

<b>ITEM:</b>		<b>RECOMMENDATION:</b>	APPROVAL
<b>REF NO:</b>	3PL/2021/0032/F	<b>CASE OFFICER</b>	Rebecca Collins
<b>LOCATION:</b>	WATTON Land North of Norwich Road	<b>APPNTYPE:</b>	Full
<b>APPLICANT:</b>	Abel Homes Ltd Neaton Business Park (North) Norwich Road	<b>POLICY:</b>	In Settlement Bndry
<b>AGENT:</b>	Abel Homes Ltd Neaton Business Park (North) Norwich Road	<b>CONS AREA:</b>	N
<b>PROPOSAL:</b>	Development of single storey food store (Use Class E - retail) with associated car parking, and landscape works; and 45 dwellings (Class C3) with associated open space and highway infrastructure.		
		<b>LB GRADE:</b>	N
		<b>TPO:</b>	N

#### REASON FOR COMMITTEE CONSIDERATION

The application is a significant planning application with significant public interest.

#### KEY ISSUES

Principle  
Highways and Access  
Character, Design and Heritage  
Amenity  
Flood Risk  
Ecology  
Other matters - Contamination, Trees, Planning Obligations

#### DESCRIPTION OF DEVELOPMENT

Development of single storey food store (Use Class E - retail) with associated car parking, and landscape works; and 45 dwellings (Class C3) with associated open space and highway infrastructure.

#### SITE AND LOCATION

The site constitutes approximately 2.7 hectares of grazing land. The site lies to the east of Watton Town Centre, within the defined Settlement Boundary of Watton. The site is allocated in the adopted Breckland Local Plan (2019) for residential development of at least 45 dwellings and a 60 bed care home.

Dense vegetation along the eastern and western boundaries currently provide significant screening to the residential development to the west, and the light industrial uses to the east. A strong building line also

resides beyond the western boundary in the form of existing properties fronting Akrotiri Square. The site is open to the south and can be viewed from Norwich Road. A mature tree belt denotes the site's northern boundary.

Existing vehicular and pedestrian access to the site is taken from Norwich Road (B1108) to the south.

Rokeles Hall, a Grade II listed building is located to the north east of the site.

**EIA REQUIRED**

No

**RELEVANT SITE HISTORY**

No relevant site history

**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
EC01	Economic Development
EC04	Employment Development Outside General Employment Areas
EC05	Town Centre and Retail Strategy
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
ENV07	Designated Heritage Assets
ENV09	Flood Risk & Surface Water Drainage
GEN01	Sustainable Development in Breckland
GEN02	Promoting High Quality Design
GEN03	Settlement Hierarchy
GEN05	Settlement Boundaries
HOU01	Development Requirements (Minimum)
HOU02	Level and Location of Growth
HOU06	Principle of New Housing
HOU07	Affordable Housing

HOU10	Technical Design Standards for New Homes
INF02	Developer Contributions
LBC	Planning(Listed Building & Conservation Areas) Act 1990
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
TR01	Sustainable Transport Network
TR02	Transport Requirements
WHA2	Watton Housing Allocation 2: Land north of Norwich Road, Watton (LP015)

#### **OBLIGATIONS/CIL**

A Section 106 is required for the following:

- 25% Affordable Housing
- Open space play space on site and maintenance contributions.
- Education contributions of £154,242 towards the provision or enhancement of educational facilities at Watton Westfield Infant and Nursery School and Watton Junior School.
- £3,375 (i.e. 75 per dwelling) for increasing the capacity of the library serving the development.
- Two fire hydrants (to be secured via condition).
- Travel Plan preparation, implementation and monitoring.

#### **CONSULTATIONS**

#### **WATTON TOWN COUNCIL**

The Town Council welcomes this application for a food store on this site. It is regrettable that the information placed into the public domain prior to submission did not indicate the scope of the application as subsequently submitted. The Town Council accepts that the principal of housing on this site was established in the district local plan, however it does feel that the number of homes proposed in addition to the store is excessive given the area involved. It would prefer to see a reduction in the number of units on the area not allocated for the store. Concerns have been raised regarding the cramped nature of the delivery area for goods vehicles due to the close positioning of the residential units in the immediate locale. The proposed dwellings would be subject to noise and disturbance from delivery vehicles affecting residents amenity. In addition the need for manoeuvring of delivery vehicles in such limited space could lead to conflict between residents and customers of the store both pedestrian and vehicular. Whether or not the former issue can partially be addressed by the removal of some of the units, the Town Council would ask that consideration be given to the limiting of deliveries to the site during projected busy times such as the period around school opening and closing times. Limits on delivery times outside of social hours could also reduce noise and disturbance impacting the residential amenity of new and existing nearby residences. Suggest hours could be deliveries only between 10am to 2pm and 5pm to 9pm. Residents have expressed their concerns regarding the lack of local amenities and infrastructure in place to support the housing element of this application. It is therefore requested that concerted efforts are made to maximize local provision by way of a 106 agreement connected to this application. The Town Council is aware that the Watton and Saham Toney drainage group will be submitting comments on the application in relation to drainage matters on the site. Councillors consider that the group is well informed and has detailed knowledge of drainage issues in the area.

## **NORFOLK COUNTY COUNCIL HIGHWAYS**

The applicants have worked to address the concerns raised by the Highways Authority, who have no objections subject to conditions.

## **CONTAMINATED LAND OFFICER**

Recommend approval providing the development proceeds in line with the application details and subject to contamination conditions.

## **ECOLOGICAL AND BIODIVERSITY CONSULTANT**

Whilst we support the provision of a species-rich hedgerow along the northern site boundary, the proposed hedgerow along the northern site boundary is not equivalent length to that which is being lost along the western site boundary. A native species-rich hedgerow could be planted along the western site boundary to compensate for this loss and to maintain connectivity around the site for wildlife. There are very few details within the Landscape Maintenance Plan regarding ground preparation, sowing, aftercare and management for areas sown with EM2 Wild flower-Seed and Em8 Wet Land Seed Mix.

## **HISTORIC BUILDINGS CONSULTANT**

No objection.

## **TREE AND COUNTRYSIDE CONSULTANT**

I have visited the site and agree that the trees are generally quite poor and not really suitable for retention on a new development. The trees are quite a significant landscape feature and do provide good screening between the sites. I would be supportive of removal on the basis that suitable mitigation planting is provided. Ideally the planting would not be within gardens but on a strip between the gardens and the two sites. My suggestion would be a mixed native species hedgerow containing some standard trees, which could include field maple and some Oak where space allows.

## **HISTORIC ENVIRONMENT SERVICE**

Most of the proposed development site was subjected to pre-application archaeological trenching last year. However, part of the present development area was not included within last years trenched area. The area not included (the northwest part, to be a pond) is close to a number of trenches which contained a significant number of undated archaeological features, that may represent the edge of an occupation area, which may lie within the area of the proposed pond. 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 therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework para. 199, to be secured via condition.

## **HOUSING ENABLING OFFICER**

The amended plans submitted on 25 March 2021 show that the proposed affordable housing remains in a single area which is contrary to Policy HOU 07 which states that The Council will seek for affordable housing to be distributed across a development as single units of small clusters, rather than in a single area. The plans show a proposed delivery of 11 affordable units, 4no 1bed flats, 4no 2bed houses and 3no 3bed houses for which there is an identified need. There is also a need for 4bed houses in the towns, so would be happy to see one of the 3bed houses as a 4bed house if this suited. The amended house types now meet the required space standards.

## **OBLIGATIONS OFFICER, NORFOLK COUNTY COUNCIL**

Considering the permitted planning applications in Watton (table 4 above), there is spare capacity in the Early Education sector and Secondary School sector. However, there will be insufficient places for children at Watton Westfield Infant and Nursery School and Watton Junior School for this proposed development, should it be approved. Therefore, Norfolk County Council will seek Education contributions of 154,242

towards the provision or enhancement of educational facilities required.

For the residential - one fire hydrant on no less than a 90 mm main at a cost of 843 and for the supermarket one fire hydrant on no less than 120mm diameter main at a (current) cost of 843 when fitted on a new water main.

A development of 45 dwellings would place increased pressure on the existing library service particularly in relation to library stock, such as books and information technology. This stock is required to increase the capacity of the library. It has been calculated that a development of this scale would require a total contribution of 3,375 (i.e. 75 per dwelling). This contribution will be spent on increasing the capacity of the library serving the development.

#### **ENVIRONMENT AGENCY**

No objections.

#### **ANGLIAN WATER SERVICE**

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.

The foul drainage from this development is in the catchment of Watton Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

We note that the site falls within a Source Protection Zone, we have assessed the potential impact of the site and have concluded that there is no risk to our potable water source

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. 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 in the suitability of the surface water management.

#### **FLOOD & WATER MANAGEMENT TEAM**

No objection, subject to conditions.

#### **ENVIRONMENTAL HEALTH OFFICERS**

I have looked at the revised application submitted and, based on the information provided to me at this time; there are no objections or further comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details and subject to conditions, regarding acoustic barriers, hours of works/operation, lighting, noise and materials disposal.

#### **AIR QUALITY OFFICER**

There are no objections or comments on the grounds of Air Quality, providing the development proceeds in

line with the application details.

## REPRESENTATIONS

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

- Very happy for Lidl to be built, as Watton is in need of another supermarket. (x18 comments)
- Watton has a High Street and every step should be taken to develop that, not to spread the retail foot print. No new shops/supermarket are needed, this proposal will affect other local shops nearby. (x2 comments)
- Very against the proposed housing. (x23 comments)
- Watton has too many large housing estates being built.
- This should be two separate applications.
- Infrastructure in Watton is not capable of taking further housing development. Schools, pre-schools, dentist and doctors do not have the capacity for all these new homes being built.
- Parking is an issue in Watton, especially on new housing estates.
- This is a busy road, already at capacity. Trying to get out of the junction of Akrotiri Square onto Norwich road is diabolical during rush hours and the development will make this worse.
- To build a Lidl on that site will attract shoppers from a wide area and increase the traffic this already busy road.
- The road layout isn't wide or adequate enough to allow two cars to pass.
- The bus to Norwich is always full.
- An extension of the 30mph limit to the roundabout by the spar may be some mitigation of the risks of the additional junction.
- The proposal is on a soakaway, development here will result in increased risk of flooding. The site already suffers from poor drainage, which affects neighbouring properties. The removal of trees will also affect ground conditions, as they suck up water.
- The proposal for these new houses is to drain the flood water into the ditch between Watton Green and the new site which will only add to the potential flood risk for existing homes on Watton Green.
- To build on more green spaces is environmentally and mentally damaging, more trees are required not more houses.
- Wildlife will be significantly affected, through the development of the site and the removal of trees.
- There are bats and other wildlife on this site, which will be affected.
- The proposal will result in loss of privacy, especially as the trees are to be removed.
- Light pollution and noise from construction, especially with more people working at home.
- Loss of sunlight to adjacent residential properties.
- Anti social behaviour is already an issue highlighted by our local community police and this would further add to it.
- If this is to be passed I would rather see the store and 45 houses than no store and 90 houses.
- Leisure facilities, parks, retail, skate park, bring jobs for the people of Watton and make it a place we want to live in not cram more houses onto land that has no infrastructure or jobs.

Six people have written in support of the proposals, and comment:

- I would rather more houses than to lose the opportunity of having such a well known retailer in Watton, offering a cheaper alternative to Tesco.
- Our growing community needs housing and affordable local shopping choice. Our town needs to grow enough to be attractive to investors so we can all benefit.

- I do believe it's a good idea to bring Lidl to Watton, job wise and another choice of where to do your grocery shopping.

(18 comments (listed above) which state that are very happy for Lidl to be built)

Cllr Tina Kiddell

I strongly and wholeheartedly support this application. It will be good for Watton to have a new food store. There has been some consternation from the public with regards the housing at the side of Lidl but there has been overwhelming support for Lidl. The houses I hasten to add are good ones and are in keeping with the street scape of the road as Abel homes are further along the same stretch. These houses were already in the local plan and the bonus now is that it will be a Lidl and not another care home. As we all know the infrastructure does not come without houses. I feel strongly that Watton needs another shop as many locals have to travel to Dereham for more choice, so it will help keep the Watton residents from travelling further afield.

Watton and Saham Flood Action Group

- We welcome the attenuation pond in the residential area which will not only hold storm water but will also be a pleasant landscape feature for the residents.
- Welcome the attenuation tank below ground at the Lidl store. The water from this will flow in underground pipes to the attenuation pond. The water from the pond will be released gradually into the ditch to the north west of the site on the east side of the road at Watton Green on land owned by Abel's who acknowledge that maintenance of this ditch is their responsibility.
- Maintenance of attenuation features is always critical in reducing flood risk. Abel's have an agreement with Anglian Water to maintain the attenuation pond and the pipework leading to it. However, the maintenance of the below ground attenuation tank and its associated pipework will be given by Lidl to a third party.
- We have satisfied ourselves that Abel's have a drainage strategy for their site that will work as well as any such strategy can in these times of climate change. Our concerns focus on what happens when the overflow from the attenuation pond goes into the ditch beside the road in Watton Green which is critical to drainage in Watton Green. It takes water from nearby properties to the south-west, drains land to the north-east towards Carbrooke and also from the road. Watton Green itself slopes down from the Norwich Road and the place where the overflow will enter the ditch is at the low point of the road. As we understand it, the water then flows north-east to get to the culvert across the road. At that point before it crosses the road, the ditch is probably thigh depth if one stood in the bottom of it, but it is much shallower elsewhere. The water goes through the culvert under the road into the ditch on the other side and thence to the watercourse on the west side of the road. The overflow will be 4.59litres/sec which equates to 3,635 gallons per hour. This rate is set to be that of the land without the development. If these figures are right, is that why the road gets so flooded at the culvert at present?
- The road at this point in Watton Green has been flooded to a depth of several inches.
- We also have concerns over the lifetime maintenance of this system.
- Our concern too is the replacement culvert under the highway and who will be responsible for its maintenance over the lifetime of the development.
- We ask that the Planning Officer does the following:
  1. Condition the names of the landowners/agency responsible for the maintenance of the culvert under the road at Watton Green that will take the surface water to the Brook are given to Watton Town Council so that if there is a problem action can be swiftly taken.
  2. There is a risk of silt build up in the culvert such that a regular maintenance schedule should be devised for those responsible to adhere to (much as there is for the attenuation system and its pipes).
  3. That the name of the third party for maintaining the Lidl attenuation system is given to the Town Council so that any problems can be speedily addressed.

4. That this third party report annually to Watton Town Council on the maintenance work they have undertaken on the attenuation system.
5. That Anglian Water report annually to Watton Town Council on the maintenance work they have undertaken with regard to the attenuation pond and the associated pipes and other structures as detailed in the maintenance schedule described in section 7 of the Flood Risk Assessment provided by the developer.
6. That Anglian Water be asked to state that the foul sewer system will be up to the task over the lifetime of this development.
7. Asks Breckland Council as a Risk Management Authority for flood risk, to give a public undertaking to the residents of Watton Green and Watton that they will work in partnership with NCC Highways, the Lead Local Flood Authority (LLFA) and Anglian Water to effectively manage the risk of flooding in Watton Green.

## ASSESSMENT NOTES

### 1.0 Principle

1.1 The proposals include consent for a single storey food store (Use Class E - retail) with associated car parking, and landscape works; and 45 dwellings (Class C3). The application site lies primarily within the designated Watton settlement boundary on a site largely allocated for residential development of at least 45 dwellings and at least 60 bed care home. Development is subject to compliance with the adopted Development Plan policies and criteria, which has been outlined and addressed below. The proposal also includes land to the north of the allocated site, although no built development is planned for this land. This land is to include public open space and the proposed drainage lagoon only.

1.2 The site layout will comprise of a large retail store to the south west corner of the application site, with the store located to the western boundary and car parking and landscaping to the east and south of the store. Access to the store and the dwellings is off Norwich Road, starting at the south eastern corner of the site and progressing north into the application site with access to the store branching off to the west. To the north the land will comprise of 45 dwellings, in accordance with the housing allocation.

1.3 The site was allocated for a care home and 45 dwellings. Despite the general local support for the store (although mainly not for the residential) this has been at the expense of the care home. There is a Breckland/Norfolk wide shortage of care and therefore the loss of this facility needs to be carefully considered. The applicants have set out in their submission, the following:

*The landowner and applicant (Abel Homes) have discussed the potential opportunity with a number (four) of care home operators, including one who Abel are working with in conjunction with delivering a care home and assisted living units at Swaffham. However, none of the care home operators approached have been able to make the demographics of the area work for their respective models, and have failed to show interest in developing the site as a care home. It is considered that this may, at least in part, be explained by the significant prevalence of care homes (six) in Watton, including four along Watton Road and two assisted living/ care homes elsewhere within Watton. These include: Buckingham Lodge Care Home; Lancaster House; Dorrington House; and Linden Court Residential Care (all on Norwich Road); and Kalmia and Mallow; and Conquest Care Home (both on Dereham Road). Accordingly, whilst it is readily acknowledged that there is a care home need generally within Norfolk, it is evident that there is no demand for a care home in this specific location.*

*In parallel to Abel Homes discussing the potential development of the site with care home operators, they were approached by Lidl in relation to the development of part of the site for a retail store. Whilst the development of a retail unit on the site would be contrary to Watton Housing Allocation 2, material*

*considerations exists to justify the principle of development. An Impact Assessment prepared by Rapleys on behalf of Lidl has demonstrated that there is available convenience and comparison expenditure within the local area to support a retail unit of the size proposed. As well as the evidence provided in relation to expenditure, the need for a retail unit is highlighted by the fact that approximately 43% of residents (based on the public consultation exercise undertaken by Lidl) leave Watton, primarily by car, to undertake their shopping. In addition, to this a Sequential Test has been undertaken to demonstrate that there are no other sites within or outside the town centre to accommodate the proposed development and which satisfy the operators requirements.*

1.4 The submitted Retail Impact Assessment concluded that there is a clear need for the retail store within Watton and that the application site represents the most suitable location, this in combination with the evidence submitted with regards to the lack of need for a care home in this location, which is considered overriding. Therefore, despite the loss of the care home and the replacement convenience store not being in compliance with allocation Policy WHA2, the loss of the care home is considered acceptable in this instance.

1.5 With regards to the residential, despite the general local concern about residential in this location, the site has been allocated for at least 45 residential dwellings, subject to the criteria listed below, therefore on the basis the proposal is delivering in accordance with the allocation, the principle of residential development is established here.

1.6 With regards to the principle of the convenience store Policy EC05 of the Breckland Local Plan (adopted 2019) is relevant. This policy sets out '*Policies in the Local Plan will seek to support and enhance the vitality of the District's hierarchy of centres and seek to direct floorspace requirements in line with the breakdown in the 2017 retail study projections over the plan period*'. This includes 514 net sqm of convenience floorspace and 181 gross sqm of food and beverage floorspace for Watton. Watton is also identified as a preferred location for food retail. This policy seeks to direct local provision through focusing retail and leisure proposals within designated town centres. The proposal falls outside the designated Town Centre boundary for Watton. The proposed convenience store is to comprise of the following:

*The erection of a new Lidl food store (Use Class E) comprising 1,900 sq. m gross internal area (GIA) with a net sales area of 1,256 sq. m; 122 car parking spaces (including 6 disabled spaces, 9 parent & child spaces and 2 electric vehicle charging (EVC) spaces; and a trolley bay located adjacent to the store entrance.*

1.7 The applicants have submitted a Retail Impact Assessment in support of the convenience store proposal, which sets out the following:

- *The assessment has demonstrated that the proposed discount retailer will not have a significant adverse impact on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal.*
- *The sequential assessment concluded that the proposed development could not be located within or on the edge of any of the defined retail centres with the store's catchment.*
- *The proposal will improve the range and choice of retail offer in this part of the Borough by provision of another mainstream retailer, particularly of the discount model, which is not available in the locality.*
- *Once operational, the new superstore will employ approximately 40 to 50 staff, in a mixture of full- and part-time roles.*
- *Overall, the proposed scheme adopts the principles of sustainable development, in relation to social, economic and environmental factors. The proposal accords with the emphasis in national policy contained within the NPPF, which confirms a presumption in favour of sustainable development. In these terms, it has been demonstrated that the scheme complies with relevant policy as set out within the NPPF and the Development Plan.*

1.8 It is agreed that a site of this size and scale is unlikely to be found within or adjacent to Watton Town Centre Boundary. It is also agreed that the proposal will improve the range and choice of retail offer within Watton. Finally, although some distance from Watton Town Centre boundary, this is considered to be direct walking route and the store is within easy walking and cycling reach of much of the eastern part of Watton. Paragraph 87 of the NPPF sets out *'When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored'*. The site is considered accessible.

1.9 Despite the increased scale from that set out in Policy EC05, the scale is considered acceptable given the likely end user, their business model and that this is one store. The proposal is therefore unlikely to significantly harm the vitality of the Town Centre. In addition, the proposal for the store is heavily supported by representations to the planning application. Finally, paragraph 80 of the NPPF states *'Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt'*. The proposal will generate jobs, which is supported by Section 6 of the NPPF. For these reasons and given that no other suitable and accessible sites could be found, then the proposal is also considered to accord with Policy EC05 of the Breckland Local Plan (given the sites location outside a designated employment area also), subject to no highways impacts, which is further explained below.

1.10 For the reasons given here, it is considered acceptable to have a convenience store in this location and its material benefits would outweigh the requirement for a care home in this location, especially given the evidence submitted by the applicants and as set out above. On this basis the proposal is considered acceptable, despite being contrary to the allocation Policy WHA2, in terms of the store.

1.11 Compliance with the criteria, as set out in Policy WHA2 is set out below in summary, with further detail provided within the relevant sections of the report, as follows:

1. *Vehicular access to the site is provided from Norwich Road.* Yes it is.
2. *Where necessary, implementation of transport mitigation measures to the satisfaction of Norfolk County Council Highway Authority.* The Highways Authority have confirmed no objections to the proposals following amendments and relevant conditions will be applied, to ensure this.
3. *Appropriate density to respond to the surrounding development.* The density is 20 dwellings per hectare and the allocation was for at least 45 dwellings. It is considered that the proposal responds well to the surrounding character of the area.
4. *Retention and enhancement of native hedgerow and trees on the northeast site boundary to form a landscaping buffer which responds to the rural setting and protects the setting of the adjacent listed building.* The Tree Survey sets out that there are no planned works to these trees, and this can be secured via an appropriately worded planning condition.
5. *Additional mitigation measures will be required to ensure the protection of residential amenity from the adjacent business park, in line with Policy COM 03.* Environmental Protection Officers raise no objections to the proposals and have suggested to conditions to address amenity impacts.
6. *The provision of open space is required in accordance with Policy ENV 04.* The proposals are considered compliant with Policy ENV04.
7. *Appropriate sustainable surface water attenuation measures are provided, and where possible included as part of landscaping schemes.* The drainage lagoon to mitigate the proposals sits to the north of the application site, outside the original allocation. However, given that all the actual built development would lie within the allocation then this is considered acceptable, especially as it is needed to mitigate the development. The LLFA and AW raise no objections to the proposals in this regard.

8. *Development proposals in Watton should have regard to the findings of the Water Cycle Study which indicates potential capacity limitations at Watton Waste Water Treatment Works and within the foul sewerage network. A Utilities Statement will be required to support the planning application to demonstrate how capacity will be made available in time to serve the site.* The applicants have submitted a utilities statement in support of the application. The LLFA and AW raises no objections to the proposals and Anglia Water are working on an overriding strategy for dealing with foul water in the locality.

9. *The scheme's design will preserve or where possible enhance the setting of nearby designated and non-designated heritage assets, with particular regard to the Grade II Rokeles Hall.* There are no objections raised by the historic buildings officer to the proposals and given the distances involved and the relatively low lying character of the development then it is considered the setting of Grade II Rokeles Hall will be preserved, as well as other nearby heritage assets.

10. *Submission of a project level Habitats Regulation Assessment to determine the impact of proposed development on Breckland SPA/SAC and to assess habitat suitability, the need for additional survey work and mitigation strategies where required.* The PEA confirmed that it is not necessary for a Habitats Regulations Assessment to be undertaken as part of the application, given that the site is not within the listed distance of a European Protected site. No objections in this regard have been raised by our ecologist.

1.12 As set out above, despite the proposals non-compliance with the site allocation Policy WHA2 only in terms of non delivery of the care home and its replacement with a convenience store, it is considered acceptable in principle, as is the delivery of housing on this site and the overall the proposal is considered to accord with Policy EC05 and WHA2 of the Breckland Local Plan (adopted 2019).

## **2.0 Highways and Access**

2.1 Policies TR01 and TR02 of the Breckland Local Plan (adopted 2019) 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.

2.2 Access to the site for both residential and the convenience store will be taken via a T-junction to the south of the site onto Norwich Road, and this is in accordance with Policy WHA2 also.

2.3 A Transport Assessment (TA) has been submitted in support of the application. The TA demonstrates that the surrounding area benefits from an excellent level of pedestrian infrastructure, whilst the site is also in close proximity to a number of local cycle routes. Furthermore, it references frequent bus services to and from Norwich City Centre from the bus stops situated on the B1108 Norwich Road, one located immediately to the south of the site.

2.4 Parking provision will be provided across the site for residential dwellings through a combination of curtilage parking and separate discreet designated parking areas (with spaces allocated per unit), meeting the adopted Car Parking standards. In total, 92 (not including garages) car parking spaces are provided within the site, which equates to a minimum of two spaces per dwelling.

2.5 The convenience store development will provide 122 car parking spaces (including 6 disabled parking, 9 parent and child spaces, and 2 electric vehicle charging points), cycle parking close to the store entrance and a delivery bay.

2.6 In seeking to reduce the number of vehicular trips generated by the development, a Travel Plan has been prepared in respect of the proposed store. A series of measures are identified in the Travel Plan including a welcome pack for all staff outlining public travel information, on-site information points, on-site cycle parking, and the creation of an informal car sharing scheme. The action plan measures will be subject to a monitoring and review process. A Travel Plan Co-ordinator will be appointed with appropriate funding, and the travel patterns of future employees at the site will be monitored, with one year, three year, and five year travel to work targets for car, cycling, public transport and walking modes.

2.7 Subject to some minor amendments made to the proposals, the Highways Authority has raised no objections and appropriate condition(s) are awaited to be appended to any subsequent approval of planning permission. Access and Parking provision as proposed is considered acceptable. On this basis the proposals is considered to comply with Policies TR01, TR02 and WHA2 of the Breckland Local Plan (adopted 2019).

### **3.0 Character, Design and Heritage**

3.1 Section 12 of the NPPF and Policies HOU01, GEN02 and COM01 of the of the Breckland Local Plan (adopted 2019) seek to promote high quality design and protect the character of an area.

3.2 The character of the area comprises of a large industrial estate to the east, with large buildings, largely side onto Norwich road at the frontage of the estate, surrounding a central access route, built of a mixture of metal cladding and red brick. There is a row of trees existing separating the site. To the west are residential properties, comprising of a mix of detached, semi-detached and terrace properties, largely constructed of red brick. To the south east of this existing residential development is a terrace of properties fronting onto to Norwich Road, again with trees separating them from the site.

#### The Store

3.2 The new Lidl store will be oriented south-north wards with the car parking area located to the east and south of the new store, with appropriate landscaping to help soften the hard aspects, like the car parking. This can be secured via appropriately worded planning conditions. The delivery bay will be located at the north-western corner of the site, furthest away from Norwich Road to maintain street frontage. In total, the proposed food store with associated car parking and landscaping will occupy 0.81ha of the application site. The proposed building consists of a contemporary single storey building with a sloping roof, typical of its retail type. The building, in terms of positioning on the site is located furthest away from heritage assets so as not to affect their setting or significance.

3.3 With regards to character of the area and street scene, the proposed store at the frontage of the site has been designed to sit sideways with the road and given its form and scale it mimics that of the layout of the adjacent industrial estate. The street frontage onto Norwich Road is considered a sensible way to deliver the site given the proposed end user. Although, there will be large areas of car parking to the east and south, this is not usual for this type of use and an appropriate landscaping condition, will help soften and break up this area. The retention of trees to the east is also supported.

#### Housing

3.4 The proposal seeks to provide 45 residential units, including 11 affordable homes (25%). The scheme proposes a mixture of detached and semi-detached units, with on-plot parking and separate designated parking areas. The affordable housing units are within two clusters either side of an access road to the north of the retail store. It is noted that the Housing Enabling Officer has raised concerns about the clustering of affordable units. Policy HOU07 of the Breckland Local Plan (adopted 2019) states that *'The Council will seek for affordable housing to be distributed across a development as single units of small clusters, rather than in*

*a single area. The Council will consider exceptions if an applicant can demonstrate that it is necessary for the long term management or viability of the affordable housing'. The comments of the Housing Enabling officer are noted and have been considered by officers. However, it is considered that 11 affordable homes is a very small number and a cluster of this size would not materially affect the character of the area. The applicant has expressed that given the size of the cluster then these would be easier to manage by a housing association than spread across the site and they have an identified housing association who has confirmed support for this layout. Housing have been approached on this basis and although continue to express concerns but they have stated they agree that an objection to the application on this basis could not be substantiated in terms of the refusal of planning permission.*

3.5 The proposed materials for the houses are predominantly red brick, with some in prominent locations to be finished in white render. Areas of natural timber cladding are also incorporated. Windows fascias are proposed to be dark grey with rainwater goods zinc coated steel. Roofs are finished with red and dark grey flat plain tiles. These materials are considered acceptable given the context of the surrounding area and a condition will be added in this regard.

3.6 The plans have been amended during the course of the application, in conversation with the case officer to ensure usable areas of open space are provided within the site and key spaces are framed by properties with dual elevations to protect the character of the area and maintain surveillance. The residential element of the proposal is set back from the Norwich Road frontage, open space frames the entrance to the site to the east with landscaping in-between the access and store car parking to the west. Plot 1 is dual elevation to provide frontage in the street scene and address the access to the site.

3.7 Based on the provision of 45 dwellings on a site area of 2.28ha (based on the 'developable site', and excluding the area associated with the retail unit), the residential aspect of the development would equate to a density of approximately 19.73 dwellings per hectare (dph). It is considered that the proposed density reflects the surrounding context in accordance with Policy WHA2. The character of the area is protected by the retention of the significant tree belt adjacent the eastern boundary, and the open space provided at the entrance to the site, which marks this once open field. The applicant has confirmed that all house types now exceed the nationally prescribed space standards in accordance with Policy HOU10 of the Breckland Local Plan. On this basis the proposal is considered to accord with the character of the surrounding area and is considered acceptable on this basis, in accordance with Policies GEN02, COM01, WHA2, HOU06 and HOU10 of the Breckland Local Plan (adopted 2019).

3.8 The proposal is to provide approximately 0.33 hectares of outdoor playing space/open space on site, in accordance with Policy ENV04 of the Breckland Local Plan (adopted 2019). This is to be provided in three distinct areas across the site; including at the frontage of the site, to the eastern boundary which would complement the existing tree belt to the eastern boundary that will be retained and to the centre and east of the site. This area has been increased in size through amendments to the application following dialogue with the case officer. It is felt this new space will provide a central focus to the application site, especially as it will include the proposed LAP and is also now a more usable open space, accessible to future occupants and the wider area. A further area of open space is to be provided to the north of the site. This area lies outside of the formal allocation but will be a positive addition to this site and the surrounding area. No development is proposed in this area and landscaping, which can be conditioned will help to protect the setting of the Grade II Listed Building to the north. The proposal exceeds the outdoor playing space/open space requirement by approximately 640sqm.

3.9 The proposal includes no outdoor sport open space. In this regard it is noted that Policy ENV04 of the Breckland Local Plan sets out:

*It is recognised that there may be cases where the direct provision of outdoor playing space on-site is not the preferred option. It may be that outdoor playing space does not represent an efficient use of land in the context of the site location or that there is a deliverable opportunity to secure a more meaningful area of outdoor playing space that better serves the whole community in close proximity to the application site. Contributions in lieu of on-site provision for sites of 25 or more dwellings will be the exception and will need to be supported by robust evidence from the applicant that on-site provision is not appropriate and/or viable . . . Any contribution will need to be towards a specific deliverable scheme in consultation with the relevant parish council and the developer contributions policy in this document.*

3.10 The size and scale of the site is acknowledged and the amount of development proposed is the minimum in terms of the sites allocation for 45 dwellings. As a result, it is agreed that no usable outdoor sport space could be provided on site, on this basis. The applicants have been in contact with Watton Town Council, who have confirmed that they have no specific deliverable scheme for contributions to outdoor sport open space. On this basis, there is no requirement to provide outdoor sport open space or a contribution in accordance with Policy ENV04 of the Breckland Local Plan (adopted 2019). The proposal is considered acceptable on this basis.

### Heritage

3.11 Section 16 of the NPPF, ENV07 and ENV08 of the Breckland Local Plan (adopted 2019), and Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, seek to protect the special interest and significance of heritage assets/Listed Buildings and their settings.

3.12 A Heritage Impact Assessment (HIA) has been submitted, which assesses the significance of relevant heritage assets and any potential effects of the proposed development on this significance. The HIA identifies Rokeles Hall (Grade II listed, a designated asset) that is located approximately 120m to the north east of the site, behind a row of established trees, and some former RAF buildings (considered non-designated assets) adjacent the site. Due to existing trees, there are no views from or towards Rokeles Hall or its associated outbuildings from the site. In respect of the setting of this Listed Building and the former RAF buildings their setting has been significantly changed by the construction of 20th century industrial units in front of the buildings and the development of housing estates on the former airfield. This has been confirmed by the Councils Historic Building officer who raises no objections to the proposals.

3.13 The submitted HIA concludes that the proposal has the potential for less than substantial harm (in the range of low adverse) to the wider setting of Rokeles Hall and the former RAF buildings but the appearance of the area will be preserved by being of an appropriate design, scale, form, height, massing and position. In terms of Section 16 of the NPPF, it is considered that the less than substantial harm identified will be outweighed by the provision of residential and retail development on an allocated site. The proposal is therefore considered to accord with Section 16 of the NPPF, ENV07 and ENV08 of the Breckland Local Plan (adopted 2019), and Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### Archaeology

3.14 Trial trenching was undertaken across the site. The results of the trial-trenching revealed little activity across the site, with no indication of Roman activity towards the north-west of the site which was anticipated due to the presence of the Roman farmstead lately discovered at Watton Green just to the west. The low quantities of later prehistoric finds indicate that the site is unlikely to be within the main 'foci' of settlement activity. The sparse evidence of just three struck flints uncovered indicates a dispersed nature to any prehistoric activity on site and it is unlikely that features from this period will be present in quantity. The archaeological investigation has revealed evidence for possibly early medieval and postmedieval agricultural

activity with a small representation of prehistoric activity. The results are in keeping within the known archaeology of the eastern part of Watton and the surrounding area.

3.15 The Historic Environment Team have been consulted and state that most of the proposed development site was subjected to pre-application archaeological trenching. However, part of the present development area was not included within last years trenched area. The area not included (the northwest part, to be a pond) is close to a number of trenches which contained a significant number of undated archaeological features, that may represent the edge of an occupation area, which may lie within the area of the proposed pond. 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. On this basis they have requested a planning condition, which will be appended to any subsequent granting of planning permission. The proposal is therefore considered to accord with Section 16 of the NPPF, ENV07 and ENV08 of the Breckland Local Plan (adopted 2019) in terms of archaeology also.

#### **4.0 Amenity**

4.1 Policy COM03 of the Breckland Local Plan (adopted 2019) 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.

4.2 A number of concerns have been raised in representations with regards to development adjacent to the west of the application site including loss of light/privacy. The majority of dwellings off Akrotiri Square have long rear gardens and will be some distance away from new residential dwellings, over 30 metres away. In addition, existing dwellings will be over 24 metres away from the new convenience store. These distances are considered significant and given the proposed store is single storey and the proposed dwellings two storey's then it is not considered that there would be a significant impact on amenity, loss of privacy or light due to these distances involved.

4.3 At the frontage of the site, the proposed store will sit adjacent to a row of two storey terrace properties. There will be approximately 6 metres between this dwelling and the proposed store. Although, there is some risk of amenity impact here, it should be noted that this is the rear of the store, with no windows or deliveries taking place from this entrance. These dwellings front onto Norwich Road, which is an already busy road in terms of traffic and noise. Existing vegetation abuts the walls of this dwelling, closer than the existing store. On this basis it is not considered an objection on grounds of amenity could be substantiated. Concerns over noise and disturbance during construction are noted, however it is considered that works adjacent to dwellings will be for a limited period only and significant distances exist. On this basis the proposal is considered acceptable in this regard.

4.4 On the eastern boundary of the site, concerns were raised by officers with regards to new residential development and the proximity to trees and the potential for shading. The applicants have amended the proposals and submitted shade analysis plans to demonstrate the acceptability of the proposals. In addition, there would be an element of buyer beware in this regard.

4.5 The Town Council and initially our Environmental Protection officers raised concerns with regards to the potential impact of the noise from deliveries on the closest proposed residential properties. Further information was provided by the applicants and these concerns have been addressed, subject to the imposition of conditions with regards to acoustic barriers, hours of works/operation, lighting, noise and materials disposal.

4.6 There are varying sizes of garden proposed, some fairly small but overall the proposals appear in

character with the surrounding area in terms of variance of garden sizes. Dwellings within the site are well spaced and have access to rear gardens and car parking. It is considered that there will be good surveillance across the site through proposed fenestration and the location of dwellings, open spaces and car parking. The proposal is therefore considered to accord with Policy COM03 of the Breckland Local Plan (adopted 2019).

## **5.0 Flood Risk**

5.1 Section 14 of the NPPF and ENV09 of the Breckland Local Plan (adopted 2019) 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 within Flood Zone 1, which is considered to be at very low risk to fluvial and/or tidal flooding (having a less than 1 in 1000 annual probability of flooding), as well as being at low risk of surface water flooding.

5.2 The submitted information with the application sets out that infiltration testing was undertaken in four trial pits, with no ground water encountered in any trial pits. Nonetheless, infiltration as a form of surface water discharge for the proposed development has been deemed not possible on the grounds of the variable rates of infiltration throughout the site. Permeable paving has been incorporated into all driveways for the residential units, it is viewed there will be an element of infiltration to some degree in most areas, however in the extreme events this will discharge into a perforated pipe and discharge into the Anglian Water sewer. The use of permeable paving will reduce the time of entry and velocity of water into the adoptable pipe network together with providing storage with a combination of infiltration and discharge.

5.3 In respect of surface water attenuation and discharge, surface water collects from the roof areas via a private surface water network located in the vicinity of each plot. The surface water for the driveways collect via permeable paving offering additional storage and first stage treatment this water is collected via a perforated pipe that connects into the private surface water network. The surface water then connects into the proposed Anglian Water adoptable sewer and discharges north west towards the proposed attenuation lagoon towards the north-west of the site (given the sites topographical fall from south-east to north-west). The storage lagoon is to be adopted by Anglian Water and has been designed incorporating enhanced flow routing and biodiversity features and is in accordance with Anglian water SuDS requirements to satisfy adoption criteria.

5.4 The proposed adoptable pond has been designed to discharge into the existing watercourse via a proposed Hydro-brake flow control before entering a proposed ditch that connects to the existing. The Hydro-brake will limit flows in accordance with QBAR run-off of 4.59 L/s (in accordance with the proposed greenfield rate) allowing flows to back up and store within the adoptable lagoon up to and including a 1 in 100-year storm event with an allowance of 40% climate change. The Lidl element of this scheme is also proposed to connect into this surface water network, with an allowance of 2.0 L/s.

5.5 With regard to foul water management it is proposed to construct an adoptable foul water network subject to a S104 Agreement with Anglian Water. The proposed designed is to connect into the existing 150mm Anglian Water clay pipe located to the north of the site in Watton Green Road where the foul water is to be discharged via gravity. Via a Pre-Planning Assessment Report, Anglian Water have confirmed that this is acceptable as the foul sewerage system, at present, has available capacity.

5.6 The Watton and Saham Flood Action group make 7 points they would like to be included within the application. It is important to note that we must take our advice from our statutory consultees with regards to flood risk and drainage and the LLFA and AW raise no objections to the proposals. With regards to the points listed - point 1, this is a civil matter, not a planning matter and involves land outside the application site

and therefore can not be reasonably conditioned. Points 2, 3 and 4 - Maintenance will be required as part of the submitted and conditioned flood risk and drainage assessments. Points 5 and 6 - cannot be conditioned or require a third party to comply with conditions, only the applicant. Point 7 is not a material planning consideration in the determination of this planning application. In addition, to this it is worth noting that the applicants have met with the Flood Action Group on a number of occasions to explain their proposals.

5.7 LLFA and AW have requested that conditions are applied to any permission, and these conditions will be applied. On this basis the proposal is considered to comply with Section 14 of the NPPF and policy ENV09 of the Breckland Local Plan (adopted 2019).

## **6.0 Ecology**

6.1 Section 15 of the NPPF and policy ENV02 of the Breckland Local Plan (adopted 2019) requires the protection and enhancement of biodiversity. A Preliminary Ecological Appraisal (PEA) as well as an Ecological Mitigation and Management Plan (EMMP) have been prepared as part of the application submission. The PEA establishes the current biodiversity value of the site, identifies any potential ecological constraints or impacts associated with the development, and provides recommendations for additional survey work.

6.2 The PEA confirmed that it is not necessary for a Habitats Regulations Assessment to be undertaken as part of the application, given that the site is not within the listed distance of a European Protected site. This is in accordance with Policy WHA2 of the Breckland Local Plan also.

6.3 In respect of ecological constraint's, the western boundary trees to be removed are considered to have no value as roosting habitat for bats. The trees and scrub within the site are considered to provide opportunities for nesting birds and the site could support hedgehogs which are vulnerable to impacts from development. On this basis, the EMMP identifies a number of mitigation measures including new grassland, hedgerows and tree planting for habitat creation and landscaping.

6.4 Our ecologist have been consulted who have stated *'Whilst we support the provision of additional scattered trees along the western boundary, a native species hedgerow connecting these trees would be of greater ecological value to maintain connectivity around the site. Breckland District Councils tree officer has previously suggested a native species hedgerow with standard trees and we agree this would be ideal. The ecology report highlights that existing tree-line linear feature may provide some limited opportunities for foraging bats. There are very few details within the Landscape Maintenance Plan regarding ground preparation, sowing, aftercare and management for areas sown with EM2 Wild flower-Seed and Em8 Wet Land Seed Mix'*. On this basis, further information has been sought from the applicants and is awaited. Once further information is received then our ecologist will be further consulted. However, there appears sufficient space within the site to adequately mitigate against any impact on ecology and therefore subject to the submission of further information and no objections being received from our ecologist then the proposal could be considered acceptable and in accordance with Section 15 of the NPPF and policy ENV02 of the Breckland Local Plan (adopted 2019) .

## **7.1 Other matters**

### **7.2 Contamination**

7.2 Section 15 of the NPPF and Policy COM03(8) of the Breckland Local Plan (adopted 2019) states that planning decisions should take account of ground conditions, pollution and contamination risk. A Phase 1 Desk Study contamination assessment has been submitted in support of the application. A summary of the findings, were that:

- Historically, the site was agricultural land and was largely undeveloped;
- The historical use of the site was considered unlikely to have resulted in significant contamination, with no potential on or off-site sources of ground gas identified; and
- Human end users were considered to be at low/moderate risk from ground gas and low risk from near surface soil contamination.

7.3 Based on this, no further investigative work was considered to be required to enable the safe development of the site for residential end use, in relation to contaminated land. Notwithstanding this a Ground Investigation Report to identify subsoil conditions and relevant geotechnical parameters was also undertaken. The investigation comprised 10 machine excavated trial pits, four of which were subsequently used for carrying out soakage testing. The ground conditions were generally found to be similar across the site with variably sandy gravelly clay encountered. Our contaminated land officer has raised no objections to the application on this basis and recommended a condition be added if the application is approved. On this basis the proposal is considered to accord with Section 15 of the NPPF and Policy COM03(8) of the Breckland Local Plan (adopted 2019).

#### Trees

7.4 The retention of significant trees and hedgerows is supported by Policy ENV06 of the Breckland Local Plan (adopted 2019). The submitted Arboricultural Impact Assessment (AIA) identifies that one B category group containing 29 trees (G4) located towards the western boundary of the application site will be removed to facilitate the development. An Oak (T1) and the southernmost five trees in G1 are subject to a Tree Preservation Order. These will be retained and protected throughout the development process. In order to mitigate the loss of trees on the site, a minimum of 29 new heavy standard rootballed or containerised trees (12 to 14cm stem girth) will be planted.

7.5 Our Tree Officer had previously commented on the application and stated *'I have visited the site and agree that the trees are generally quite poor and not really suitable for retention on a new development. The trees are quite a significant landscape feature and do provide good screening between the sites. I would be supportive of removal on the basis that suitable mitigation planting is provided. Ideally the planting would not be within gardens but on a strip between the gardens and the two sites. My suggestion would be a mixed native species hedgerow containing some standard trees, which could include field maple and some Oak where space allows'*.

7.6 Further information has been provided by the applicants and the further comments of the Tree Officer are awaited. A hedgerow is also proposed on the western boundary of the site to form the rear boundary treatment of properties along this boundary, this is considered an acceptable solution to address the Tree Officer comments above. Subject to no objections being raised, it is considered that the proposal could comply with Policy ENV06 of the Breckland Local Plan (adopted 2019).

7.7 Comments have been received with regards to the pre-consultation undertaken by the applicants and the consultation not including the houses, only the proposed Lidl Store, as well as suggesting these should form two separate applications. This is noted, however, the houses form part of the allocation for the site and the store was a departure from the allocation and therefore it was prudent to consult on this element only. With regards to this planning application, this is not a material consideration in its determination and both elements form part of this application and have been suitably consulted upon and a recommendation reached on that basis.

#### Planning Obligations

7.8 A section 106 agreement will be required to secure the following obligations:

- 25% affordable housing in line with that required by Policy HOU07 of the Local Plan.

- On-site open space including a LAP will be secured and a maintenance contribution, in accordance with adopted policy ENV04.
- Education contributions are also required, as follows: a contribution of £154,242 towards the provision or enhancement of educational facilities required at Watton Westfield Infant and Nursery School and Watton Junior School.
- A Library contribution of £3,375 (i.e. £75 per dwelling). This contribution will be spent on increasing the capacity of the library serving the development.
- Travel Plan, as proposed by applicants.
- For the residential, one fire hydrant on no less than a 90 mm main at a cost of 843. For the supermarket one fire hydrant on no less than 120mm diameter main at a (current) cost of 843 when fitted on a new water main (to be secured via condition).

## **8.0 Conclusion**

8.1 The principle of development for the erection of dwellings on this site is established, due to it being an allocated site in the Local Plan for at least 45 dwellings, in accordance with Policy WHA2. The removal of the care home and replacement convenience store has been assessed as set out above and considered acceptable in this location. The impact of the convenience store on the Town Centre has also be assessed and as this is considered an accessible location and no other appropriate locations have been identified, the proposal is therefore considered to accord with Policies EC04 and EC05 of the Breckland Local Plan and Sections 6 and 7 of the NPPF.

8.2 Matters, of highways, access, parking, character, design, heritage, amenity, flood risk, contamination have all been assessed above and the development is considered acceptable in this regard.

8.3 The further comments of our ecologist and Tree officer are sought but subject to no objections being received then the proposal could be considered acceptable in this regard also.

8.4 Subject to conditions and the signing of a section 106 agreement to secure matters of open space, maintenance, affordable housing, education, libraries contributions and relating to the implementation and monitoring of a Travel Plan.

8.5 The proposal is considered in general accordance with the Development Plan as well as relevant national planning policy guidance and has been recommended for approval on this basis.

### **RECOMMENDATION**

The application is recommended for approval, subject to conditions, no objections being received from our Ecologist and Tree Officer, and the signing of a section 106 agreement.

### **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**

**Fire Hydrants**

Prior to commencement of development above slab level, a scheme shall be submitted to, and approved in writing by, the Local Planning Authority for the provision of fire hydrants (served by mains water supply) serving the development. No dwelling shall be occupied until the approved hydrant(s) for the residential element have been provided. The store hereby approved shall not be brought into first use until the approved hydrant(s) for the storey have been provided.

Reason for condition:-

In order to secure the provision of fire hydrants, in accordance with Policy INF02 of the Breckland Local Plan (adopted 2019).

**This condition will require to be discharged**

**4**

**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.

**5**

**Retention of trees and hedges**

No trees or hedges on the eastern boundary shall be cut down, uprooted destroyed, lopped or topped, other than in accordance with a schedule of works which shall first be submitted to and approved in writing by the Local Plan 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 Breckland Local Plan (adopted 2019).

**This condition will require to be discharged**

**6**

**LLFA condition**

Prior to connection of the on-site drainage network, the necessary repairs/replacement of the culvert in accordance with plan ref: 111759 IW XX XX DR C 6024 Rev P2 shall be carried out in complete accordance with this plan.

Reason for condition :-

To prevent flooding in accordance with Policy ENV09 of the Breckland Local Plan (adopted 2019) and National Planning Policy Framework paragraph 103 and 109 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the surface water drainage system operates as designed for the lifetime of the development.

**7 non standard condition**

The development shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Design (Ingleton Wood Ref: 111759 Rev 3 dated 9 February 2021) The approved scheme shall be implemented prior to the first occupation of the development.

Reason for condition :-

To prevent flooding in accordance with Policy ENV09 of the Breckland Local Plan (adopted 2019) and National Planning Policy Framework paragraph 103 and 109 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the surface water drainage system operates as designed for the lifetime of the development.

**8 Acoustic Barriers**

The acoustic barriers detailed within 5.2, 5.3 and 5.4 of the submitted noise report, shall be erected, as approved prior to first use of the convenience store hereby approved. They shall be permanently maintained, as approved.

Reason for condition:-

In the interests of the amenities of the locality in accordance with policy COM03 of the Breckland Local Plan (adopted 2019).

**9 Noise**

The rating level as defined within BS 4142:2014+A1:2019 (or the equivalent relevant UK adopted standard in force at the time of the measurements) of the plant noise from the single storey food store shall not exceed at a distance of 1 metre from the facade of the nearest affected residential property 3dBA below the background level during day time hours (07.00 23.00) 30dBL<sub>aeq</sub> 15min during night time hours (23.00 07.00).

The background noise level to be measured as an LA90 (level exceeded 90% of the time) using the principles contained in BS 4142:2014+A1:2019 and shall be measured over 1 hour between the hours of 07:00 and 23:00. All measurements to be taken with a sound level meter of IEC 651 Type 1, or BS EN 61672 Class 1, standard (or the equivalent relevant UK adopted standard in force at the time of the measurements) set to measure using a fast time weighted response.

This should be calibrated in accordance with the procedure specified in BS 4142:2014+A1:2019 (or the equivalent relevant UK adopted standard in force at the time of the measurements).

This should be available on request by the Local Planning Authority, within 21 days, in the event a complaint is received.

Reason for condition:-

In the interests of the amenities of the locality in accordance with policy COM03 of the Breckland Local Plan (adopted 2019).

**10 Hours of operation during construction**

No demolition, site clearance or construction shall be carried out, no machinery operated nor construction deliveries taken at or waste dispatched from the site outside the hours of:-  
07:30 to 18.00 Monday to Friday  
08:00 to 13.00 Saturday  
or at any time on Sunday or Bank Holidays

Reason for condition:-

In the interests of the amenities of the locality in accordance with policy COM03 of the Breckland Local Plan (adopted 2019).

**11 No burning materials**

No burning of any materials from the clearance of the site or from any related construction works should take place on the site. All materials to be disposed of in a proper manner off site.

Reason for condition:-

In the interests of the amenities of adjoining residents in accordance with policy COM03 of the Breckland Local Plan (adopted 2019).

**12 Hours of Deliveries**

No deliveries shall be made or dispatched from the site, materials loaded or unloaded, refrigerated units run or engines idled outside the following times:-

Monday to Saturday 07:00 to 20:00

Sundays and Bank Holidays 08:00 to 20:00

Reason for condition:-

In the interests of the amenities of adjoining residents in accordance with policy COM03 of the Breckland Local Plan (adopted 2019).

**13 Archaeology**

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, 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation and 7) any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.

and,

B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A) and any addenda to that WSI covering subsequent phases of mitigation.

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 protect heritage assets in accordance with Section 16 of the NPPF.

**14 Implementation of submitted/approved landscaping scheme**

All hard and soft landscaping works shall be carried out in accordance with the approved details and thereafter retained. The works shall be carried out within the first planting season November/March following the commencement of work on site or in accordance with a programme to be first agreed in writing by the Local Planning Authority. If within a period of FIVE YEARS from the date of planting, any tree or plant, or any tree or plant planted in replacement for it, is removed, uprooted or is destroyed or dies, or becomes in the opinion of the local planning authority, seriously damaged or defective another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason for condition:-

In the interests of the satisfactory appearance of the development in accordance policies GEN02 and COM01 of the Breckland Local Plan (adopted 2019).

**This condition will require to be discharged**

**15 External materials as approved**

The development hereby permitted shall be constructed using the materials specified on the planning application form and / or submitted drawings.

Reason for condition:-

To enable the Local Planning Authority to ensure the satisfactory appearance of the development, as required by Policies COM3, GEN2 and COM1 of the Breckland Local Plan (adopted 2019).

**16 Boundary treatment/screening to be agreed**

Prior to first occupation of the development hereby permitted a plan indicating the positions, design, materials and type of boundary treatment/screening to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment/screening shall be completed before the building(s), which it adjoins are first occupied or in accordance with a timetable to be first submitted to and agreed in writing with the Local Planning Authority. Boundary treatments shall include a hedge to the western boundary of the site. Development shall be carried out in its entirety in accordance with the approved details.

Reason for condition:-

In the interests of the satisfactory appearance of the development in accordance with policies GEN02 and COM01 of the Breckland Local Plan (adopted 2019).

**This condition will require to be discharged**