

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2020/0674/F	CASE OFFICER	Chris Hobson
LOCATION:	KILVERSTONE Land East off A1075, Norwich Road	APPNTYPE:	Full
APPLICANT:	Balfour Beatty Care of Parker Planning Services East Tuddenham	POLICY:	Out Settlemnt Bndry
AGENT:	Parker Planning Services Ltd Orchard House Hall Lane	CONS AREA:	N
PROPOSAL:	Mixed Category Planning Application for: 1. Proposed sub-station and temporary construction compound and construction storage area (Plant & Machinery at 0.2 hectare) 2. Proposed Cable route (Other operations at 4.2 hectare)	LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is being referred to Planning Committee because the application has been submitted by Balfour Beatty on behalf of Breckland Council.

KEY ISSUES

Principle of Development
Amenity Considerations
Landscape and Character Implications
Access and Highway Safety Considerations
Ecology and Nature Conservation Implications
Tree and Arboricultural Considerations
Flood Risk and Drainage Implications
Contamination /Ground Conditions

DESCRIPTION OF DEVELOPMENT

The application seeks permission for the erection of an electric Sub-Station, associated compound, access improvements; and the installation underground of a section of 33Kv electricity cable extending from the sub-station at its northernmost point southwards to the point where it joins Norwich Road (A1075) of approximately 800 metres in length. The proposed sub-station and cable route are required to provide power to the permitted Thetford Sustainable Urban Extension (SUE) which takes up approximately 285 hectares of land to the south, east and west of the application site.

The sub-station element of the current proposals would comprise of widening of the existing field access; creation of temporary construction compound to accommodate area for storage, temporary site office,

welfare buildings and parking areas during construction. The sub-station itself would comprise of a 11Kv switch house; two transformers; distribution substation sited on shingled areas with 4.5metre wide concrete road through the centre. The substation would be surrounded with 2.5 metre high pallisade fencing 34 metres by 29 metres in width.

The installation of the 800 metre section of the cable route would involve the excavation of the cable trench by mechanical excavators, cable laying, the backfilling of the trench with soil and native material and reinstatement of surface.

The remainder of the cable route other than that proposed around the three Nuns Bridges (application 3PL/2020/0751/F) is proposed to be located within the public highway and as a result would not require planning permission and be implemented under rights afforded within separate legislation.

SITE AND LOCATION

The site comprises of an agricultural field located to the southeast of the junction of the A11 and Norwich Road (A1075), Thetford. The field is currently in agricultural use but forms the northern edge of the permitted Thetford Sustainable Urban Extension (SUE). The site forms part of a large open arable field which extends south and eastwards than the site extent and is bordered by mature trees along its boundaries with the A11 to the north, Norwich Road to the west, and to adjacent fields to the south and east.

The Thetford SUE takes up approximately 285 hectares of land to the south, east and west of the application site from the A11 to the north southwards to the existing built extent of the town. The permitted Thetford SUE comprises of a mixed use development of up to 5,000 new homes; 19.5 Hectares of employment land (use classes B1, B2 and B8); local commercial centres including retail and leisure units (Use Classes A1-A5), up to three primary schools; green infrastructure, playing fields and public open space and associated highways and access works and improvements and drainage works. The first phase is currently under construction on land to the southwest of the application site

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2011/0805/O - the north southwards to the existing built extent of the town. The permitted Thetford SUE comprises of a mixed use development of up to 5,000 new homes; 19.5 Hectares of employment land (use classes B1, B2 and B8); local commercial centres including retail and leisure units (Use Classes A1-A5), up to three primary schools; green infrastructure, playing fields and public open space and associated highways and access works and improvements and drainage works. Permitted - 27/11/2015.

3PL/2017/1576/D - Reserved Matters Application for approval of details of appearance, scale, layout, landscaping, and detailed access works for the construction of 343 residential dwellings and Local Centre (incorporating Police Beat Base (Class D1), local food convenience store (Class A1), Additional retail unit(s)(Classes A1, A2, A3 and or A5) and local domestic recycling point) with associated vehicle parking, servicing area, garages, roads, footpaths/ cycleways, bus infrastructure, public open spaces, drainage infrastructure and other associated works in respect of part of Sub-Phase 1a of Outline Planning Permission 3PL/2011/0805/O (as amended) - Permitted - 3rd July 2018

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
COM03	Protection of Amenity
ENV02	Biodiversity protection and enhancement
ENV03	The Brecks Protected Habitats & Species
ENV05	Protection and Enhancement of the Landscape
ENV06	Trees, Hedgerows and Development
ENV07	Designated Heritage Assets
ENV08	Non-Designated Heritage Assets
ENV09	Flood Risk & Surface Water Drainage
GEN01	Sustainable Development in Breckland
GEN02	Promoting High Quality Design
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
TH1	National Planning Policy Framework - Presumption in Favour of Sustainable Development
TH14	Energy & Carbon - TAAP Wide
TH15	Energy/Multi Service(s) Company Development (ESCo/MuSCo)
TH18	Archaeology
TH20	Thetford Urban Extension Strategic Design Principles
TH24	Surface Water Management
TH28	Changes to the A11 Trunk Road
TH32	Connecting to a decentralised energy supply
TH39	Thetford Settlement Boundary
TR01	Sustainable Transport Network
TR02	Transport Requirements

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

THETFORD T C

Support the application.

HISTORIC BUILDINGS CONSULTANT

No objections.

TREE AND COUNTRYSIDE CONSULTANT

A tree survey/implication assessment which should be undertaken by a suitably qualified arboriculturalist in accordance with BS5837:2012 will be needed.

ENVIRONMENTAL HEALTH OFFICERS

No objections subject to conditions.

CONTAMINATED LAND OFFICER

No objections subject to conditions.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objections subject to conditions.

FLOOD & WATER MANAGEMENT TEAM

No comments to make.

HISTORIC ENVIRONMENT SERVICE

Artefacts of prehistoric, Roman and Anglo-Saxon date have been recovered from the area of the substation and northern cable route. The cable route bisects cropmarks recorded from aerial photograph of a road or trackway of probable medieval or earlier date. There is potential for previously unidentified heritage assets with archaeological interest (buried archaeological remains) to be present within the current application site and that their significance would be affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological work in accordance with National Planning Policy Framework 2019 paragraphs 199 and 189. In this case the programme of archaeological mitigatory work will commence with informative trial trenching to determine the scope and extent of any further mitigatory work that may be required (e.g. an archaeological excavation or monitoring of groundworks during construction).

ECOLOGICAL AND BIODIVERSITY CONSULTANT

HRA

As previously stated, the data on stone curlew nesting in Breckland as a whole is collected and collated by the RSPB, although some landowners collect their own data and do not share this with the RSPB. The stone curlew nesting data held by NBIS, and used in the HRA, will be incomplete and may provide an inaccurate picture of the situation.

The Natural Environment Team have been formally consulted by Breckland Council to comment on HRA reports for unrelated planning matters that show that there have been recent and regular nesting by stone curlew at the southern section of this cable route. Nevertheless and notwithstanding the data issue, in our opinion, the HRA report is fit for purpose, and if the measures are followed and all parties are made aware of the stone curlew issue, the proposed works should be able to proceed without adversely affecting the integrity of the SPA.

If practicable, works in the section of the route which falls within and adjacent to the Breckland SAC/SPA (along the A134 Bury Road) could be timed outside of the stone curlew nesting season.

CEMP

The CEMP is broadly fit for purpose but some elements of other reports have not been incorporated in to the document. The following matters need to be added:

- All compound/ storage area locations should be provided and these areas should be included within the ecological impact assessment. The botanical report highlights any compound/storage areas should be located within areas of negligible botanical (and ecological) interest.
- Recommendations outlined in section 6 of the botanical report.
- The location of the proposed heras fencing needs to be provided. Heras fencing should be positioned on the highway to prevent adverse impacts on notable species and designated site.

Trees

The proposed construction and operational access points plan appears to show that trees are proposed for removal to create the visibility splays, this does not appear to have been highlighted in the ecology report.

ENVIRONMENT AGENCY

No objections.

Contamination - The site is located above a Principal Aquifer and within Source Protection Zone (SPZ) 2. However, we do not consider this proposal to be High Risk. Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination,

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

NATURAL ENGLAND

No objections.

HIGHWAYS ENGLAND

No objections subject to conditions.

HISTORIC ENGLAND

No comments to make.

NATIONAL GRID

No objection in principle.

ANGLIAN WATER SERVICE

No Comments Received

REPRESENTATIONS

The application has been published by way of site notices erected at the application site; notices displayed in the local press and letters sent to neighbouring properties. No representations have been received so far to the application.

ASSESSMENT NOTES

BJ1.0 Principle of Development

1.1 The site sits within the extent of the permitted Sustainable Urban Extension and within an area indicated for industrial and business uses within the approved land use plan. The principle of development on the site has therefore been established through permission 3PL/2011/0805/O and it is considered given the nature of the use and on site plant and equipment, the proposed sub-station would be compatible with such uses. As a result, the proposed sub-station would not compromise the subsequent development of the surrounding land for industrial and business uses as required as part of the SUE masterplan.

BJ2.0 Amenity Implications

2.1 Policy COM03 of the Breckland Local Plan seeks to prevent development that would have an unacceptable effect on the residential amenity of neighbouring occupants and in particular with regard to this application requires consideration be given to potential noise, vibration, odour, light and other forms of nuisance and pollution.

2.2 The nearest dwellings to the substation are those two located to the north and west on the opposite side of Norwich Road to the application site. The sub-station would be approximately 75 metres from Well Cottage, 85 metres from Tollgate Cottage to the north and 15 metres from Turnpike Cottage to the west. The operation of the sub-station would be audible from within and around the sub-station complex, noting that noise levels from the transformer would be between 72dB(a) up to 88 dB(a). However, these would not be significantly in excess of the existing background noise levels surveyed at the site entrance which were measured at 56dB (minimum) to 83dB (maximum). Due to the the separation distance, the intervening road infrastructure, mature tree belts and the road traffic noise from the nearby A11, the amenity impact from the operation of the sub station is not considered to be significant. Moreover, the Council's Environmental Health Officer does not raise objection to the proposal on amenity grounds.

2.3 A condition has been recommended requiring the submission and approval of a Construction Management Plan (CMP) to appropriately manage construction operations and mitigate amenity impacts during construction. No external lighting of the sub station itself is currently proposed. Noting its rural location and potential for impacts on bats and nocturnal wildlife, a condition has been recommended to control the extent of any future external lighting on the sub-station.

2.4 Having regard to the above, given the surrounding context, the separation distance to the nearest dwellings and intervening mature tree belts, it is considered that the proposals would cause unacceptable impact on the amenity of nearby residents and accords with policies COM01 and COM03 of the Breckland Local Plan (Adopted) in respect to amenity impacts.

BJ3.0 Landscape and Character Implications

3.1 Policy ENV05 of the Breckland Local Plan (adopted) states that development proposals will be expected to contribute to and where possible enhance the local environment by recognising the intrinsic character and beauty of the countryside.

3.2 The proposals would introduce new built development into an existing open arable field. However, the views of the proposed sub-station would be largely screened by the continuous and mature tree belt along the north and west boundaries of the surrounding field. The mature vegetation would shield views from the

public realm so that impacts would only be experienced from the area around the facility itself and surrounding field. As a result the impacts on the character and openness of the countryside and rural landscape are localised with no significant medium and long distance impacts.

3.3 Furthermore, as noted elsewhere in this report the site forms part of the permitted SUE wherein new built development comprising business and industrial uses are proposed to come forward in future phases. In the longterm the proposals would assimilated into the expansion of the town northwards. In light of the wider growth to come forward within the surrounding area the proposals are considered to not cause over-riding harm to the character and openness of the landscape.

B]4.0 Access and Highway Safety Considerations

4.1 Policy TR02 of the Breckland Local Plan (adopted) requires new development to ensure safe access. Policy TR02 also requires the provision of appropriate on site parking provision.

4.2 The proposals include works to widen the existing field access to enable two way movements, and to provide necessary visibility splays on to Norwich Road and to the A11 / Norwich Road junction through vegetation and tree clearance. The applicants propose to implement a construction management plan to minimise disruption to traffic at the A11 and Norwich Road junction of the A11 and along Norwich Road to the south. The submission identifies temporary areas for vehicular parking during construction. Due to the limited traffic associated with monitoring and maintaining the sub-station during its daily operation it is not considered that there would be any significant impacts on the highway network post construction.

4.3 The Highways Authority have raised no objections subject to conditions including the approval and implementation of a construction management plan and improvements being made to the access. Similarly the Highways Agency have raised no objections to the proposals subject to the submission and approval of a construction Management Plan (CMP). Conditions have been recommended accordingly.

4.4 Having regard to the above, the proposals comply with Policies TR01 and TR02 of the Breckland Local Plan and the policy principles set out within the NPPF.

B]5.0 Ecology and Nature Conservation Implications

5.1 Both policy ENV02 of the Breckland Local Plan (adopted) and the guidance contained within section 15 of the NPPF require that development should contribute to a net gain in biodiversity with an emphasis on improving ecological networks and linkages where possible. Policy ENV03 of the Breckland Local Plan (adopted) requires that a Habitat Regulations Assessment be undertaken for development that may have a significant effect on the Breckland Special Protection Area (SPA) and the Breckland Special Area of Conservation (SAC) and that development will only be permitted where it has been demonstrated that the proposal will not adversely affect the integrity of these habitat sites.

5.2 The application has been supported by an Extended Phase 1 Habitat Survey, Shadow Habitat Regulations Assessment and more recently by a Construction Ecological Management Plan (CEMP) to provide sufficient information with respect to the necessary mitigation measures to be implemented during construction and post construction. The report concludes that all those trees required to be lost to provide the access and visibility splay are not suitable for bat roosting. The report also identifies that impacts on great crested newts, lizards, badgers and nesting birds could be suitably mitigated for by implementing a series of working methods and avoiding vegetation clearance in the bird nesting season. As noted elsewhere the proposals retain the majority of the existing mature trees and hedgerows on the boundaries of the site, and a condition has been recommended to secure biodiversity compensation and provide ecological

enhancements. In this regard it is noted that the proposals are part of the broader Thetford SUE site, which has been permitted and an assessment of ecological impacts has been undertaken and suitable ecological mitigation secured through conditions and section 106 Agreement.

5.3 The wider project beyond that within the scope of this planning application has the potential to impact on the Breckland SPA and Breckland SAC. These are Habitats Sites and such sites are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). The Habitat Regulations requires consideration as to whether the proposals are likely to have significant effects on this site. For the purposes of the Habitats Regulations the application (project) has been screened and the Council considers that the proposed development may have an impact on the Habitat sites and therefore effects on the integrity of the Habitat Sites cannot be ruled out.

5.4 Accordingly the applicants have submitted information sufficient to carry out an Appropriate Assessment under the Habitat Regulations Assessment. The Norfolk Ecology Team have reviewed the submitted reports and agree with the conclusions that subject to the mitigation measures identified within them, there are unlikely to be significant impacts on the Breckland SPA and Breckland SAC. As a result they have recommended that Breckland District Council as the competent authority (as defined by the Habitat Regulations) has sufficient information to make an Appropriate Assessment and that subject to the mitigation measures identified in the Shadow HRA the integrity of the Breckland SPA and Breckland SAC would be preserved.

5.5 In this regard it is also noted that Natural England have raised no objections to the proposed development. For the purposes of the Habitats Regulations the Council has undertaken an Appropriate Assessment and subject to the mitigation measures identified within the Shadow HRA report above the integrity of the habitat sites will be preserved.

5.6 Following the submission of additional information the Natural Environment Team (NET) have confirmed that the submitted CEMP is fit for purpose and have requested a scheme of replacement tree planting to compensate for those lost at the access and provide for ecological enhancements. Conditions have been recommended requiring the proposed mitigation measures within the CEMP be carried out and approval of a scheme of ecological mitigation and enhancement. A condition has also been recommended requiring approval of any external lighting in the interests of nature conservation in addition to the dark skies in the surrounding rural area. Subject to application of the recommended conditions, the ecological impacts are considered acceptable and the proposals would be in accordance with with Policies ENV02 and ENV03 of the Breckland Local Plan, and above regulations.

BJ6.0 Tree and Arboricultural Considerations

6.1 Policy ENV06 of the Breckland Local Plan requires existing trees and hedgerows should retained and integrated into proposed development.

6.2 The proposed site access would be widened involving the removal of trees and vegetation, and the trees within the visibility plays would require trimming back. The applicants have confirmed that the works would only affect a small number of young trees and that no mature trees would be lost and an updated Arboricultural Impact Assessment has been prepared to reflect this.

6.3 The application site is part of the broader Thetford SUE and as a result there will be additional green infrastructure provision and additional tree planting brought forward on a strategic level. In light of the limited level of vegetation loss necessary to bring forward this critical utility infrastructure and wider structural tree planting and replacement planting to be undertaken, the proposals are not considered to compromise

strategic objectives of the landscape masterplan.

6.4 The Council's Tree Officer has requested an updated Arboricultural Impact Assessment. The comments of the Council's Tree Officer are awaited on the revised Arboricultural Impact Assessment (AIA). These comments will be reported to members at Planning Committee. Subject to no adverse impacts remaining, the proposals are considered to accord with policy ENV06 of the Local Plan.

B]7.0 Flood Risk and Drainage Implications

7.1 Policy ENV09 seeks to ensure that flood risk is not increased elsewhere as a result of development and where feasible development has a neutral or positive impact on surface water drainage and management. Criterion 6 of the Site Allocation Policy reflects the requirements in the NPPF and policy ENV09 in requiring schemes are supported by a site specific flood risk assessment.

7.2 The proposed development would introduce additional areas of impermeable hardstanding, comprising the new concrete access road and switch house. The plant and equipment would be sited on shingle to minimise the extent of impermeable areas being proposed. Rainwater collection pipe network would drain the switch house and the proposed road would be drained through standard road drain network both discharging via a fuel interceptor to a soakaway.

7.3 Both the Environment Agency and LLFA have confirmed they do not object and subject to conditions the development is acceptable in respect of flooding and drainage and accords with Policy ENV09 of the adopted Local Plan. A condition has been recommended requiring the proposed surface water drainage scheme to be completed prior to first operation of the development.

B]8.0 Contamination /Ground Conditions

8.1 The Council's Contaminated Land Officer has reviewed the details of the proposed development and have raised no objection subject to conditions including that for further investigation and to deal with unexpected contamination. On this basis and subject to appropriately worded conditions the development is acceptable in relation to contamination and compiled with Policy COM03 of the Breckland Local Plan.

9.0 Conclusions

9.1 The proposed scheme would deliver an important part of the utility infrastructure for the permitted Thetford SUE and as a result forms a critical part of the future growth of Thetford Town as envisaged through the adopted Breckland Local Plan. The proposed sub-station and cable works would not be obtrusive within the broader surrounding landscape in light of significant existing landscape screening along Norwich Road and the A11. In the long term the sub-station would become assimilated into the residential, business and industrial development coming forward around it. Conditions are recommended to ensure appropriate mitigation and improvements are provided in respect of wildlife and nature conservation interests, trees and landscape features, highway infrastructure and surface water drainage. There are no outstanding objections from consultees. As a result the proposals are in accordance with the policy guidance contained within the NPPF and core policies within the Breckland Local Plan (adopted).

9.2 Therefore, the proposed development is considered to accord with the Breckland Local Plan (adopted 2019) and in accordance with paragraph 11 of the NPPF. Accordingly the application is recommended for approval subject to no objections being raised by the Tree Officer and to conditions.

RECOMMENDATION

The application is therefore recommended for approval subject to no objections being raised by the Tree Officer and the conditions set out below.

CONDITIONS

- 1 Full permission 3 year time limit**

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

Reason for condition:-
To comply with section 91 of the Town & Country Planning Act 1990 (as amended).
- 2 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, in accordance with Policy COM01 of the Breckland Local Plan (adopted 2019).
- 3 Archaeological work to be agreed**

No development with the exception of the widening of the access, vegetation clearance shall take place until:

A) 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 the following:

 - 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.

B) No development shall take place other than in accordance with the written scheme of investigation approved under Part (A);

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under Part (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 the potential archaeological interest of the site is investigated in accordance with Policy ENV07 and ENV08 of the Breckland Local Plan (adopted 2019).

**4 This condition will require to be discharged
Prior to the commencement of any works a
Construction**

Prior to the commencement of development, a Construction Traffic Management Plan and Access Route shall be submitted to and approved in writing by the Local Planning Authority.

The Construction Traffic Management Plan and Access Route shall include:

- adequate provision for addressing any abnormal wear and tear to the highway
- the proposed access route to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic;
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works;
- hours for construction works, the operation of plant and equipment and deliveries to and from the site.

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

Reason for condition:-

In the interests of maintaining highway efficiency and safety and to mitigate impacts on the A11 and A1075, in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted 2019). This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.

**5 For the duration of the construction period all
traffic**

For the duration of the construction period all traffic associated with (the construction of) the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless otherwise first approved in writing by the Local Planning Authority.

Reason for condition:-

In the interests of maintaining highway efficiency and safety in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted 2019).

**6 Prior to the commencement of the use hereby
permitted**

Prior to the commencement of the use hereby permitted, the vehicular access indicated for improvement on Drawing No PPS20-1839-ABP2 shall be widened in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The development shall accord with the approved details. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason for condition:-

To ensure construction of a satisfactory access and to avoid carriage of extraneous material

or surface water from or onto the highway in the interests of highway safety and traffic movement in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted 2019).

7 Highways condition

Within 6 months of the completion of the development the temporary construction access shall be closed and highway verge re-instated in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted 2019).

8 AIA

The development shall at all times take place in full accordance with the approved Arboricultural Impact Assessment (AIA) report titled Proposed development at A1075 Kilverstone and cycleway to Thetford, Norfolk, version 1.2 (Revised 2nd July 2020) and prepared by BH Trees and Woodland. Operations on site shall take place in complete accordance with the hereby approved Arboricultural Impact Assessment (AIA), Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS). No operations shall commence on site in connection with that phase of the development until the tree protection works and any pre-emptive tree works required by the approved AIA or AMS for that phase of the development have been carried out and all tree protection barriers are in place as indicated on the TPP.

The protective fencing shall be retained in a good and effective condition for the duration of the construction of the development and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from site, unless or until the prior written approval of the local planning authority has been sought and obtained.

Reason for condition:-

In the interests of the satisfactory appearance of the development and the protection of existing trees and hedges, having regard to Policies GEN02, COM01 and ENV06 of the Breckland Local Plan (Adopted).

9 Surface water drainage

The approved surface water drainage scheme set out in drawing no. E08-07-0105-2001 Rev A, Proposed Sub-Station drainage Plan received 4th August 2020, will be implemented prior to the sub-station first being brought into use and thereafter the drainage of the site shall be carried out in accordance with the approved details.

Reason for condition:-

In order to prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (2018) and Environment Agency Groundwater Protection: Principles and Practice. In accordance with policy ENV09 of the Breckland Local Plan (Adopted).

10 CEMP

The development shall take place in complete accordance with the approved Construction

Ecological Management Plan (CEMP) (prepared by Middlemarch Environmental; Report No: RT-MME-152798-04 Rev B; dated August 2020), with particular regard to the mitigation measures set out in sections 4.1 to 4.13 (inclusive) of the report; the timescales for implementation and the ongoing monitoring and management measures contained within the report.

Reason for condition:-

In order to protect wildlife and nature conservation interests within and around the application site, and to mitigate the ecological impacts of the development having regard to Policy ENV02 of the Breckland Local Plan (Adopted) and policy guidance contained within the NPPF.

11 Tree replacement and Biodiversity Net gains

Prior to the commencement of development above slab level, a scheme demonstrating how net gains for biodiversity are being secured as part of the development, and timescales for their implementation and completion shall be submitted to and approved in writing by the Local Planning Authority. This could include the provision of bird/bat boxes or swift bricks and the planting of native tree species. The development shall be carried out in accordance with the approved details and timescales.

Reason for condition:-

To ensure a net gain in biodiversity in accordance with Policy ENV02 of the Breckland Local Plan (adopted).

12 Full details of external lighting

No external lighting shall be erected unless full details have first been submitted to and approved in writing by the Local Planning Authority. The details shall include a lighting plan indicating luminance levels both on the site and beyond, and a schedule of equipment including mounting heights. Such lighting shall be kept to the minimum necessary for the purposes of security and site safety and shall prevent upward and outward light radiation. The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason for condition:-

In the interests of the amenities of the area and local residents and to minimise light pollution in accordance with Policy COM3 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

13 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 Section 15 of the National Planning Policy Framework.

14 NOTE : Hedgerow Regulation

The applicant should check the need to obtain a Hedgerow Removal Notice under the 1997 Hedgerow Regulations.

16 NOTE NCC Inf 2 When Vehicular access works required

This development involves works within the public highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing. It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the Applicants' responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Management Group. Please contact Kay Gordon kay.gordon@norfolk.gov.uk. If required, street furniture will need to be repositioned at the Applicants own expense. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer. Please be aware it is the applicants responsibility to clarify the boundary with the public highway. Private structures such as fences or walls will not be permitted on highway land. The highway boundary may not match the applicants title plan. Please contact the highway research team at highway.boundaries@norfolk.gov.uk for further details.

18 Criterion E - Planning Apps Where Approved

Appeals against planning decisions

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

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

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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

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

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate

(inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK