

ITEM:		RECOMMENDATION: APPROVAL
REF NO:	3PL/2019/0275/O	CASE OFFICER Rebecca Collins
LOCATION:	ATTLEBOROUGH Land North of Blackthorn Road Attleborough	APPNTYPE: Outline POLICY: Out Settlemnt Bndry CONS AREA: N LB GRADE: N TPO: N
APPLICANT:	King, Saffell and Pattinson The Atrium St George's Street	
AGENT:	Brown & Co Ground Floor The Atrium St Georges Street	
PROPOSAL:	Development of up to 80 dwellings with associated infrastructure including green space, swale and noise attenuation barrier.	

REASON FOR COMMITTEE CONSIDERATION

The application is considered to be a sensitive site, contrary to policy and is to be heard at Planning Committee for these reasons.

KEY ISSUES

Principle of development
Economic
Social
- Access and car parking
- Layout and Design
- Amenity
Environmental
- Ecology
- Flood Risk and Drainage
- Trees and hedgerows
- Contamination
Section 106 Contributions

DESCRIPTION OF DEVELOPMENT

The proposal is for up to 80 dwellings with associated infrastructure including green space, swale and noise attenuation barrier.

SITE AND LOCATION

The application site is located to the north of Blackthorn Road (to the South of A11). The site is located to

the north of development off Blackthorn Road, which primarily comprises two storey relatively modern dwellings being primarily detached or semi-detached houses, set in reasonably sized plots.

There is some trees and hedgerows to the boundaries of the site, which is otherwise largely clear and open and primarily used as grazing land currently. Ground levels in the site are lower than the surrounding highway network generally.

EIA REQUIRED

No

RELEVANT SITE HISTORY

There is no planning history for this site, however we have a current Planning Application for the neighbouring site to the east application reference - 3PL/2019/0717/O - 18 dwellings (undetermined)

POLICY CONSIDERATIONS

The following policies of the Breckland Local Plan, 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

COM01	Design
COM02	Healthy Lifestyles
COM03	Protection of Amenity
ENV01	Green Infrastructure
ENV02	Biodiversity protection and enhancement
ENV04	Open Space, Sport & Recreation
ENV05	Protection and Enhancement of the Landscape
ENV06	Trees, Hedgerows and Development
ENV09	Flood Risk & Surface Water Drainage
GEN01	Sustainable Development in Breckland
GEN02	Promoting High Quality Design
GEN03	Settlement Hierarchy
GEN05	Settlement Boundaries
HOU06	Principle of New Housing
HOU07	Affordable Housing
HOU10	Technical Design Standards for New Homes
INF02	Developer Contributions
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

OBLIGATIONS/CIL

The proposal is required to be accompanied by a section 106 agreement to cover the following:

- Education contributions of 420,660.
- A library contribution of 2,325 (75 per dwelling).
- A Health Care contribution of 120,131 (1,502 per unit).
- The provision of open space and maintenance contributions in accordance with Policy ENV04.
- Affordable housing provision of 25%.
- Green infrastructure provision and maintenance/mitigation contribution or commuted sum for new and existing GI features.
- 2 fire hydrants (to be secured via condition).

CONSULTATIONS

ATTLEBOROUGH TC

Object to the loss of green space; the site is outside the development boundary; the Town has already met the allocation of 4,000 houses within the Attleborough Neighbourhood Plan and suggest this development should not be permitted unless the developer delivers by adhering to the policies and objectives within the planning document.

OBLIGATIONS OFFICER, NORFOLK COUNTY COUNCIL

Norfolk County Council are seeking the following contributions:

Early Education Sector: 8 x 14,022 (cost per place) = 112,176;

Primary sector: 22 x 14,022 (cost per place) = 308,484;

Total education contributions sought = 420,660.

The contributions will be put towards the following projects:

- Early Education, expansion of existing providers;
- Expansion of Attleborough Primary School (former Attleborough Junior School) to an all-through primary school.

Furthermore:

- 2 fire hydrants
- A contribution of 2,325 (i.e. 75 per dwelling) to be spent at Attleborough Library.
- Connections into the local Green Infrastructure (GI) network, including Public Rights of Way and ecological features, should be considered alongside the potential impacts of development. The site is constrained by the A11 barrier to the north, this prevents access to the countryside. Therefore, it is essential that the development provides its own green space with dog walking routes for the new residents to enjoy. The Tas Valley Way is a long distance route which starts in Attleborough and we will be looking for the developer to contribute towards signage for the route to promote possibly walking connections from the town. We would also look to create a circular walk within the town which will link the development through to the railway station via a safe walking route.

Officer note - the exact amount the GI contribution is awaited.

FLOOD & WATER MANAGEMENT TEAM

No objection subject to conditions. The Local Planning Authority's attention is however drawn to the comments of the IDB.

TREE AND COUNTRYSIDE CONSULTANT

The site is largely free of significant arboricultural constraints with trees concentrated on boundaries. Generally the indicative layout is good leaving sufficient space between dwellings and trees. Some minor adjustments at the eastern end of the plot to create more open space between the road side trees and dwellings would be an improvement. Street view images show an existing footpath along the northern side of Blackthorn Road which could be extended with little or no impact on trees.

From the supplied drawing it appears that visibility can be achieved without the removal of tree/hedging. Some pruning work and cutting back is probably all that will be required. On this basis I would have no objection, I think it would be a good idea if this can be confirmed by the agent.

HOUSING ENABLING OFFICER

The site area and number of dwellings proposed trigger the thresholds of the Councils affordable housing policy as per DC4 of the Council s Adopted Core Strategy and Development Control Policies Development Plan Document. At present a 25% provision is required.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

The reptile survey report (Hopkins Ecology; July 2019) submitted in support of this application is fit for purpose. If you are minded to approve this application, we recommend that you condition an Ecological Management Plan is submitted to the Local Planning Authority at the reserved matters stage.

CONTAMINATED LAND OFFICER

No objections subject to conditions with regards to contamination.

AIR QUALITY OFFICER

I have looked at the application submitted and, based on the information provided to me at this time; there are no objections or comments on the grounds of Environmental Protection.

ANGLIAN WATER SERVICE

The foul drainage from this development is in the catchment of Attleborough Water Recycling Centre that will have available capacity for these flows.

Development may lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. We would wish to see a proposed foul water discharge strategy in support of this application. We therefore request a condition requiring phasing plan and/or onsite drainage strategy.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.

HIGHWAYS ENGLAND

Recommend that conditions with regards to the bund construction and no pedestrian access to A11 should be attached to any planning permission that may be granted.

NATURAL ENGLAND

No comments.

CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER

Disappointingly for a development of this size, the Design and Access Statement does not make reference to

any proposed crime prevention measures for the development. I would encourage the preventative security measures and standards found with the ACPO Secure by Design (SBD New Homes 2019) are adopted for this development, as the principles and products used have proven track record in reducing crime.

HISTORIC ENVIRONMENT OFFICER

The proposed development site lies partially within an area of former earthworks associated with medieval settlement or possibly a manorial site. Most of the earthworks were destroyed when part of the site was used as a contractors compound during improvements to the adjacent Attleborough bypass in 2005. Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development. If planning permission is granted, we suggest archaeological conditions are imposed.

EAST HARLING I D B

The Board OBJECTS to the planning application.

1. The site is subject to significant surface water flooding to a greater extent than shown in the FRA Report. The relationship of surface water flood routes must be fully assessed to demonstrate how flooding will be routed to avoid flooding of new dwellings, the FRA Report gives no insufficient to demonstrate how this will be achieved. The extent of known surface water flooding is likely to render a significant part of the site as being unsuitable for development.
2. A surface water drain (in the control of the IDB) crosses the site from Blackthorn Road to the ditch along the toe of the embankment, the current layout may require diversion of this surface water drain. The IDB must be provided with details of any diversion in order that this can be properly assessed.
3. There is a surface water drainage ditch along the toe of the highway embankment. IDB Byelaws apply to this watercourse and hence no works are permitted within 7m of the bank top without Board consent. This includes erection of any structures and buildings within this 7m zone. If development impacts on access to the watercourse resulting in additional maintenance costs then the Board may require a commuted sum payment from the developer to cover future increased costs.
4. The surface water drainage strategy must meet criteria set out in the NPPF and SuDS Manual (note that the Drainage Strategy Report refers only to Building Regulations).
5. The surface water drainage strategy has been based on a discharge to the highway ditch or surface water drain with attenuation storage in below ground storage tanks. No information is provided to demonstrate that a gravity discharge is achievable taking into account the shallow depth of the outfall ditch and/or pipe, and need for below ground storage. Sufficient information must be proved to show that the drainage scheme is achievable. This must included making allowance for long term storage to compensate for reduction in site permeability due to the development. Additional storage must be provided with runoff restricted to 2l/s/ha.
6. The drainage strategy must include methods to ensure no harm to the wider water environment by removal of trace contaminants using methods described in the SuDS Manual.
7. Proposals for ownership and management of attenuation structures must be provided.
8. IDB Consent will be required for the surface water outfall to the watercourse, the Board will require payment of a Surface Water Development Contribution based on the impermeable area of the development.

NHS ENGLAND MIDLANDS & EAST (EAST)

The proposed development is likely to have an impact on the services of 2 GP practices, Acute, Community and Mental Health care operating within the vicinity of the application site. A developer contribution will therefore be required to mitigate the impacts of this proposal. The STP calculates the level of capital contribution required, in this instance (phase 1) to be 120,131. This equates to 1,502 per unit.

ENVIRONMENTAL HEALTH OFFICERS

No Comments Received

NORFOLK COUNTY COUNCIL HIGHWAYS

No Comments Received

REPRESENTATIONS

Six letters of representation have been received, their comments are summarised as follows:

- Attleborough is already struggling to support the residents it currently has, it does not have enough infrastructure, i.e. doctors' surgeries, schools etc. and has very limited parking.
- Green space should be left as it is. This site is a green buffer between a housing estate and the A11.
- The close proximity of the A11 is a concern for future occupants.
- Mature trees have been removed.
- The application site lies outside the settlement boundary for Attleborough.
- Just because there is housing in the immediate vicinity, this should not make this site automatically viable for development.
- It is good/refreshing/uplifting to see horses/sheep grazing on this land.
- Given that the Norwich Road development will inevitably go ahead with the destruction of its green meadows and trees, it is essential that no more green land goes under concrete in Attleborough.
- Blackthorn Road would be surrounded by properties on three sides, not providing a nice outlook.
- This land is a known flood plain.
- This proposal would adversely affect our quality of life, with increased noise from dwellings and increased traffic on an already busy road.
- This is a quiet lane used by many. The development proposed would negatively impact that.

Ward Councillor Tristan Ashby has also written in objecting to the application on the grounds of:

- Attleborough has experienced a disproportionate loss of open spaces over recent years and the town is worse for it.
- This specific area is often used for animal grazing and is very close to the A11. I cannot understand why such a location is deemed suitable for domestic properties due to air and noise pollution.
- I note that the Town Council objects and highlights that it does not conform with the town's neighbourhood plan.
- I also note that the Flood Risk Officer refers in her letter dated 01 October 2019 to Carvers Lane (18 houses) which is confusing. Their further letter dated 18 April 2019 which does refer to this application (80 dwellings) objects to the application and there doesn't appear to be any correspondence which removes this objection. The Officer's report states that the LLFA has raised no objections yet the correspondence from the LLFA states differently, why?
- While Highways does not object their letter dated 15 May 2019 states that if the application is progressed significant hedge frontage will be lost.
- East Harling Drainage Board also objects listing eight issues which it has highlighted.
- The Historical Environmental Officer states that potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development.
- The Ecology comments raises concerns regarding reptiles due to the loss of suitable habitat, this seems to have little weight in the Officer's report. Grounding birds have also not been considered in the Ecology Survey Report. Also that the potential for badgers to forage and commute across the site has not been considered and the site could have potential to support foraging/ commuting badgers. The comments made by Natural England are in a document that I cannot open, why aren't all comments displayed as a PDF for ease of access?
- I am very surprised that this application is being recommended for approval.

ASSESSMENT NOTES

1.0 Principle of development

1.1 The application site lies outside the designated development boundary of Attleborough but lies directly adjacent to it on the opposite side of Blackthorn Road.

1.2 Planning Law (Section 38(6) of the Planning and Compulsory Purchase Act 2004) and the National Planning Policy Framework (NPPF) requires that applications be determined in accordance with the Development Plan, unless material planning considerations indicate otherwise. The NPPF is a significant material planning consideration.

1.3 The NPPF requires that in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.

1.4 Policy GEN01 of the Breckland Local Plan and Paragraph 38 (Section 4) of the NPPF seek to approve applications for sustainable development, where possible. Paragraph 11 of the NPPF sets out 'a presumption in favour of sustainable development'. Policy GEN03 seeks to delivery housing in accordance with the settlement hierarchy with Attleborough being a 'key settlement' to deliver housing growth.

1.5 Policy GEN05 states that development outside the defined settlement boundaries, such as this, should be restricted to recognise the intrinsic character and beauty of the countryside. Development outside defined settlement boundaries will only be acceptable where it is compliant with all relevant policies within the Local Plan and recognises the intrinsic character and beauty of the countryside. This is addressed in more detail below. The proposed development is considered to accord with GEN01 and GEN03 being sustainable development in accordance with the settlement hierarchy and this is also explained further below.

1.6 If it is considered that development does not accord with the development plan, consideration should be given to whether there are material considerations that otherwise indicate that development should be approved. Of particular relevance to this would be Paragraphs 11 and 38 of the NPPF, which also support sustainable development.

1.7 The Council can now demonstrate a five year housing land supply, having regard to paragraph 74 of the NPPF and therefore policies within the Local Plan are afforded full weight. Having regard to this and in accordance with paragraph 11 of the NPPF development proposals that accord with an up-to-date development plan should be approved without delay.

1.8 Policy GEN05 seeks to restrict development outside of defined settlement boundaries to protect the intrinsic character and beauty of the countryside. This location, although a greenfield site, would not in appearance be considered 'countryside' due to its location adjacent to residential properties and the A11. Although currently a reasonably attractive green site, as recognised by consultation responses, it is not considered, that due to the sites location 'within' the boundary of the A11 which wraps around Attleborough that development here would harm, or fail to recognise, the intrinsic character or beauty of the countryside in this location. Further development outside of the settlement boundary in this location would be restrained by the existence of the A11. The impact of this development on the character of the area is further discussed below but it is considered that the principle of development is established by the sustainable nature of this location as required by policy GEN01, the designation of Attleborough as a key settlement for delivering growth, as set out in the settlement hierarchy and the limited impact of the development on the countryside.

1.9 In respect of policy GEN05 the assessment against other relevant policies of the Local Plan is set out below.

1.10 For the reasons given above the proposal is considered to deliver sustainable development in accordance with Policy GEN01 of the Breckland Local Plan and paragraphs 8, 11 and 38 of the NPPF.

2.0 Highway safety and access

2.1 Policies TR01 and TR02 of the Local Plan seek to promote sustainable transport. Policy TR01 requires development to minimise the need to travel; promote opportunities for sustainable transport modes; not adversely impact on the operation or safety of the strategic road network; improve accessibility to services; and support the transition to a low carbon future. Policy TR02 requires development to integrate into existing transport networks; mitigate highways impacts; protect and enhance access to public rights of way; provide safe, suitable and convenient access for all users, including appropriate parking; and avoid inappropriate traffic generation and do not compromise highway safety. Major development proposals should include an assessment of the impacts of new development on the existing transport network.

2.2 This is an outline planning application, with all matters including access reserved. The applicants have submitted with their application an indicative layout showing blocks of development and three proposed access points onto the Highway. Highways England and the Highways Authority raise no objections to the proposals, subject to conditions, which are proposed. In addition, given the proximity of the site, which is within easy walking distance to Attleborough Town Centre then the proposals are considered to accord with Section 9 of the NPPF in terms of promoting sustainable transport and TR01 and TR02 of the Local Plan in terms of highway safety and sustainable transport.

2.3 The applicants indicative layout shows blocks of development with sufficient space around them to ensure sufficient car parking can be provided in accordance with Policy TR02 of the Local Plan.

2.5 Further information with regards to access, layout and car parking will be required and assessed at reserved matters stage.

3.0 Layout, Appearance and Scale

3.1 Section 12 of the NPPF and GEN02 and COM01 of the Local Plan seek to promote high quality design. Layout, appearance and scale are all reserved matters not to be considered at this time. An indicative layout plan, with limited details, has been submitted with this application. It broadly shows two sections of the site, to the west a circular route with two access points off Blackthorn Road and development to the south of the circular route, separating it from the A11 with the road and landscaping. A further smaller cluster of development (approximately 10 dwellings) is proposed off one access point to the east of the site. Given that the proposal is in outline form with layout, appearance and scale being reserved matters then the proposal is considered acceptable in principle.

4.0 Amenity

4.1 Policy COM03 seeks to avoid unacceptable effects on the residential amenity of neighbouring occupants, or development which does not provide for adequate levels of amenity for future occupants. As set out above this is an outline planning application with all matters reserved. However, given the size of the site and the number of dwellings proposed, there is considered sufficient space to locate dwellings of an appropriate scale to protect the amenity of future occupants as well as existing residential properties.

4.2 Section 11 of the NPPF seeks to make an effective use of land, while safeguarding and improving the environment and ensuring safe and healthy living conditions. The site density, although below 30 dwellings per hectare, is considered an appropriate density for a site adjacent to a town boundary such as Attleborough. The site is considered constrained by its linear nature, proximity to the A11 and surface water flood risk (to be discussed further below). Given the constraints of the site and the character of the area (reasonable sized properties set in reasonable plots) then the proposal is considered to accord with Section 11 of the NPPF.

3.8 The concerns raised with regards to the proximity of the site to the A11 and the potential for development to be impacted by noise is noted. However, the site has been assessed by environmental health officers who consider the noise mitigation measures proposed sufficient to protect the amenity of future occupants. The proposal is therefore considered to accord with Policy COM03 of the Local Plan.

4.0 Impact on Landscape

4.1 Policies GEN02 and COM01 seek to protect the character of an area, Policy ENV05 seeks new development to contribute to and where possible enhance the local environment by recognising the intrinsic character and beauty of the countryside and Policy ESD.P3 of the Attleborough NP states 'All new development should seek to be of the highest sustainable and innovative design quality in terms of both architecture and landscape'. The proposal will inevitably change the character of this area from a strip of open land to a residential development, with dwellings and estate roads. However, as set out above, the site is considered to be 'infill' site in-between the existing residential development and the A11. The site is land locked by the A11 and the neighbouring site is currently the subject of a planning application for residential development, reference 3PL/2019/0717/O, for 18 dwellings. Given that has not yet been determined no weight can be given to that.

4.2 Although, it is noted in the objections received that the site is valued locally as a green space the site is not a designated green space. It is considered to have relatively little local landscape value given its low lying nature and thin, constrained nature due to its proximity to roads. There is no permitted public access to the site. The site is in close proximity to the town centre, and is considered to be a highly sustainable site for development, close to several services and facilities. The development if permitted would be required to provide open space in accordance with Policy ENV04 of the Local Plan, not only providing access to the site but retaining some green. The loss of green space in this location, is not considered to significantly alter the character of the area.

4.3 The Town Councils concerns are also noted with regards to permitting development over and above that set out in the Development Plan (Core Strategy and Attleborough Neighbourhood Plan). The NPPF also makes a positive presumption in favour of sustainable delivery of housing. Housing allocations are also not maximum requirements and the local plan specifically indicates in policy that housing targets are minimum figures. Given that only limited harm from the development has been identified and the presumption in favour of sustainable development then the proposal is considered acceptable.

5.0 Ecology

5.1 Section 15 of the NPPF and policy ENV02 of the Local Plan require the protection and enhancement of biodiversity. NCC ecologist have reviewed the information submitted with the application including the reptile survey report (Hopkins Ecology; July 2019) submitted in support of this application, which is considered fit for purpose, subject to a condition for an Ecological Management Plan to be at the reserved matters stage. The proposal is therefore considered acceptable in ecological terms and in accordance with Section 15 of the NPPF and ENV02 of the Local Plan.

6.0 Flood risk

6.1 Section 14 of the NPPF and ENV09 of the Local Plan seek to minimise the risks of flooding by direct new development away from areas at highest risk of flooding and for new development not to increase flood risk elsewhere. The site lies in flood zone 1, at the lowest risk of flooding. There are some surface water drainage issues identified to the boundaries of the site and to the east. Given the relatively low density of development proposed then it is considered development could be located outside areas at risk of surface water flooding, to satisfy the test of Section 14 of the NPPF.

6.2 The Lead Local Flood Authority (LLFA) has been consulted and raises no objections subject to a surface water drainage condition for further information at reserved matters stage to ensure development development is not at risk of flooding. The LLFA also refer to the concerns of the IDB.

6.3 The East Harling IDB has commented on the scheme and raised concerns. It is considered that the concerns raised can either be covered adequately by the proposed surface water drainage strategy required by the LLFA or are private matters to be resolved between parties. Given their statutory duty to connect and the no objection from the LLFA or Anglian Water then the proposal is considered acceptable and in accordance with Section 14 of the NPPF and ENV09 of the Local Plan, subject to the imposition of conditions, as proposed by the LLFA.

7.0 Trees and hedges

7.1 The retention of significant trees and hedgerows is supported by Policy ENV06 of the Local Plan. The site is largely free of significant arboricultural constraints with trees primarily concentrated on the boundaries of the site. The tree officer has been consulted and states that generally the indicative layout is good leaving sufficient space between dwellings and trees. However, some minor adjustments at the eastern end of the plot would be required to create more open space between the road-side trees and dwellings and street view images show an existing footpath along the northern side of Blackthorn Road which could be extended with little or no impact on trees. Given the layout proposed is only indicative then it is considered these suggestions can be achieved at reserved matters stage and a note will be added for the benefit of the applicants. Further landscaping proposals will also be considered at reserved matters stage. The development is therefore considered to be in accordance with Policy ENV06 of the Local Plan.

7.2 Previously the Highways Authority raised concerns that the development, namely the visibility splays at the frontage of the site, could not be achieved without significant tree removal. Since then plans have been submitted to demonstrate that significant tree removal would not be required. Subject to some trimming works to trees, which can be conditioned, adequate visibility to protect highway safety can be achieved and the trees retained to the satisfaction of the Highways Authority and the Tree Officer and in accordance with Policies TR01, TR02 and ENV06 of the Local Plan.

7.3 One objector refers to the previous removal of trees. However, no trees on this site are protected and therefore the application is considered acceptable in this regard.

8.0 Contamination

8.1 Section 15 of the NPPF and COM03(8) of the Local Plan (adopted) states that planning decisions should take account of ground conditions, pollution and contamination risk. No objections have been raised by the contaminated land officer in this regard, subject to the imposition of contamination land conditions, which are proposed. For these reasons the proposal is considered in accordance with Section 15 of the NPPF and

COM03(8) of the Local Plan (adopted).

9.0 Heritage

9.1 Section 16 of the NPPF and ENV07 of the Local Plan, seeks to protect the special interest and significance of heritage assets. The proposed development site lies partially within an area of former earthworks associated with medieval settlement or possibly a manorial site. Despite most of the earthworks being destroyed when part of the site was used as a contractors compound during improvements to the adjacent Attleborough bypass in 2005, there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance could be adversely affected by the proposed development. The Historic Environment Service have commented and are content with a condition. The proposal is therefore considered to be in accordance with Section 16 of the NPPF and ENV07 of the Local Plan.

10.0 Planning Obligations

10.1 A section 106 agreement will be required to secure 25% affordable housing in line with that required by Policy HOU07 of the Local Plan.

10.2 Depending on the final number(s) of dwellings then on-site open space will be secured and a maintenance contribution required, in accordance with adopted policy ENV04.

10.3 Education contributions are also required, as follows:

Early Education Sector: 8 x 14,022 (cost per place) = 112,176;

Primary sector: 22 x 14,022 (cost per place) = 308,484;

Total education contributions sought = 420,660.

The contributions will be put towards the following projects:

- Early Education, expansion of existing providers;
- Expansion of Attleborough Primary School (former Attleborough Junior School) to an all-through primary school.

10.4 A Library contribution of 2,325 (i.e. £75 per dwelling) is required for at Attleborough Library on the provision of library equipment/furniture e.g. book shelves; tables; computer desks.

10.5 A NHS contribution of 120,131 (1,502 per unit) for Attleborough Surgery & Attleborough Queens Square.

10.6 Green infrastructure and maintenance contribution including for the Tas Valley Way and a circular walk within the town which will link the development through to the railway station via a safe walking route.

10.7 Two fire hydrants will be secured via suitably worded conditions.

7.0 Conclusion

7.1 The development proposal is located outside of the settlement boundary of Attleborough. Policy GEN05, as referenced above is relevant. It is considered that the proposal recognises the intrinsic character and beauty of the countryside in this location. It is considered that there is no conflict with other relevant policies

within the Local Plan and therefore the proposal is considered to be in accordance with policy GEN05 and the development plan when read as a whole. There are considered to be no other material considerations which would justify any departure from the development plan and therefore subject to the conditions (as set out below) and the signing of a section 106 agreement (as above), the proposal, is considered to be a sustainable form of development and recommended for approval on this basis.

RECOMMENDATION

The application is recommended for approval, subject to a section 106 agreement, as set out above and the conditions as listed below.

CONDITIONS

- 1 Outline Time Limit (2 years) Early Delivery**

Application for Approval of all Reserved Matters for the first Phase, as defined by Condition 4, 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.

Application for Approval of all Reserved Matters for all Phases subsequent to first Phase, as defined by Condition 4, must be made not later than the expiration of THREE 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 within a Phase, as defined by Condition 4, shall take place until the plans and descriptions giving details of the reserved matters relating to that Phase 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 non standard condition**

A Phasing Plan for the whole development hereby permitted shall be submitted to and approved in writing to the Local Planning Authority with the first Reserved Matters application. The Phasing Plan shall include:

- A Phasing Plan detailing the location of the Phases
- Timing and Sequence of the Phases
- Number of dwellings and amount and type of open space in each phase

The development shall take place in strict accordance with the approved Phasing Plan unless otherwise first agreed in writing with the Local Planning Authority.

Reason for condition:-

As required by section 92 of the Town & Country Planning Act 1990.

5 Non-standard highways condition

No work on the bund shall be undertaken unless and until a method statement covering its construction has been submitted to and agreed in writing with the local planning authority. The bund shall be constructed in accordance with the approved details, prior to first occupation of any of the dwellings hereby approved.

Reason for condition:-

To protect the function and safety of the Strategic Road Network in accordance with Policies TR01 and TR02 of the Breckland Local Plan.

6 Non-standard highways condition

There shall be no direct pedestrian access onto the A11.

Reason for condition:-

To protect the function and safety of the Strategic Road Network in accordance with Policies TR01 and TR02 of the Breckland Local Plan.

7 Standard estate road conditions

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

Reason for condition:-

This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development in accordance with Policies TR01 and TR02 of the Breckland Local Plan.

This condition will require to be discharged

8 Standard estate road conditions

Prior to the construction of the final dwelling in any phase, all works shall be carried out on roads/footways/foul and surface water sewers in accordance with the approved details.

Reason for condition:-

To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway in accordance with Policies TR01 and TR02 of the Breckland Local Plan.

9 Standard estate road conditions

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

Reason for condition:

To ensure satisfactory development of the site in accordance with Policies TR01 and TR02 of the Breckland Local Plan.

10 Provision of visibility splays - condition/approved plan

Prior to the first occupation of any dwelling in that phase, hereby permitted, the visibility splays measuring 2.4 x 59 metres shall be provided to each side of all new junctions with Blackthorn Road for that phase. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225/0.6/1.05 metres above the level of the adjacent highway carriageway.

Reason for condition:-

In the interests of highway safety in accordance with the principles of the NPPF and in accordance with Policies TR01 and TR02 of the Breckland Local Plan.

This condition will require to be discharged

11 Construction traffic (parking)

Development on any phase shall not commence until a scheme detailing provision for on-site parking for construction workers for that phase, to be kept for the duration of the construction period in that phase, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented throughout the construction period.

Reason for condition:-

Details are required prior to commencement to ensure adequate off-street parking during construction in the interests of highway safety in accordance with Policies TR01 and TR02 of the Breckland Local Plan.

This condition will require to be discharged

12 Highway improvements - off-site

Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless first agreed in writing, until detailed drawings for the off-site highway improvement works to the Carvers Lane / Blackthorn Road junction, to widen Blackthorn Road to 6.0m and provide a 2.0m wide footway along the entire site frontage have been submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of any of the dwellings hereby permitted, the approved works shall be carried out.

Reason for condition:

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 in accordance with Policies TR01 and TR02 of the Breckland Local Plan.

13 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 for each phase 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:-

To minimise the possibilities of flooding from the outset of the development. This condition is imposed in accordance with Policy 14 of the NPPF and ENV09 of the Local Plan.

This condition will require to be discharged

14 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 for each phase 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:-

To minimise the possibilities of flooding from the outset of the development. This condition is imposed in accordance with Policy 14 of the NPPF and ENV09 of the Local Plan.

This condition will require to be discharged

15

EMP

The reserved matters application shall be accompanied by an Ecological Management Plan (EMP). 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 detailed in the Ecology Survey Report (Royal Haskoning DHV; February 2019) and reptile survey report (Hopkins Ecology; July 2019) submitted with the application namely that for reptiles protection and enhancement of bat feeding and commuting corridors, protection and enhancement of hedgerows Habitat enhancements No. of nest boxes for birds No. of bat boxes
- 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 organisation responsible for implementation of the plan
- h) On-going monitoring and remedial measures If more than two years have passed since surveys were undertaken then update surveys may be required at the reserved matters stage and any additional mitigation measures that need incorporating into the sites design agreed with the Local Planning Authority.

The EMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan 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.

The development shall be carried out in complete accordance with the approved details.

Reason for condition:-

To protect and enhance ecology in accordance with Policy 15 of the NPPF and ENV02 of the Local Plan.

16

Desk study/ site investigation

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

A. Desk Study

A desk study and risk assessment to determine the risk of any contamination on the site, whether or not it originates on the site. The desk study 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 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.

B. 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) the same details as in part A above (ii) a survey of the extent, scale and nature of contamination and (iii) an appraisal of remedial options, and proposal of the preferred option(s).

C. 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.

D 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 undertaken in accordance with Defra and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason for condition:-

Details are required prior to commencement 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 Policy 15 of the NPPF.

This condition will require to be discharged

17

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 Policy 15 of the NPPF.

18 HES

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).

and,

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.

Reason for condition:-

Details are required prior to commencement to ensure heritage assets are preserved and enhanced in accordance with Policy 16 of the NPPF and ENV07 of the Local Plan.

19 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 in each phase until the hydrant(s) for that phase have been provided in accordance with the approved scheme.

Reason for condition:-

In order to secure the provision of fire hydrants.

This condition will require to be discharged

20 Retention of trees and hedges

No trees or hedges shall be cut down, uprooted destroyed, lopped or topped, other than in accordance with the approved plans and particulars, and any works to trees shall have the prior written approval of the Local Planning Authority.

Any trees or hedges removed without consent shall be replaced during the next planting season November/March with trees of such size and species as agreed in writing with the Local Planning Authority.

Reason for condition:-

To ensure that the trees and hedges are retained in the interests of the visual amenities of the area and the satisfactory appearance of the development in accordance with policy ENV06 of the Local Plan.

This condition will require to be discharged

24

NOTE: Trees

Generally the indicative layout is good leaving sufficient space between dwellings and trees. Some minor adjustments at the eastern end of the plot to create more open space between the road side trees and dwellings should be made when a reserved matters application. Street view images show an existing footpath along the northern side of Blackthorn Road which could be extended with little or no impact on trees.