Appraisal & Ecological Impact Assessment (Parker Planning Services; July 2017) report.

- Enhancement measures for habitats and species as outlined in principle in sections 5.4.9 and 5.4.10 of the Preliminary Ecological Appraisal & Ecological Impact Assessment (Parker Planning Services; July 2017) report.

e) Prescriptions for management actions

f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a twenty year period)

g) Details of the body or organisation responsible for implementation of the plan

h) On-going monitoring and remedial measures

The EMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan (over 20 years) will be secured by the developer. The plan shall also set out (where the results of monitoring show that conservation aims and objectives of the EMP are not being met) how remedial action will be identified, agreed and implemented so the development still delivers the fully function biodiversity objectives of the originally approved scheme.

Reason: In the interests of safeguarding protected species and protecting and enhancing biodiversity in accordance with Policy CP10 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

15 Non-standard condition

Prior to commencement of the development above slab level a scheme for protecting the proposed residential development from noise from traffic on the adjacent A47 road shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include protection to amenity and garden areas and should not rely on the requirement to close windows. All works which form part of the scheme shall be completed before any part of the residential development is occupied.

Reason:- In the interest of the amenities of future occupants having regard to DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

16 Non-standard condition

The reserved matters shall include the submission of an updated Tree Protection Plan and Arboricultural Impact Assessment.

Reason:- In order to safeguard trees, in accordance with Policy DC 12 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

17 Fire Hydrants

Prior to the commencement of any works above slab level a scheme shall be submitted for the provision of fire hydrants (served by mains water supply) serving the development. No dwelling shall be occupied until the hydrant(s) have been provided in accordance with the scheme as approved to the satisfaction of the Local Planning Authority in consultation with the Norfolk Fire Service.

Reason for condition:-

In order to secure the provision of fire hydrants.

**19 This condition will require to be discharged
Contaminated Land - Unexpected
Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with details to be agreed in writing with the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

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.

This condition is imposed in accordance with CP9 of the Breckland Adopted Core Strategy.

This condition will require to be discharged