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| ITEM: | | RECOMMENDATION: | APPROVAL |
| REF NO: | 3PL/2021/1053/D | CASE OFFICER | Nicolla Ellis |
| LOCATION: | SHIPDHAM Land To The East Of Mill Road | APPNTYPE: | Reserved Matters |
| | | POLICY: | In Settlemnt Bndry |
| | | CONS AREA: | N |
| APPLICANT: | Mr Dodd Off Peak Chapel Street | LB GRADE: | N |
| AGENT: | Lewis + Tyrrell Architects 10 Stepping Lane Norwich | TPO: | Y |
| PROPOSAL: | Reserved matters application following outline permission 3PL/2011/0182/O - Erection of 8 detached houses with garages including highway improvements | | |

REASON FOR COMMITTEE CONSIDERATION

Referred to Planning Committee due to the complexity of material planning considerations and the planning history of the site.

KEY ISSUES

Impact upon character of the area
Impact upon neighbour amenity
Impact upon highway safety
Impact upon trees
Impact upon ecology
Flood risk

DESCRIPTION OF DEVELOPMENT

The application seeks reserved matters consent for the erection of 8no. detached dwellings which were granted outline planning permission under planning reference 3PL/2011/0182/O which was granted in October 2018. The matters sought to be approved are:

- Access
- Appearance
- Layout
- Scale.

The application proposes 8no. detached two-storey dwellings with garages which will be accessed via 1 point of access from Mill Road and form a linear development travelling eastwards from the highway. 6no. dwellings are proposed to be 4-bedroom, with 2no. proposed to be 3-bedroom dwellings. A private pumping station is proposed for the site which would be located between plots 6 and 7.

The dwellings would be constructed with brick and pantile and would have a maximum ridge height of 8.7m.

Off-street parking is proposed in front of the garages for each property.

Landscaping for the site would remain a reserved matter to be dealt with as part of a separate reserved matters application.

SITE AND LOCATION

The application site is located within the Settlement Boundary of Shipdham, to the east of Mill Road. Historic uses of the site include gravel extraction, use as a timber yard and as a tip for builders. The area is generally characterised by residential development of various designs, although to the north and east of the site is open grassy land with some mature vegetation.

Previously, there was a pond in the north-east corner of the site containing Great Crested Newts which was identified by the outline application. Prior to the submission of this reserved matters applications, clearance works were carried out within the site which disturbed the pond and associated wildlife, including potential great crested newts. The Council's Planning Enforcement Team, Police Wildlife Crimes team and Norfolk County Council's Ecology team have been involved in this issue and following this, the site has been entered into a Great Crested Newt District Licensing Scheme with Natural England. For the awareness of Members, a District Licensing Scheme is scheme which allows a development to be authorised under Natural England's great crested newt district licence which means that the applicant does not necessarily need to obtain any great crested newt surveys and would be licensed (with certain obligations) to start works without applying for a separate licence from Natural England. If great crested newts are found during works, they can be moved out of harm's way (to best practice mitigation principles) without having to stop works and apply for a Natural England licence.

EIA REQUIRED

No

RELEVANT SITE HISTORY

| | | |
|---|------------|----------|
| 3PL/2003/0924/O | Permission | 03-02-04 |
| Erection of 5 dwellings | | |
| 3PL/2006/0093/F | Withdrawn | 29-03-06 |
| Demolition of existing building & construction of residential development | | |
| 3PL/2006/1234/F | Refusal | 12-07-07 |
| Demolition of existing building & construction of residential development | | |
| 3PL/2011/0182/O | Permission | 18-10-18 |
| Erection of 8 detached houses with garages including highway improvements | | |

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 |
| ENV05 | Protection and Enhancement of the Landscape |
| ENV06 | Trees, Hedgerows and Development |
| ENV09 | Flood Risk & Surface Water Drainage |
| GEN01 | Sustainable Development in Breckland |
| GEN02 | Promoting High Quality Design |
| GEN03 | Settlement Hierarchy |
| GEN05 | Settlement Boundaries |
| HOU03 | Development Outside of the Boundaries of Local Service Centres |
| HOU04 | Villages with Boundaries |
| HOU10 | Technical Design Standards for New Homes |
| NPPF | National Planning Policy Framework (Revised 2021) |

OBLIGATIONS/CIL

Section 106 agreement signed as part of the outline application remains relevant to this reserved matters application.

CONSULTATIONS

SHIPDHAM P C

Object in the strongest possible terms to the proposed development on the basis that the land is wholly unsuitable for development, and the access to the site is inappropriate for the number of properties planned.

Whilst the site is inside the Parish boundary, it should not have ever been considered for development due to its flood history and access. Indeed we understand that the initial decision to grant outline planning permission was made in error and without consultation. We understand that our District Cllrs have had a number of conversations with planning officers over a number of years to have this error corrected.

The land in question is prone to flooding (as per photos sent to you by Parishioners over the last five years) and is part of the natural water table of that area, with years of evidence of flooding confirming planning permission should never have been granted in the first place. Even if floodwater can be pumped from the site its topography means that surrounding watercourses and draining systems, already at capacity and subject to regular flooding themselves, would be overloaded. This is simply an absurd scenario and is contrary to the flood risk provisions outlined in Breckland's Local plan. On this basis alone even current exploratory development on the site should be stopped and the application should be rejected.

The low lying, wet topography on the site means this land is natural wildlife area, home to amphibians including Great Crested Newts, birds, mammals and rare plants, although felling of trees and ground clearing has already begun, disrupting habitats. The site is also surrounded by banks on two sides, the structural integrity of which has been impacted by the removal of tree and root systems as part of the preliminary

clearing process. This constitutes both an ecological and geographic act of vandalism, and should be stopped to prevent the situation deteriorating further in terms of local eco systems and neighbouring properties. On ecological and topographical grounds this app should be rejected.

We also strongly object on the additional traffic on the already incident prone Mill Road. Any development on Mill Road over the past 20 years, whether for single dwellings or groups of properties have needed to adequately demonstrate no adverse impact on the surrounding road network, especially on the junction of Mill Road and the A1075, and on Pound Green with our local junior school. The road network is at capacity, the increased number of vehicle journeys will add to the bottleneck problem at the 1075 junction, where the bollards outside Shrub House have been replaced by Highways, 3 times already this year. On these highways safety grounds the app should be rejected.

Shipdham Parish has also fulfilled its Policy HOU2 minimum housing targets as identified in the local plan.

NORFOLK COUNTY COUNCIL HIGHWAYS

I note that conditions concerning off site highway works were imposed on the Outline application 3PL/2011/0182/O and would recommend that the applicants attention is drawn to conditions 11 and 12 of that permission for the avoidance of doubt.

The access will not be considered for adoption and will therefore remain private. I would recommend that an informative note be appended in this respect so that residents are aware and can make arrangements for the future management and maintenance of the proposed access road.

If you are minded to grant approval please impose conditions and informative note, with regards to access.

CONTAMINATED LAND OFFICER

No objection, subject to conditions.

TREE AND COUNTRYSIDE CONSULTANT

Subject to the removal of the garage from the RPA of T20, no objections.

FLOOD & WATER MANAGEMENT TEAM

Having reviewed the application as submitted, it appears that this development would be classed as minor development. If there is an incident of flooding that has been investigated by Norfolk County Council in the vicinity of the site, further information on key findings and recommendations are publicly available on our website. The Local Planning Authority would be responsible for assessing the suitability for any surface water drainage proposal for minor development in line with National Planning Policy Framework (NPPF).

ECOLOGICAL AND BIODIVERSITY CONSULTANT No Comments Received

REPRESENTATIONS

Representations have been received from 5 local residents objecting to the proposal. Their concerns are summarised below:

- Issues of the site flooding and the knock on effect for neighbouring properties
- The site is a natural habitat for wildlife which must be protected
- Proposed pumping station is close to neighbouring properties and as such concerned about flooding and contamination from sewage, as well as pump ownership and responsibility

- Removal of vegetation from the site has led to privacy issues for neighbouring properties
- Some of the development is proposed on 3rd party land
- No details of drainage have been submitted
- Concerns of destabilisation of bank along the edge of the site with the neighbouring properties.

In addition to the above, various photographs taken during the winter months have been submitted showing flooding within the site.

Councillor Hewitt has also made comments as follows:

As Ward Member for Shipdham I object in the strongest possible terms to the proposed development, on the basis that the land is totally unsuitable for development. Shipdham has already met its minimum housing targets identified in the Local Plan, meaning this site should not be viewed as meeting an exceptional developmental need. But the application site is fraught with difficulties in terms of flood risk, ecology, transportation and access.

As District Councillors for Shipdham, Cllr Lynda Turner and I have had a number of conversations with planning officers at Capita and Breckland over many years regarding this site. Outline planning permission a few years ago was granted in error and without consultation to anyone locally - neighbours, the Parish Council nor the District Council. Given the significance of the site resulting from failed attempts at development in the past, its access difficulties from/onto the A1075, and its clear, evidenced, flood risk issues, this is simply a ridiculous situation that needs to stop now.

The land in question is prone to flooding, as evidenced by numerous photos submitted in the past - photos also used to refuse a proposed development on land adjacent to the site. The high natural water table and topography of the surrounding area (two rivers have sources nearby) means that even if floodwater can be continuously pumped from the site, surrounding watercourses and drainage systems, already at capacity and subject to regular flooding themselves, would be overloaded. This is an absurd scenario, contrary to the flood risk provisions outlined in Breckland's new Local Plan, and on this basis alone even current exploratory development on the site should be stopped and the application rejected outright.

The topography on the site (low lying wetland) means this is a natural wildlife area, home to multiple species of flora and fauna. The site is also surrounded by banks on two sides, the structural integrity of which has been impacted by the removal of tree and root systems as part of the site clearing process - an act described locally as ecological and geographic vandalism. At the same time the surrounding road network is already at capacity. Any development application on Mill Road over the past 20 years has needed to demonstrate that the surrounding road network, especially on the junction of Mill Road and the A1075, and on Pound Green Lane, will not be adversely impacted by the application. There is nothing in the current application that adequately addresses, let alone minimises, the adverse impact and harm on wildlife on the site, and traffic flow around it. On ecological, topographical, and highways safety grounds this application should be rejected absolutely.

ASSESSMENT NOTES

1.0 Principle of Development

1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that where there is a Development Plan, decisions on planning applications should be made in accordance with it, unless material

considerations indicate otherwise.

1.2 Paragraph 12 of the NPPF states that "Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise."

1.3 Outline planning permission was granted for 8no. dwellings in 2018. The main issue of consideration is whether or not the development is acceptable in terms of the details submitted with regards to the proposal given that the principle of development has already been considered under the outline approval.

1.4 For the avoidance of doubt, the application only seeks consent for access, scale, layout and appearance. Landscaping is proposed to remain as a reserved matter to be dealt with as part of a later application.

2.0 Access

2.1 Policies COM01 and TR02 of the Breckland Local Plan (adopted 2019) seeks to ensure that all access and safety concerns are resolved in new developments. Policy HOU 06 requires sufficient parking for all new development. Paragraphs 110 and 111 of the NPPF are also relevant.

2.2 The Highway Authority have advised that the proposed access serving the dwellings would not be considered for adoption and therefore would remain private. To this end, the Highway Authority have recommended an informative is appended to any permission so that the residents are aware and can make arrangements for the future management and maintenance of the proposed access road. In terms of the construction of the access, the Highway Authority have recommended conditions relating to the construction of the access and layout of the parking and turning areas within the site.

2.3 Furthermore, in terms of parking, there is at least 2 parking spaces, plus a garage space, provided for each of the dwellings which is considered commensurate for the size of the dwellings and in accordance with the Council's parking standards.

2.4 On the basis of the above, the proposal is unlikely to have an adverse impact upon the public highway in accordance with Policies COM01, TR02 and HOU06 of the Breckland Local Plan (adopted 2019) and Paragraphs 110 and 111 of the NPPF.

3.0 Layout, Scale and appearance

3.1 Policies GEN02 and COM01 of the Local Plan requires all new development to achieve the highest standard of design. As part of this, all design proposals must preserve or enhance the existing character of an area. Consideration will also be given to the density of buildings in a particular area and the landscape/townscape effect of any increased density.

3.2 The proposal shows four dwellings located in a broadly linear fashion perpendicular to the highway, a character precedent somewhat set by Mill Close to the south of the site. The wider area has a mix of layouts and as such there is not considered to be a dominant character within the street scene. The layout of the dwellings is such that there would be sufficient space between plots to provide each unit with ample private amenity space and retain some of the openness the site currently offers along Mill Road.

3.3 The scale of the dwellings is appropriate to the surrounding area, with most buildings within the vicinity being two-storey in design with elements of single storey, as reflected by the proposed development. The proposal also seeks to use brick and pantile in the construction of the dwellings which would reflect the

general character of the area and the Conservation Area that sits just north of the site.

3.4 For the reasons given above the proposals are considered acceptable in layout, scale and appearance and are considered to comply with Policies GEN02, COM01 and HOU06 of the Breckland Local Plan (adopted 2019).

4.0 Impact upon Amenity

4.1 Policy COM03 of the Breckland Local Plan (adopted 2019) seeks to protect residential amenity and that all new development must have regard to amenity considerations and states that development will not be permitted where there are unacceptable effects on the amenity of neighbouring residents and future occupants.

4.2 Each of the dwellings have been sited a sufficient distance from each other. The dwellings are also a sufficient distance from any of the existing neighbouring dwellings and therefore will not adversely impact on their privacy. The scale of the dwellings are considered acceptable and therefore the dwellings are not considered overbearing on each other or in the street scene and each plot has been provided with ample private garden space for use by the future occupiers. As such, the proposal is considered to have due regard to Policy COM03 of the Breckland Local Plan (adopted 2019).

5.0 Impact upon Ecology

5.1 Policy ENV02 of the Breckland Local Plan (adopted 2019) seeks to protect the natural environment including protected species. Development should have particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, including consideration of individual or groups of natural and man-made features such as trees, hedges and woodland or rivers, streams or other topographical features.

5.2 As mentioned in the site description above, works carried out on the site earlier in 2021 have led to both Planning Enforcement and Police involvement on the site due to the likely impact the works may have had upon Great Crested Newts identified in the pond to the North East of the site. Following investigations, an acceptable way forward has been presented by the applicant through registering with the Great Crested Newt licencing scheme which has been agreed with Natural England.

5.3 It is noted that the works undertaken have potentially impacted the Great Crested Newt population within the site, with a qualified ecologist working for the applicant providing the following statement,

"Philip Parker Associates were approached by Neal Lewis of Lewis and Tyrrell Architects on the 18th January 2021 to provide ecological advice for a site at Mill Road, Shipdham, Norfolk (a site they had last worked on in 2016).

The site, owned by Mr Peter Dodd, was in the process of being sold to Cunningham Builders Ltd and in undertaking some clearance work prior to site investigations, part of the site had already been cleared and this fact had been reported to PC Christopher Shelly, the Police Wildlife Crimes officer, by a local resident on the 13th January 2021. PC Shelly had responded by e-mail on the same date stating that the survey data in relation to the great crested newts was old and given that there was no evidence that great crested newts were still present on site, this would be best dealt with by Breckland District Council Enforcement

Mr Karl Charters of Philip Parker Associates visited the site on the 2nd February 2021. It was confirmed that a significant proportion of potential great crested newt terrestrial habitat had been removed along with the

vegetation within the great crested newt pond, with the likelihood of impacting on any great crested newts if they had remained on the site.

As part of and following the planning permission granted in 2011, options were presented where the population of newts could be moved to replacement habitat at the Coal Yard (north of Shipdham) or supplement another population at Mileham (as agreed with Natural England Local Team). Either option would need to be undertaken under a European Protected Species Licence.

Given the damage to the site, the Breckland District Council Ecological Advisor was approached via telephone and e-mail on the 17th February 2021 asking for advice as to an appropriate way forward. They advised that the developer should approach Natural England to see if the site could be registered under the Great Crested Newt District Licensing Scheme (DLL) and provided the details of Craig Thomas.

Details were sent to Craig Thomas by e-mail on the 23rd February 2021 who eventually responded by telephone and confirmed that subject to there being no continued police action against the owner, the site could retrospectively be entered into the DLL scheme.

Neal Lewis contacted the PC Christopher Shelly by e-mail on the 23rd March 2021 setting out the current position and requesting confirmation that no further police action was to be taken. This was confirmed by PC Shelly on the 31st March 2021 who also agreed that the approach of registering the site under the DLL scheme would be the best option for the great crested newts locally.

On this basis, a formal DLL application was made to Natural England on the 28th April 2021."

5.4 Whilst it is unfortunate that these works took place without due regard to the ecology on the site, steps have been taken to ensure that no further damage occurs and as such, the past events on the site are not a reason to refuse the application on ecology grounds. Given the ecological mitigation work that has been undertaken since January 2021 and subject to compliance with the licence from Natural England, the proposal is unlikely to result in any further harm.

5.5 At the time of writing this report, no comments have been received from Norfolk County Council's Ecology team. However, given their previous involvement in the site and their advice to the applicant, as well as the requirements under the DLL scheme, the proposal is unlikely to raise objection from the Ecologist. On this basis the proposal is considered to accord with Policy ENV02 of the Breckland Local Plan (adopted 2019).

6.0 Impact upon Trees

6.1 The retention of significant trees and hedgerows is supported by Policy ENV06 of the Breckland Local Plan (adopted 2019). The proposed development would be located within relative proximity to trees within the site and several category B and C trees are proposed to be removed to facilitate access to the site; this is considered to be acceptable by the Tree and Countryside Officer.

6.2 In terms of the construction of the dwellings, plot 6 would see the most impact upon the trees within the site with a category C tree proposed to be removed but replaced within the site. The proposed garage for this plot is proposed to sit within the root protection area (RPA) of a category A oak tree (T20). The Tree and Countryside Officer has requested that the garage sit outside of the RPA for this tree to avoid any damage to the tree which the applicant has been agreeable to and has updated the site layout accordingly.

6.3 On the basis of the above, I am of the view that the proposal complies with Policy ENV06 of the

Breckland Local Plan (adopted 2019).

7.0 Impact upon Flood Risk

7.1 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 in an area considered to be a low risk of flooding and as such, in accordance with the NPPF a flood risk assessment was not required to be submitted with this application. It is however noted that this a natural drain running to the north of the site, as well as a pond.

7.2 During the public consultation for this application, local residents have raised concerns, and provided photographs, of flooding within the site during the winter months, although as I understand it, the surrounding properties have not flooded.

7.3 The land immediately to the north of the proposed site is considered to be at a low to medium risk of surface water flooding. The very eastern section of the site is also considered to have a low risk of surface water flooding in accordance with the Environment Agency flood maps, although this section is proposed to be garden area with no built form proposed.

7.4 The flooding within the site does raise some concern although the proposal does seek to include a pumping station within the site to serve the development which would assist with surface water drainage from the site. Furthermore, the outline permission included conditions relating to surface and foul water drainage which must still be complied with; these conditions are not required to be discharged as part of this reserved matters application and therefore can be dealt with post-decision.

7.5 The Lead Local Flood Authority have been consulted and have raised no objection to the proposal. Given that the surface water drainage within the site is conditioned as part of the outline consent, and that this is not a matter to be considered at reserved matters stage, then matters of drainage can be adequately controlled through the conditions on the outline planning permission. The proposal is therefore considered to comply with

8.0 Other Matters

8.1 Concerns have been raised that works are being undertaken on land not within the applicant's ownership. This is a civil matter that needs to be addressed outside of the planning process by the owners concerned.

8.2 Concerns with regards to the principle of the development have been raised during the consultation process. As the site has an extant planning permission for the erection of dwellings on the site, the acceptability of the principle of development cannot be addressed as part of this application as it has already been established through the outline permission.

8.3 Comments have been made with regards to the validity of the outline planning permission. As already stated, outline planning permission has been granted for 8 dwellings on this site, which has established the principle of development in this location. This matter cannot be revisited at reserved matters state. Only matters of access, scale, layout and appearance can be considered at this time.

9.0 Conclusion

9.1 The application seeks reserved matters consent following outline approval for the erection of 8no.

dwellings. The principle of development has already been established through the outline consent and as such this application can only consider matters of layout, access, scale and appearance, at this stage. Landscaping is to remain a reserved matter.

9.2 Having considered the merits of the scheme, the proposal is thought to represent appropriate development with a scale, layout and appearance that is acceptable within the character of the area and would not have a harmful impact upon the amenities of neighbouring properties.

9.3 In terms of access, the proposal, subject to conditions, is considered to be acceptable and unlikely to have an adverse impact upon the public highway, providing appropriate parking and turning areas within the site.

9.4 With regards to ecology, the previous works within the site have been discussed and through discussions prior to the submission of this application, an appropriate way forward to mitigate the harm caused has been established and subject to the development following the licencing scheme guidelines (which is covered by separate legislation outside of the remit of the local planning authority), the proposal is considered to be acceptable.

9.5 Issues of flooding have been raised during the consultation period and whilst the recent evidence of flooding within the site are acknowledged, the area is considered to be at a low risk of flooding both from rivers and surface water, the principle of development has been established by the granting of the outline consent and as such it is considered that this matters is already addressed through condition on the outline planning permission.

9.6 On the basis of the above, the proposal is considered to comply with local and national planning policy and is therefore recommended for approval.

RECOMMENDATION

The application is recommended for approval, subject to conditions.

CONDITIONS

1

Reserved Matters - time limit

This approval is granted following the grant of Outline Planning Permission reference 3PL/2011/0182/O dated 18th October 2018. The timescales for implementation of the development are set out at condition 1 of the Outline Planning Permission.

Reason for condition:-

For the avoidance of doubt and to ensure that the development accords with conditions attached to the outline planning permission for the proposal, including time limits specified for commencement, resulting in appropriate development of the site.

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 External wall and roof materials to be agreed

No development shall commence above slab level, unless or until precise details, (including samples where required), of the materials used in the construction of the external walls and roof(s) of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply notwithstanding any indication as to these matters that have been given in the current application. The materials to be used in the development shall be in accordance with the approved details.

Reason for condition:-

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

This condition will require to be discharged

4 Non-standard condition

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

A. Site Investigation

An updated site investigation and risk assessment to determine the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of the preferred option(s).

B. Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by

the Local Planning Authority.

The above must be conducted in accordance with Defra and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason for condition:-

Details are required prior to commencement to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This condition is imposed in accordance with Section 15 of the National Planning Policy Framework.

This condition will require to be discharged

5 Prior to the first occupation/use of the development hereby

Prior to the first occupation of the development hereby permitted the vehicular access shall be constructed in accordance with a detailed scheme which is first submitted to and approved in writing by the Local Planning Authority in accordance with the highways specification TRAD 1 and thereafter retained at the position shown on the approved plan. The access shall achieve a minimum width of 4.8m for its first 10m as measured from the nearside carriageway edge and arrangements 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.

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

6 Prior to the first occupation/use of the development hereby

Prior to the first occupation of the development hereby permitted the proposed access parking and communal turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason for condition:-

To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.

7 Non-standard condition

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 first 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.

8 Net Gain in Biodiversity

Prior to first occupation of any of the dwellings hereby approved, a scheme demonstrating how net gains for biodiversity are being secured as part of the development, shall be submitted to and approved in writing by the Local Planning Authority. This could include bird/bat boxes, swift bricks and hedgehog holes for example. The development shall be carried out in accordance with the approved details, prior to first occupation.

Reason for condition:-

To ensure a net gain in biodiversity in accordance with Policy ENV02 of the Breckland Local Plan (adopted 2019).

9 Non-standard condition

The development hereby approved shall be carried out in full accordance with the recommendations specified in the submitted Arboricultural Impact Assessment by AT Coombes Associates Ltd dated 21st September 2021.

Reason for condition:-

To protect the longevity of the trees in accordance with policy ENV06 of the Breckland Local Plan (adopted 2019).

13 Discharge of conditions

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