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| ITEM: 2 | RECOMMENDATION: APPROVAL |
| REF NO: 3PL/2017/1046/O | CASE OFFICER Donna Smith |
| LOCATION: NARBOROUGH Land north of 1-14 Swaffham Road, Narborough | APPNTYPE: Outline POLICY: Out Settlemt Bndry ALLOCATION: N CONS AREA: N |
| APPLICANT: Mr Stuart and Sam Melton and Outghton C R Melton & Son Fairview Nursery | LB GRADE: N |
| AGENT: Peter Humphrey Associates Ltd. 31 Old Market Wisbech | TPO: N |
| PROPOSAL: Proposed 6 No. market sale building plots and 4 No. affordable homes | |

REASON FOR COMMITTEE CONSIDERATION

The application is referred to planning committee as the proposal conflicts with policies CP14 and DC02 of the adopted Core Strategy and Development Management Plan Document (2009).

KEY ISSUES

Principle of sustainable development
Highways/accessibility
Character and appearance
Amenity
Trees
Affordable housing contribution
Archaeology
Ecology

DESCRIPTION OF DEVELOPMENT

The applicant seeks outline planning permission for the erection of 6No. four bedroom market and 4No. three bedroom affordable dwellings on a site area of 1.294 ha. All dwellings are proposed indicatively to be two-storey in height In accordance with affordable housing policy, 4No. Affordable units have been proposed be secured by S106 agreement.

Details of the appearance, landscaping, layout and scale to be dealt with at reserved matters stage. Access is to be determined at outline stage as a non-reserved matter.

SITE AND LOCATION

The site is located adjacent to the defined settlement boundary defined for Narborough. Site surroundings are predominantly rural beyond the confines of the village. The site benefits from open countryside views to

the east and west, with sporadic residential development located to the northern boundary of the site.

The site is part woodland and part garden nursery site with poly tunnels. The woodland will remain in its entirety to the southern boundary and the poly tunnels will be removed to allow for the proposed residential development.

EIA REQUIRED

No

RELEVANT SITE HISTORY

No relevant site history

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

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|-------|---|
| CP.01 | Housing |
| CP.04 | Infrastructure |
| CP.09 | Pollution and Waste |
| 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.04 | Affordable Housing Principles |
| DC.16 | Design |
| DC.17 | Historic Environment |
| DC.19 | Parking Provision |
| NPPF | National Planning Policy Framework |
| NPPG | National Planning Practice Guidance |
| SS1 | Spatial Strategy |

OBLIGATIONS/CIL

A s106 is required to secure the provision of the affordable units and the contribution towards the improvements to the Narborough Restricted Byway 4 public right of way.

CONSULTATIONS

NARBOROUGH P C

Parish Council objected to this application on the following grounds.

The proposed site is outside the village envelope. The site is not identified as suitable for development in the shortly to be published Breckland Local Plan. We do not think the site sustainable we already have a total of 77 new dwellings with planning approval in the village and a preferred site LP(065)008 identified in the Local Plan which will, when developed, allow the building of about 40 additional dwellings.

ENVIRONMENT AGENCY

No objection.

ANGLIAN WATER SERVICE

No objections subject to conditions on any grant of consent.

NATURAL ENGLAND

No comments.

NORFOLK WILDLIFE TRUST

No objection.

PUBLIC RIGHTS OF WAY OFFICER

.Public Right of Way, known as Narborough Restricted Byway 4 is aligned along the boundary of the site. The full width of this Restricted Byway must remain open and accessible for the duration of the development and subsequent occupation. Development should integrate into the existing highway network, be that roads, footways or Public Rights of Way. In this instance a link should be provided between the development and Narborough RB4 to integrate development and encourage use of this PRow. Norfolk County Council Environment Team would also require a contribution, proportionate to the development, towards the improvement of the right of way in order to facilitate this increase in use.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objections, recommended conditions.

FLOOD & WATER MANAGEMENT TEAM

No comments - below threshold for consideration.

HISTORIC BUILDINGS CONSULTANT

No objection.

TREE AND COUNTRYSIDE CONSULTANT

Some mitigation planting is suggested to compensate for the removal of vegetation along the site frontage, a mixed native species hedge should be planted, set back from the footpath. To ensure the widening works are achieved without damage to retained trees it will be necessary that the work is undertaken under arboricultural supervision. No development should take place in pursuance of this permission until details of an auditable system of arboricultural site supervision and inspection have been submitted to and approved in writing with the Local Planning Authority.

HOUSING ENABLING OFFICER

The proposal triggers policy DC04. The affordable housing mix i.e., unit types, layout etc. will need to be addressed in the reserved matters/formal 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, smaller units i.e. 2bed 4 person unit is provided as is proposed in the documentation. 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 formal application/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. Arguably the current layout, with the affordable housing in one group at the far end and isolated, does not meet this standard; I would leave it to the judgement of the decision maker as to whether this is significant enough to require changes to the layout.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objections subject to conditions.

ENVIRONMENTAL HEALTH OFFICERS

No objection.

CONTAMINATED LAND OFFICER

No objection subject to conditions.

HISTORIC ENVIRONMENT SERVICE

No objections subject to conditions.

P A BOND

No objection subject to condition.

ECONOMIC DEVELOPMENT

Having looked at the application and comments for and against; based on this information it appears the development could assist travelling to work areas if the affordable housing is available to local people. There are no other comments with regard to the effects on the local economy in line with the application details.

OBLIGATIONS OFFICER, NORFOLK COUNTY COUNCIL

No Comments Received

REPRESENTATIONS

13 letters of support were received for the below reasons:

- Attractive design and layout
- Affordable housing proposed
- Location is desirable
- Site is no longer an eye sore
- Good amenity space

One letter of objection was received for the below reason

- Proximity to neighbouring land
- Inconsistencies in the ecology survey produced.

ASSESSMENT NOTES

- 1.0 Principle of sustainable development

1.1 The site is located outside, but adjacent the defined settlement boundary for Narborough. The proposal therefore conflicts with policies CP14 and DC02 of the National Planning Policy Framework (NPPF).

1.2 Paragraph 14 deals with the presumption in favour of sustainable development, paragraph 49 feeds into paragraph 14 to act as a trigger of the tilted balance of the proposal against the three dimensions of sustainable development, these include economic, social and environmental. These dimensions cannot be undertaken in isolation, as they are mutually dependant. Consequently, the proposal will be reviewed in accordance with the three dimensions of sustainable development.

1.3 Paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. As a consequence, the proposal will be reviewed in accordance with paragraph 7 of the National Planning Policy Framework with the presumption in favour of sustainable development.

1.4 The site is located just outside the service centre of Narborough. In accordance with policy SS1, service centres are considered to have a good level of local services to accommodate their current residents. These services and facilities include some or not all of a convenience shop, public transport, health care, primary school and access to employment opportunities. Given the sites location in close proximity to the service centre village, alongside the existing footpath and with street light provision on Swaffham Road, Narborough would be considered easily accessible by walking and cycling.

1.5 The proposal indicates a linear layout as stated within the supporting statement, chosen to reflect the general character of development in the area. The indicative site layout submitted continues this form of linear ribbon development immediately opposite the application site along Swaffham Road. The site is also well screened by the existing dense woodland, which has been considered as a key feature of the site, and a defining character of the area. Its retention in its entirety is welcomed. As a consequence, it is considered the proposal adheres to the parameters of paragraph 61 of the NPPF which states development should integrate into the natural environment.

1.6 The development would provide additional footfall for existing services within Narborough alongside short term economic benefits via short term construction employment. In addition, the provision of affordable housing as defined by policy DC4 alongside the proposed market dwellings would contribute to the overall housing land supply deficit within the District on a whole.

1.7 As a consequence, proposal is considered acceptable in principle and a sustainable form of development in accordance with paragraphs 7 & 14 of the NPPF.

2.0 Impact on character and appearance

2.1 The proposal is only for outline approval with all other matters except for access to be assessed at the detailed design stage. However, based on the indicative layout proposed, the development presents a linear formation with a vegetative buffer maintained onto Swaffham Road. The indicative layout and design of the proposal is considered appropriate in this context.

2.2 Given the site's constraints, the provision of 10 dwellings would be able to achieve a layout which would integrate efficiently into the surrounding residential context, and by virtue would not appear disjointed or isolated. It is acknowledged that effort has been made by the developer to maintain existing important landscape features on the site. The proposal is considered acceptable in accordance with policy DC16.

3.0 Impact on amenity

3.1 On the basis of the indicative layout submitted, the proposal is set back from the road frontage, with rural surroundings to the east and west. The site has the potential to accommodate appropriate levels of amenity space for each dwelling to negate any perceived overlooking, privacy and dominance. On the basis of the indicative layout submitted, the proposal is compliant with policy DC1.

4.0 Accessibility

4.1 Residents of the proposed development would be reliant on walking along the existing footway fronting the site, which links to an existing crossing facility west of the site adjacent the junctions with Narford Road / Chalk Lane. This footway is currently limited in width, measuring a minimum of around 1m. The proposal was considered to lead to an increase in pedestrian activity on a narrow section of footway. Consequently, it was considered the footway on the northern side of Swaffham Road needed be widened to 2m across the site frontage and up to the existing crossing facility.

4.2 Negotiations have been on going to ensure the new footpath can be accommodated without adversely affecting the root protection area of the trees to the site frontage. Whilst this is an outline application, access is a non-reserved matter and therefore to be assessed at outline stage.

4.3 In light of negotiations between NCC Highways appropriate conditions have been recommended for the detail of the visibility splays and off site highways works to be submitted and approved prior to commencement. There are no other objections in highway safety terms.

5.0 Archaeology and Ecology

5.1 The location of the proposed development lies approximately 400m southeast of the well preserved circular earthwork fort of Iron Age date at Narborough. Numerous artefacts have been recovered from within the proposed development area itself. Consequently, an appropriate Archaeological Programme Of Work has been applied to any grant of consent to be submitted and approved prior to commencement of development.

5.2 Norfolk Wildlife Trust presented no objection in principle to this application from a biodiversity viewpoint. However, owing to the proximity of the woodland belt, they recommend a condition to ensure that lighting spill on to the woodland belt is minimised.

5.3 Norfolk County Council Ecology also reviewed the application and had no objection subject to the development being carried out in accordance with the submitted Ecological Report and an appropriate Ecological Management Plan.

5.4 The Environment Agency, Environment Team and Natural England reviewed the application and not raised objections.

6.0 Impact on trees

6.1 The proposal was reviewed by the Tree Officer in context with the proposed off site highways works and access. It has been requested that mitigation planting is conditioned to compensate for the removal of vegetation along the site frontage. As stated in Para 4.2 , the proposed pedestrian refuge widening presented complications for the root protection area of the existing trees, consequently the Tree Officer has requested that to ensure the widening works are achieved without damage to the retained trees, the

development should take place under arboricultural site supervision as well as the replacement planting.

7.0 Affordable housing

7.1 The applicant has proposed four affordable units on site alongside six market dwellings. The Housing Enabling Officer has stated that the mix, unit types and layout will need to be agreed at reserved matters stage. His recommendation was that in order to best meet an identified housing need, smaller units such as 2bed 4 person units are provided - as is proposed in the documentation. Having discussed this with the applicant, they consider this is an acceptable way forward and have agreed to move forward on the basis of the recommendations from the Housing Enabling Officer and move forward with these recommendations at reserved matters stage.

8.0 Contribution to the public right of way

8.1 The Public Right of Way Officer highlighted that Narborough Restricted Byway 4 is aligned along the boundary of the site and requested that the full width of this Restricted Byway must remain open and accessible for the duration of the development and subsequent occupation, an informative to this affect would be added to any grant of consent. In order to ensure the proposal links into the surrounding roadway network, the Public Right Of Way Officer has requested a link be provided between the development and Narborough RB4 to integrate development and encourage use of this Public Right Of Way. The public right of way runs parallel along the eastern boundary of the site. The land which abuts the boundary of the public right of way is also within the applicants ownership (etched in blue on the submitted location plan). The applicant has agreed that the access to the Public Right Of Way requested by the officer to be included would be acceptable and can be secured via condition.

8.2 Norfolk County Council Environment Team also required a contribution, proportionate to the development, towards the improvement of the right of way in order to facilitate this increase in use. Having discussed this with the applicant, they considered this to be an acceptable way forward subject to confirmation on the amount required for the contribution. Officers are in the process of obtaining a sum for the contribution to the improvements to the Public Right Of Way and will update members via a supplementary report prior to committee.

9.0 Conclusions

9.1 It is acknowledged that the proposal is located outside the defined settlement boundary for Narborough, and a planning balancing exercise has taken place in respect of this. The proposal would contribute modestly to the overall housing land supply within the District, providing short term construction jobs within the locality and numerous community benefits. Furthermore the addition of the ten dwellings would provide economic benefits to the service centre of Narborough, generating additional revenue for local shops.

9.2 The site is not considered isolated in its location or disconnected from the service centre of Narborough and would be viewed within a surrounding built up context. Whilst the detail submitted with the scheme is indicative, the existing vegetative buffer and woodland to the south of the proposal have been maintained which protects the existing natural environment and is welcomed.

9.3 On this basis, the application has been recommended for approval subject to conditions.

9.4 Delegated authority is requested for the application to be refused by the Council's Planning Manager if the legal formalities in respect of the s106 are not completed within three months of the date of this decision

or the Planning Manager has the authority to agree another more appropriate timescale for the completion of any agreement.

RECOMMENDATION

Outline Planning Permission

CONDITIONS

- 3385** **Archaeological condition**
- A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and
- 1) The programme and methodology of site investigation and recording,
 - 2) The programme for post investigation assessment,
 - 3) Provision to be made for analysis of the site investigation and recording,
 - 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation,
 - 5) Provision to be made for archive deposition of the analysis and records of the site investigation and
 - 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.
- and,
- B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A).
- C) The development shall not 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 condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- This condition will require to be discharged**
- 3547** **Lighting Pollution**
- Full details of all external lighting provision which shall be designed to prevent light pollution on the Woodland Belt shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work. Only that lighting which has been so agreed shall be erected or installed.
- Reason for condition:-
To ensure the satisfactory development of the site.
- This condition will require to be discharged**
- 3804** **Precise details of foul water disposal**
- Prior to the commencement of any works above slab level precise details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority.

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

3925

Fire Hydrants

No development shall commence on site until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of the fire hydrant for the development in a location agreed with the Council in consultation with Norfolk Fire and Rescue Service.

Reason for condition:-

In order to secure the provision of fire hydrants.

This condition will require to be discharged

3946

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

3949

Contaminated Land - Site Investigation/Remediation

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

3418

Tree Protection Plan - Ground Protection Mats

A Tree Protection Plan, including detailed specifications for the provision of Ground Protection Mats, shall be submitted to and approved in writing by the Local Planning Authority where access is required within the Root Protection Areas of trees to be retained (RPA). Unless otherwise agreed, the RPA shall be taken to be a circle of radius 12 x the stem diameter measured at 1.5m. Ground Protection Mats should be in situ and remain in place throughout the demolition and/or construction phase(s) of the development.

Reason for condition:-

To protect the rooting area of trees during development.

This condition will require to be discharged

TRE1

Replacement Planting following tree removal

Prior to occupation of the dwellings a scheme for the additional planting to compensate for the removal of vegetation along the site frontage, of a mixed native species hedge shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition: to compensate for the loss of trees to the site frontage.

This condition will require to be discharged

3003 Early delivery of Housing Time limit

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 ONE YEAR 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.

3058 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.

3414 Fencing protection for existing trees

Prior to the commencement of any work on the site, all existing trees shall be protected by the erection of Tree Protection Fencing. This fencing shall be retained throughout the period of the development and at all times when works (as defined below) are being carried out on the site.

For the purposes of this condition "work" shall include the storage of plant, materials, site huts or the use of any machinery either for preparatory site work or construction itself.

"Trees" shall refer to all trees both on and adjacent to the site.

Protective fencing shall be constructed and maintained in accordance with BS5837:2012 and the Council's document Practice Note: Construction and Maintenance of Tree Protection Fencing, which is available to download from the Council's website.

Reason for condition:-

The works are required to be undertaken prior to the commencement of the development in order to safeguard the protection of trees from the outset of the development, in accordance with Policy DC 12 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

3750 highways condition

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

Reason:

To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.

3760 highways condition

No works shall be carried out on roads, footways, foul and surface water sewers otherwise

than in accordance with the specifications of the Local Planning Authority in consultation with the Highway Authority.

Reason:

To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.

3770 highways condition

Before any dwelling is first occupied the road(s) and footway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason:

To ensure satisfactory development of the site.

3750 highways condition

Prior to the commencement of any works on site a Construction Traffic Management Plan, to incorporate details of on-site parking for construction workers, access arrangements for delivery vehicles and temporary wheel washing facilities for the duration of the construction period shall be submitted to and approved in writing with the Local Planning Authority in consultation with Norfolk County Council Highway Authority.

Reason:

In the interests of maintaining highway efficiency and safety.

3760 highways condition

For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and unless otherwise approved in writing with the Local Planning Authority in consultation with the Highway Authority.

Reason:

In the interests of maintaining highway efficiency and safety

3770 highways condition

Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works as indicated on drawing number 5641/03E have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason:

To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

LS17 non standard condition

Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 15 shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

Reason:

To ensure that the highway network is adequate to cater for the development proposed.

LS17 non standard condition

Prior to the first occupation of the development hereby permitted a visibility splay

measuring 2.4m x 120m shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Reason:

In the interests of highway safety.

LS17

LEMP (Ecology)

A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.
- i) Details of mitigation measures to be followed during construction and post-construction as outlined in principle in section 7 of the Ecological report (Wild Frontier Ecology; February 2018).

j) Details of ecological enhancements to be incorporated into the site's design as outlined in principle in section 8 of the Ecological report (Wild Frontier Ecology; February 2018). 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 plan shall also 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 biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason for condition: to ensure appropriate ecological management and protection is approved prior to the commencement of development.

LS17

Bat Surveys

Prior to the commencement of development the required bat activity surveys shall be carried out in accordance with section 5.4 of the Ecological Report (Wild Frontier Ecology; February 2018).

Reason for condition: to mitigate against any potential negative impacts on bats.

LS17

Auditable system of arboricultural supervision

Prior to commencement of development details of an auditable system of arboricultural supervision and inspection shall be submitted to and approved in writing by the Local Planning Authority. The supervision strategy once approved shall be carried out in accordance with the approved details.

Reason for condition: To ensure the proposed footpath widening are achieved without damage to the existing trees to the site frontage in accordance with policy DC12 of the

Adopted Core Strategy and Development Control Policies Development Plan Document (2009).

- LS17** **Scheme for access from site to public right of way**
- Prior to commencement of the development hereby permitted a scheme for the provision of access from the site to the Narborough RB4 Restricted Byway (Public Right Of Way) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- Reason for condition: To integrate the development and encourage use of this Public Right of Way.
- 3923** **Contaminated Land - Informative (Extensions)**
- NOTE - Where remediation of contaminated land is required, the developer is advised to put in place measures to ensure that any future alterations/extensions to the development do not undermine completed remediation works and, if appropriate, that the future alterations/extensions include the same scheme of remediation as that included in the original development.
- 3737** **Inf 2**
- The developer will be expected to meet the costs of supplying and installing the fire hydrant.
- 3539** **Note Re Asbestos**
- Cement bonded asbestos (CBA) - frequently used in the construction of sheds, garages, industrial and agricultural buildings. CBA must be disposed of in accordance with waste regulations enforced by the Environment Agency (0845 59333111). Working with CBA can fall under the Health and Safety at Work Regulations (HSW) enforced by the Health and Safety Executive (01603 753800). Please telephone the Environmental Health Section at Breckland Council for further advice on the dismantling and disposal of CBA (01362 656350)
- 3741** **Highways INF3**
- It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich.
- Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.
- 3992** **Non-standard note re: S106**
- The approval is subject to a s106 for the provision of affordable housing and contribution towards the improvement of the public right of way (Narborough Restricted Byway 4) in order to facilitate its increase in use.
- 3972** **NOTE: Bats and Owls**
- Bats and their roosts are protected under the Conservation of Habitats and Species Regulations 2010. All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during building

demolition. Should this occur, further advice should be sought from Natural England and a professional ecologist.

3996 Note - Discharge of Conditions

If the formal discharge of any condition is required, it will be necessary for you to submit to the Council all relevant details, together with a completed application for the "Discharge of Conditions" and the fee as appropriate.

3998 NOTE: Reasons for Approval

This decision to grant planning permission has been taken having regard to the National Planning Policy Framework, the adopted Breckland Core Strategy and Development Control Policies, and the adopted Site Specific Policies and Proposals Document including the Proposals Map.

9850 Non-std NOTE

The site is located above a Principal Aquifer. However, we do not consider this proposal to be High Risk. Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. 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, which can be found here:

<https://www.gov.uk/government/publications/managing-and-reducing-land-contamination>
Infiltration Sustainable Drainage Systems (SuDS) The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). We consider any infiltration (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. If the use of deep bore soakaways is proposed, we would wish to be re-consulted. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 to G13 which can be found here:

<https://www.gov.uk/government/collections/groundwater-protection>. In addition, they must not be constructed in ground affected by contamination.

3737 Narborough Restricted Byway 4 Note

The full width of the Narborough Restricted Byway 4 must remain open and accessible for the duration of the development and subsequent occupation.

2014 Criterion E - Planning Apps Where Approved

Appeals against planning decisions

If you are aggrieved by the decision of your local planning authority to attach any particular condition/s to this permission, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.co.uk

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.