

<b>ITEM:</b>		<b>RECOMMENDATION:</b>	APPROVAL
<b>REF NO:</b>	3PL/2018/0650/O	<b>CASE OFFICER</b>	Natalie Levett
<b>LOCATION:</b>	WEETING Land East of New Lodge, Lynn Road Weeting with Broomhill	<b>APPNTYPE:</b>	Outline
<b>APPLICANT:</b>	Childerhouse Lodge Farms c/o Agent	<b>POLICY:</b>	Out Settlemnt Bndry
<b>AGENT:</b>	Compasspoint Planning & Rural Lynn Lodge Lynn Road	<b>ALLOCATION:</b>	N
<b>PROPOSAL:</b>	Construction of 2 new dwellings on land east of New Lodge, Lynn Road, Weeting		
		<b>CONS AREA:</b>	N
		<b>LB GRADE:</b>	N
		<b>TPO:</b>	N

#### REASON FOR COMMITTEE CONSIDERATION

The application is being reported to Planning Committee because it is recommended for approval contrary to policy.

#### KEY ISSUES

- Principle of Development
- Design and Impact on the Character and Appearance of the Area and the Listed Building
- Impact upon Amenity
- Highway Safety
- Impact on Trees and Hedgerows
- Impact on Ecology

#### DESCRIPTION OF DEVELOPMENT

The application seeks outline planning permission with all matters reserved for the construction of two dwellings on agricultural land to the east of New Lodge, Lynn Road, Weeting.

#### SITE AND LOCATION

The site is located to the east of Lynn Road and extends to 0.09ha. The site is undeveloped and stated to be arable land forming the south west corner of the larger arable field.

The site is located to the north of Weeting which is a Service Centre Village.

The site is accessed via a private track with a right of way with access from Lynn Road. To the north of the site access is Grade II Listed Lynn Lodge.

**EIA REQUIRED**

Not required.

**RELEVANT SITE HISTORY**

- 3PL/2017/1433/O: Erection of Single storey dwelling and garage - approved (note: dwelling is between the two dwellings opposite the site thus different issues of consideration. No Reserved Matters application has been submitted at time of writing)
- 3PL/2017/1285/O and 3PL/2018/0341/D: new dwelling in rear of 6 Cromwell Road - approved (note: it is using same access track as this proposal)
- 3PL/2016/1412/D: 24 residential dwellings (north of the application site) - approved
- 3PL/2015/0551/F: Revised access and pedestrian cycleway to residential development of land to the north of Cromwell Road - approved on appeal.
- 3PL/2015/0102/DOC: Discharge of conditions 3,6,7,8,9,10,11,12 & 13 on 3PL/2011/1102/F - all discharged in part
- 3PL/2013/0258/O: 24 residential dwellings (Outline application) - approved
- 3PL/2011/1102/F: Development of 35 dwellings, new access, 24 allotments, community woodland, open space and assoc. landscaping - allowed on appeal

**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.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.12	Trees and Landscape
DC.16	Design
DC.17	Historic Environment
DC.19	Parking Provision

LBC	Planning(Listed Building & Conservation Areas) Act 1990
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SS1	Spatial Strategy

**OBLIGATIONS/CIL**

Not applicable.

**CONSULTATIONS**

**NORFOLK COUNTY COUNCIL HIGHWAYS**

The Highway Authority recommended the two plots be served by the new estate road, which was granted permission under reference 3PL/2016/1412/D. In response the applicant has agreed that details for the future maintenance of the private track would be submitted and approved prior to the occupation of the dwellings. They have also agreed to surface the first 5m of the private track, from Lynn Road, in accordance with a scheme to be agreed. On that basis, the Highway Authority would have difficulty in substantiating an objection, in principle, to the proposal.

It is noted that the application site includes the entrance to the farmyard which is currently used as a turning facility for servicing vehicles. A suitable replacement turning area, elsewhere along the track ,will need to form part of the reserved matters application. Additional conditions are recommended.

**CONTAMINATED LAND OFFICER**

No objection, subject to conditions.

**PUBLIC RIGHTS OF WAY OFFICER**

No objection in principle on Public Rights of Way grounds. However, they highlight that access to the proposed site is via a Public Right of Way known as Weeting-with-Broomhill footpath 18. There is no public right to drive along the private road/PROW, so we assume private rights exist to the plot. This site and other properties along the PROW are exercising private vehicular rights to gain access to properties, there is no public right to drive along the footpath. There is no responsibility upon the Highway Authority to maintain the route to facilitate private vehicular access. It would be expected that any damage caused to the footpath by the exercise of the private rights remains with the rights holders to repair.

**ECOLOGICAL AND BIODIVERSITY CONSULTANT**

Provide comments and recommend conditions.

**HISTORIC BUILDINGS CONSULTANT**

No objection.

**TREE AND COUNTRYSIDE CONSULTANT**

No comments to make.

**ENVIRONMENTAL HEALTH OFFICERS**

There are no objections or comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details.

**HISTORIC ENVIRONMENT OFFICER**

Based on currently available information the proposed development will not have a significant impact on the

historic environment and we do not wish to make any recommendations for archaeological work.

## **NATURAL ENGLAND**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites or landscapes. They offer advice and suggested measures for implementation in the proposal.

## **NORFOLK WILDLIFE TRUST**

No Comments Received

## **WEETING P C**

No Comments Received

## **REPRESENTATIONS**

A Site Notice was displayed on 25th June 2018, advertised in the EDP and three neighbours were directly consulted. No representations have been received.

## **ASSESSMENT NOTES**

### 1.0 Principle of Development

1.1 This application seeks outline consent for the erection of two dwellings and associated vehicular access on agricultural land. The land is identified as Grade 4 (Poor) land on the Agricultural Land Classification Maps. The site is located outside of any Settlement Boundary. For this reason, the proposal conflicts, in principle, with Policies DC2 and CP14 of the Core Strategy and Development Control Policies Development Plan (2009), which seek to focus new housing within defined Settlement Boundaries. However, paragraph 11 of the NPPF (2018) 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, as referred to above, 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.

1.2 The Statement of Five Year Housing Land Supply as at 31st March 2017 was published in July 2017. This outlined that the District does not benefit from having a five year supply of housing land (it can only demonstrate a 4.6 years housing land supply). In these cases the NPPF makes provision, in principle, for Local Planning Authorities to positively consider sites that are not within defined Settlement Boundaries. This must be balanced against other policy requirements and aims including securing sustainable development, protecting the countryside, and good design.

1.3 The NPPF constitutes guidance for local planning authorities and decision-takers and is a material consideration in the determination of planning applications to achieve sustainable development. The Government outlines three dimensions to sustainable development: economic, social and environmental (paragraph 8). These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

- a social role - supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and

future needs and support communities' health, social and cultural well-being; and

- an environmental role - contributing to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

1.4 Paragraph 9 states that these roles should not be undertaken in isolation, because they are mutually dependent and that the planning system should play an active role in guiding development to sustainable solutions. A balanced assessment against these roles is, therefore, required.

1.5 The application site is located adjacent to Weeting's Settlement Boundary, although separated by the Public Right of Way. Weeting is defined as a Local Service Centre. The facilities consist of a primary school, public house, village hall, shop and post office, public transport between King's Lynn and Thetford and a fish and chip shop. It is, therefore, arguable that the proposal complies with the NPPF to minimise the need to travel.

1.6 As part of the Local Plan process, Weeting is proposed to retain its Local Service Centre status, although it is not proposed for housing growth and is allocated solely for services protection and enhancement.

1.7 Further environmental considerations would cover the impact the development would have on the natural and built environment. The proposed development would see the loss of agricultural land, with the agent stating that the remainder of the field has been granted planning permission for residential development and therefore they state there is no reason to justify the loss of agricultural land. Agricultural land is a finite resource and is important to the rurality of Breckland. Loss of agricultural land does not represent prudent use of natural resources and would conflict with local and national planning policies. However, given that the land is of poor grade agricultural land, its loss is not as important as the loss of higher grade land.

1.8 With regard to the remainder of the site having planning permission for residential development, legal advice is being obtained. However, whether or not there is an extant permission in place for 3PL/2011/1102/F would not directly alter the recommendation of this application, although it should be noted that if this is approved and implemented, application 3PL/2011/1102/F, if found to be extant, could not be constructed in accordance with the approved plans because this application site forms part of that application site.

1.9 In terms of the economic and social criteria, the proposal would provide for two new dwellings and would, therefore, make a positive, albeit very small, contribution to the housing supply. The proposal would have limited short-term economic benefits through labour and supply chain demand required during construction, and longer-term economic benefits through the additional household spend within the wider area that would be generated by the provision of two dwellings.

1.10 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. Weeting is classified as a service centre village through Policy SS1 (Spatial Strategy) of the adopted Core Strategy and Development Control Policies Development Plan Document. These villages contain adequate services and facilities to meet the day-to-day requirement of their existing residents.

1.11 The environmental role of sustainable development seeks to protect and enhance the natural environment. Whilst it is not considered the application will cause harm to the environment, a lack of harm is not a reason for approval.

## 2.0 Design and Impact on the Character and Appearance of the Area and the Listed Building

2.1 Policy DC16 on Design expects that all new development should achieve the highest standards of design. All design proposals must preserve or enhance the existing character of an area. Policy CP11 on Protection and Enhancement of the Landscape sets out that the landscape of the District will be protected for the sake of its own intrinsic beauty. Policy DC1 on Protection of Amenity sets out that development will not be permitted where there are unacceptable effects on the amenities of the area. Policy DC17 seeks to protect Listed Buildings.

2.2 Whilst the design is a Reserved Matter, the submission states that "materials would also be red brick with either red pantiled roofs or slate roofs for both the dwellings and the garages. In terms of orientation the dwellings would be side by side and face south towards the access track". The plot of land is stated to be 900sqm for the two dwellings and garages. This amount is smaller than the immediate surrounding properties, which are set within relatively larger plots. However, given that the Council does not have any adopted design standards, it is considered that the plot of land could accommodate two dwellings and garages.

2.3 The application site is part of a large open, undeveloped field. The open character and undisturbed, long views undoubtedly positively contribute to the amenity of the area.

2.4 The proposed development would be two new houses on agricultural land and thus in the open countryside, which could be classed as harmful to its undeveloped rural character and thus could conflict with the core principle of the NPPF for planning to take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside, although, in this instance, it is considered acceptable for the proposed development.

2.5 Lynn Lodge is a Grade II Listed Building and is approximately 130m to the west of the application site at the junction of the farm track and Lynn Road, which is the access and egress that would be used for the proposed development.

2.6 Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (in particular sections 16, 66 and 72) as well as satisfying the relevant policies within the National Planning Policy Framework and the development plan. National policy states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Policy DC17 seeks to ensure that new development preserves and enhances the character, appearance and setting of conservation areas and listed buildings

2.7 The significance of the listed building derives principally from its historic fabric and architectural features.

2.8 The construction of two additional dwellings accessing the track adjacent to the Listed Building would be a noticeable difference to the current situation. However, the dwellings would be located at a sufficient distance from the listed building and has not given rise to an objection from the Historic Buildings Consultant.

2.9 For the reasons set out above, it is considered that the proposal would cause limited harm to the listed building. However, as this harm would be less than substantial, it is necessary, in accordance with paragraph 196 of Framework, to weigh such harm against the public benefits of the development. In so doing account must be taken of the requirements under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of the setting of the listed building. The proposal

would provide some public benefits by adding to the range of housing available in the area. Providing the design is appropriate, these benefits would be substantially and decisively outweighed by the weight to be attributed to the S66 requirements referenced above and by the adverse effects of the development as identified.

2.10 Based on currently available information the proposed development will not have a significant impact on the historic environment and the Historic Environment Service do not wish to make any recommendations for archaeological work.

2.11 As a result, the proposal has the ability to comply with Policies DC1, DC16, DC17 and CP11 having regard to S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

### 3.0 Impact on Amenity

3.1 Policy DC1 seeks to protect the residential amenities. The impact upon amenity will be fully considered at the Reserved Matters stage should outline planning permission be granted, although the proposal has the ability to accord with Policy DC1.

### 4.0 Impact on Ecology

4.1 Policy CP10 seeks the protection of the natural environment.

4.2 The development lies within the buffer zone for the Special Protection Area for Stone Curlew. Whilst close to the SPA the existing dwelling mask the application site and any impact on the SPA will not be increased by two extra dwellings.

4.3 Natural England has no objections to the proposal. However, the ecologist has advised that no ecological information has been submitted in support of the application. The site is located in close proximity to several statutory designated sites including Breckland Farmland SSSI, Breckland SPA, Breckland SAC, Weeting Heath NNR, Weeting Heath SSSI and Grimes Graves SSSI. Due to the scale of the proposed development it is considered unlikely there will impacts on these designated sites.

4.4 From publically available aerial sources the site appears to be of low ecological value. The design and access statement states "The application site consists of the corner of an agricultural arable field and the current access to New Lodge Farmyard". The site could potentially be used by foraging/commuting badgers and hedgehogs and therefore as a precaution a Biodiversity Method Statement condition must be followed. All fencing needs to be wildlife friendly to maintain connectivity across the site post development. Conditions are recommended if the application is approved.

4.5 As a result, the proposal has the ability to comply with Policy CP10 and the NPPF.

### 5.0 Impact on Trees and Hedgerows

5.1 Policy DC12 seeks to protect the district's trees and hedgerows. Neither a Tree Survey nor a Hedgerow Report was submitted as part of the application. Given that the application is in outline and it appears that it may be possible to leave all trees and hedgerows in situ, there is no objection at this stage. However, if works would be required to remove the trees/hedgerow, the Reserved Matters application will need to be accompanied appropriate Tree Surveys and Hedgerow Report. The latter is because, it is possible that the hedge is an "important Hedgerow" as defined in The Hedgerow Regulations 1997, as amended by The Hedgerows (England) (Amendment) Regulations 2002, which details the protection of important hedgerows.

## 6.0 Impact on Highway Safety

6.1 Policy CP13 and the NPPF seeks to ensure developments do not have an adverse impact on highway safety. Policy DC19 sets the car parking standards.

6.2 The Public Rights of Way Team has raised no objection in principle to this application on Public Rights of Way grounds. However, they advise that access to the proposed site is via a Public Right of Way known as Weeting-with-Broomhill footpath 18. There is no public right to drive along the private road/PROW, so they assume private rights exist to the plot. This site and other properties along the PROW are exercising private vehicular rights to gain access to properties, there is no public right to drive along the footpath. There is no responsibility upon the Highway Authority to maintain the route to facilitate private vehicular access. It would be expected that any damage caused to the footpath by the exercise of the private rights remains with the rights holders to repair

6.3 The application submission states that the applicant owns the Public Right of Way and thus access rights would be agreed with the applicant and new homeowners. If it is later found that incorrect information has been submitted in the application, there is other legislation and processes to follow.

6.4 The Highway Authority recommended the two plots be served by the new estate road, which was granted permission under reference 3PL/2016/1412/D. In response, the applicant has agreed that details for the future maintenance of the private track would be submitted and approved prior to the occupation of the dwellings. They have also agreed to surface the first 5m of the private track, from Lynn Road, in accordance with a scheme to be agreed.

6.5 On that basis, the Highway Authority would have difficulty in substantiating an objection, in principle, to the proposal.

6.6 The Highway Authority also noted that the application site includes the entrance to the farmyard which is currently used as a turning facility for servicing vehicles. A suitable replacement turning area, elsewhere along the track, will need to form part of the reserved matters application. Additional conditions are recommended.

6.7 The Highway Authority has advised the applicant's agent that for an access track, such as the one proposed for this application, would not support more than 8 dwellings to use. These two dwellings would total 8 dwellings formally permitted to use the track. It has, however, been noted that other dwellings have created an access onto this track but the applicant has advised that there are no permissions in place to do so and those properties have a principal access from the front of their properties.

6.8 As a result, the development has the ability to comply with Policies CP13 and DC19 and the NPPF.

## 7.0 Other Matters

7.1 Policy CP9 seeks to ensure that development minimises any unavoidable polluting effects and the development's design should actively seek to minimise or mitigate against all forms of pollution. The Contaminated Land Officer was consulted on this application and raised no objections, subject to compliance with the submitted details. As a result, the proposal complies with Policy CP9.

## 8.0 Planning Balance and Conclusion

8.1 The application does not accord with the adopted Development Plan because the site falls outside of any settlement boundary. However, the Council does not currently have a 5 year land supply as required by the NPPF and this, together with the fact that the site is located adjacent to the Settlement Boundary and on poor grade agricultural land, this development would provide a small contribution towards Breckland's Housing supply. On this basis, the other key principle considerations for this proposal must be assessed and are whether the site is a sustainable location for housing, the visual impact on the countryside and the impact on the Listed Building.

8.2 The site is in a sustainable location for the two dwellings, which are within relative walking distance to Weeting's services and facilities. Appropriate screening/boundary treatments could be designed to lessen the visual impact on the countryside. For the reasons outlined in the main assessment, less than significant harm has been found to the Listed Building.

8.3 In accordance with paragraph 11 of the NPPF, no harm has been identified which would significantly and demonstrably outweigh the benefits, and therefore, based upon the above outline planning permission, subject to conditions, is recommended.

**RECOMMENDATION**

**Outline Planning Permission**

**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, access 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 Number of dwellings only (outline)**

The reserved matters referred to above shall relate to the construction of two dwellings only of no more than two storeys in height with no accommodation in the roof.

Reason for condition:-  
To ensure that the development is compatible with the form and character of the surrounding

area in accordance with policies DC1 & DC16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**5 Standard outline landscaping 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 for a landscaping and tree planting scheme, which shall take account of any existing trees or hedges on the site. The landscaping and tree planting shall be carried out in accordance with the scheme as approved during the planting season of the 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, and in accordance with 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:-

The details are not included in the current submission.

**This condition will require to be discharged**

**6 Highway Reserved Matters requirements**

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:

- Access;
- Parking;
- Communal turning facility suitable for use by servicing vehicles;
- The first 5 metres of the private track being surfaced in accordance with a scheme to be agreed in writing with the Local Planning Authority.

Reason for condition:-

In the interests of Highway Safety in accordance with Policy CP13 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and the NPPF.

**7 Submission of Tree Survey and Hedgerow Report**

As part of the Reserved Matters application, a Tree Survey and Hedgerow Report shall be submitted if any trees or part of the hedgerow is to be removed.

Reason for condition:-

In the interests of protected species in accordance with Policy DC12 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and the NPPF.

**8 Contaminated Land - Site Investigation/Remediation**

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

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

**This condition will require to be discharged**

**9**

#### **Slab level to be arranged**

No development shall take place until precise details of the slab levels of the dwellings hereby approved have been submitted to and agreed in writing by the Local Planning Authority. Such details shall also provide comparative levels with adjoining properties and details of the levels of any boundary treatments proposed. The development shall be carried out in accordance with the details as approved.

Reason for condition:-

To ensure that the development approved does not have and adverse effect on the

amenities of local residents or on the character and appearance of the area, as required by policies DC1 & DC16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**This condition will require to be discharged**

**10 External wall and roof materials to be agreed**

No development beyond slab level shall take place until precise details of all external materials for the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply notwithstanding any indication as to these matters that have been given in the current application. The materials to be used in the development shall be in accordance with the approved details.

Reason for condition:-

To enable the Local Planning Authority to control the colour, tone, texture and appearance of the materials used to ensure the satisfactory appearance of the development, as required by 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**

**11 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**

**12 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**

**13 Boundary screening to be agreed**

Prior to the first occupation of the development hereby approved, a scheme for the provision of boundary screening, shall be submitted to the Local Planning Authority for approval.

Such scheme as may be agreed shall be completed prior to the occupation of the development which the screening adjoins to the satisfaction of the Local Planning Authority.

Reason for condition:-

To safeguard the interests of the amenities of neighbouring occupiers and 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**

**14 Highways Track**

No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed private access road in perpetuity have been submitted to and approved in writing by the Local Planning Authority. The access road shall thereafter be maintained in accordance with the approved management and maintenance detail.

Reason: To ensure safe, suitable and satisfactory development of the site and to ensure that the private road is managed and maintained thereafter to a suitable standard in accordance with Policy CP13 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and the NPPF.

**15 Biodiversity**

The following working practices shall be adhered to:

a) All trenches should be left covered at night. They must be checked in the morning before they are filled in;

b) Works shall be restricted to daylight hours only to prevent disturbance or accidental harm to nocturnal animals such as hedgehogs. Night lighting of the site should be minimised to reduce disturbance to other nocturnal animals such as bats;

c) Connectivity needs to be maintained between the gardens by installing wildlife-friendly fencing, with gaps or tunnels in the bottom panels/gravel boards. This can be achieved, for example, by the provision of gaps at ground level (approximately 10sqcm) in fencing which are large enough for small mammals to pass through, but small enough to contain pets;

d) No removal, in full or in part, of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to and approved in writing by the Local Planning Authority prior to removal.

If any protected species are identified at any stage during the development, work shall immediately cease and a suitably qualified ecologist contacted for further advice.

Reason for condition:-

For the protection of ecology and biodiversity in accordance with Policy CP10 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and the NPPF.

**16 Biodiversity Enhancement Measures**

Enhancement measures shall be incorporated into the site's design including a native species rich hedgerow along at least one site boundary to provide new habitat for invertebrate and bird species. At least one bird box shall be mounted in a suitable location targeting species of conservation concern such as house sparrow, starling, swift or house martin. Details of which shall be submitted as part of the Reserved Matters application.

Reason for condition:-

For the protection of ecology and biodiversity in accordance with Policy CP10 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and the NPPF.

**17 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.

Note: Failure to comply with this may result in the matter being investigated by the Health and Safety enforcing authority and the development not being fit for the proposed use. In addition the developer may incur further costs and a time delay while ensuring the matter is correctly resolved.

**This condition will require to be discharged**

**18 Decision Notices Conditions to be discharged prior to work**

Conditions 8 and 9 are required to be discharged prior to any works on site being undertaken.

**23 Variation of approved plans**

Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.

You or your agent or any person responsible for implementing this permission should inform the Development Control Section immediately of any proposed variation from the approved plans and ask to be advised to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new application.