

<b>ITEM:</b>		<b>RECOMMENDATION:</b>	APPROVAL
<b>REF NO:</b>	3PL/2021/0987/VAR	<b>CASE OFFICER</b>	Chris Hobson
<b>LOCATION:</b>	SNETTERTON Snetterton Primary Harling Road	<b>APPNTYPE:</b>	Variation of Cond's
<b>APPLICANT:</b>	Eastern Power Networks Newington House 237 Southwark Bridge Road	<b>POLICY:</b>	Out Settlemnt Bndry
<b>AGENT:</b>	UK Power Networks Onehouse Bury Road	<b>CONS AREA:</b>	N
<b>PROPOSAL:</b>	Variation of Condition 2 (approved plans) on permission 3PL/2020/1390/F to make following amendments: omit basement; switch room taller by 1.37m; remove second transformer blast wall and part of gabion wall		
		<b>LB GRADE:</b>	N
		<b>TPO:</b>	N

#### REASON FOR COMMITTEE CONSIDERATION

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

#### KEY ISSUES

The implications of the proposed amendments on:  
Amenity Considerations  
Landscape and Character Implications  
Access and Highway Safety Considerations  
Flood Risk and Drainage Implications  
Contamination /Ground Conditions

#### DESCRIPTION OF DEVELOPMENT

The application seeks minor material amendments to the proposed electric sub station granted permission under reference 3PL/2020/1390/F. Permission was granted earlier this year for the erection of an electric Sub-Station, associated compound, access and landscaping which would provide power to the allocated employment land at Snetterton Heath. The proposed amendments seek to raise the height of the switch house by 1.37 metres as a result of the removal of the basement below; and the removal of one of the two permitted concrete blast walls and part of the gabion screening wall.

The sub-station itself would comprise of a 33/11Kv switch house; two primary banded transformers; with 2.5 metre high gabion wall along the west boundary and 3 metre high concrete screen walls to the south and between. These would be sited on concrete base and foundations surrounded by shingled areas with 4.5metre wide concrete road through the centre. The compound would be surrounded with 2.5 metre high

grey pallisade fencing with a 2 metre wide landscaping zone along all sides. The proposals would involve the creation of temporary construction compound area to the west of the site in order to accommodate the necessary areas for storage, plant and equipment, temporary site office and welfare buildings and parking areas during the construction period.

#### **SITE AND LOCATION**

The site comprises a roughly rectangular piece of land immediately to the south of the Heath Road, at Snetterton Heath Business Park. The site comprises flat and open land laid to grass and sits just to the southeast of the access to Snetterton race circuit. A row of trees borders the site along its southeast boundary. The site is located within the Snetterton Heath Employment Area (Policy EC02) as designated in the Breckland Local Plan (adopted). A number of large storage and warehouse buildings are located on the opposite side of Heath Road to the northeast, with the Snetterton Race Circuit to the southwest of the site. A detached dwelling and Oakwood Business Park sit beyond an open field to the southeast.

#### **EIA REQUIRED**

No

#### **RELEVANT SITE HISTORY**

3PL/2020/1390/F - Erection of new electrical sub station switch room with associated external works and access. - Granted - 18/03/21

#### **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
EC02	Snetterton Heath
EC03	General Employment Areas
ENV02	Biodiversity protection and enhancement
ENV03	The Brecks Protected Habitats & Species
ENV05	Protection and Enhancement of the Landscape
ENV06	Trees, Hedgerows and Development
ENV08	Non-Designated Heritage Assets
ENV09	Flood Risk & Surface Water Drainage
GEN01	Sustainable Development in Breckland
GEN02	Promoting High Quality Design
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

TR01 Sustainable Transport Network  
TR02 Transport Requirements

**OBLIGATIONS/CIL**

Not Applicable

**CONSULTATIONS**

**ENVIRONMENTAL HEALTH OFFICERS**

Based on the information provided to me at this time; there are no objections or comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details.

**CONTAMINATED LAND OFFICER**

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

**TREE AND COUNTRYSIDE CONSULTANT**

No objections.

**HIGHWAYS ENGLAND**

No objections.

**ECOLOGICAL AND BIODIVERSITY CONSULTANT**

No objections.

**NORFOLK COUNTY COUNCIL HIGHWAYS**

No objections to the variation subject to all previous highway conditions and informative notes being re-imposed.

**SNETTERTON P C**

No Comments Received

**ECONOMIC DEVELOPMENT**

No Comments Received

**HISTORIC ENVIRONMENT OFFICER**

No Comments Received

**NATIONAL GRID**

No Comments Received

**REPRESENTATIONS**

The application was publicised by a site notice, letters sent to neighbouring properties and display of a notice in the local press.

No representations have been received to date.

**ASSESSMENT NOTES**

1.0 Background

1.1 Planning permission was granted under permission reference 3PL/2020/1390/F for the erection of an electric Sub-Station, associated compound, access and landscaping which would provide power to the allocated employment land at Snetterton Heath. It is therefore only necessary to consider the implications of the proposed minor material amendments on the matters set out below.

## 2.0 Amenity Implications

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

2.2 The nearest dwelling to the substation is that located at Oakwood Farm approximately 150 metres to the southeast of the application site. The operation of the transformers at 70 dBA would be audible from within and around the sub-station complex. The proposed removal of blast wall and part of the screening gabion wall would not result in an increase of noise and disturbance to this property. With respect to the area to the northeast and northwest, again noting the noise associated with surrounding uses, the separation distance, the mature tree belts and the road traffic noise from the Heath Road nearby A11, the amenity impact from the operation of the sub station is not considered to be significant. The Council's Environmental Health Officer has not raised objection to the proposed amendments on amenity grounds.

2.3 Having regard to the above, it is considered that the proposed amendments would not cause unacceptable impacts on the amenity of nearby residents and accords with policies COM01 and COM03 of the Breckland Local Plan (Adopted) in respect to amenity impacts.

## 3.0 Design, Landscape and Character Implications

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

3.2 The proposals would increase the height of the most prominent part of the development (switch house) by 1.37 metres to 6.7 metres in height. Whilst it is noted that the site sits in an existing open grassed part of the wider Snetterton motor circuit and Snetterton Heath General Employment Area, the site sits within an area characterised by a mix of small, medium and large sized warehouse units, sheds and light industrial workshops, the vast majority being significantly larger and taller than the proposed switch house. As a result the proposals would not appear out of scale or character with these surrounding buildings. Despite removal of part of the gabion wall, views of the proposed sub-station would be partially screened by the existing tree belt along the southeast boundary of the site, with further tree planting proposed to the north, south and western boundaries of the site. Once matured the vegetation would shield views from the public realm so that impacts would only be experienced from the area immediately around the facility. As a result the impacts on the character and openness of the countryside and rural landscape remain localised with no significant medium and long distance impacts. Accordingly the proposals would comply with policy ENV05 of the Breckland Local Plan (adopted).

## 4.0 Access and Highway Safety Considerations

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

4.2 The proposals would not alter the access and parking provision on site and as a result it is not considered that the proposed amendments would result in any significant impacts on the highway network post construction. The Highways Authority have again raised no objections subject to conditions including the approval and implementation of a construction management plan and provision of the new access prior to first use. Similarly the Highways Agency have raised no objections to the proposals. Having regard to the above, the proposals comply with Policies TR01 and TR02 of the Breckland Local Plan and the policy principles set out within the NPPF.

#### 5.0 Flood Risk and Drainage Implications

5.1 Policy ENV09 seeks to ensure that flood risk is not increased elsewhere as a result of development and where feasible development has a neutral or positive impact on surface water drainage and management and this reflects the requirements in the NPPF.

5.2 The site remains within Flood Zone 1 and presents a low risk of flooding with respect to flooding from fluvial sources, canals, reservoirs, surface water and groundwater. The proposed amendments would not impact on the drainage of the site noting the areas of shingle proposed would remain and that the proposals would continue to drain surface water from the road and switchhouse to a soakaway. The proposed drainage scheme could be designed to accord with the LLFA standing advice and the proposed development remains acceptable in respect of flooding and drainage and accords with Policy ENV09 of the adopted Local Plan.

#### 6.0 Contamination /Ground Conditions

6.1 The Council's Contaminated Land Officer has reviewed the details of the proposed amendments to the permitted development and have raised no objection subject to those conditions previously recommended including requiring further investigation and to deal with unexpected contamination. Therefore, the development is acceptable in relation to contamination and complies with Policy COM03 of the Breckland Local Plan.

#### 7.0 Other Matters

7.1 Policy ENV06 of the Breckland Local Plan requires existing trees and hedgerows to be retained and integrated into proposed development.

7.2 The proposals would not impact on the existing and proposed landscaping of the site with the existing trees being retained through the provision of a 2 metre wide planting zone with further tree planting provided along all other site boundaries. The Council's Tree Officer has reviewed the Arboricultural Report and raised no objections to the proposals. Therefore, the proposals are considered to accord with policy ENV06 of the Local Plan.

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

7.4 The proposed amendments would not impact on any designated or other protected wildlife sites in the surrounding area and the revised scheme would continue to retain the most notable habitat on site being the

trees along the southeastern boundary which are suitable for nesting birds. The Natural Environment Team (NET) have been consulted and again raised no objections. Subject to the application of the conditions attached to the earlier permission requiring their protection in line with the Arboricultural Report, to secure biodiversity compensation and provide ecological enhancements, the ecological impacts are considered acceptable and the proposals would be in accordance with Policies ENV02 and ENV03 of the Breckland Local Plan, and above regulations.

## 8.0 Conclusions

8.1 The proposals seek minor material amendments to the previously permitted scheme to deliver an important utility infrastructure for the Snetterton Heath GEA and as a result forms a critical part of the future growth of the employment area as envisaged through the adopted Breckland Local Plan. Whilst the proposed switch house would be more prominent as a result of the amendments, overall the proposals would not be obtrusive within the broader surrounding landscape and in the long term the sub-station would become assimilated into the business and industrial development coming forward around it. The amended proposals would not cause any significant impacts on nearby properties and uses through its operation nor during construction. The conditions attached to the earlier permission with respect to ensuring appropriate access and parking, mitigation and improvements are provided in respect of wildlife and nature conservation interests, trees planting and surface water drainage are recommended. As a result the proposals are in accordance with the policy guidance contained within the NPPF, NPPG and relevant policies within the Breckland Local Plan (adopted).

### RECOMMENDATION

The application is recommended for approval subject to the conditions set out below.

### CONDITIONS

- 1 Full permission 3 year time limit**

The development hereby permitted shall be begun in accordance with the timescales set out in condition 1 of planning permission reference 3PL/2020/1390/F granted on the 18th March 2021.  
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 Prior to the commencement of any works a Construction**

Development shall not commence until a scheme detailing provision for on-site parking for construction workers, delivery vehicles waiting/turning provision and wheel cleaning facilities for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.  
Reason for condition:-

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

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

Prior to the first use of the development hereby permitted the vehicular access shall be constructed in accordance with a detailed scheme to be first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. 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 and traffic movement in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted 2019).

**5 Non-standard condition**

Prior to the first use of the development hereby permitted visibility splays measuring 2.4 metres x 90 metres shall be provided to each side of the access where it meets the highway. The splays shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.

Reason for condition:-

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

**6 Non-standard condition**

Prior to the first use of the development hereby permitted the proposed access parking/servicing/loading/unloading/turning/waiting 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:-

In order to provide safe access and parking areas, in the interests of maintaining highway efficiency and safety, in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted 2019). This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.

**7 AIA**

Operations on site shall take place in complete accordance with the approved Arboricultural Planning Statement, the Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) (which must include arboricultural supervision as detailed in the report) prepared by ADAS, 'Heath Road, Snetterton', dated November 2020. No other operations shall commence on site in connection with the development until the tree protection works and any pre-emptive tree works required by the approved AIA or AMS have been carried out and all tree protection barriers are in place as indicated on the TPP. Works shall not commence until written confirmation has been obtained from the appointed arboriculturalist to confirm that tree protection is in place as specified. The protective fencing shall be retained in a good and effective condition for the duration of the construction of the development and shall

not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from site, unless or until the prior written approval of the local planning authority has been sought and obtained.

Reason for condition:-

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

**8 Surface water drainage**

Prior to the commencement of development above slab level, details of the methods for collecting, conveying, storing and discharging surface water shall be submitted to and approved in writing by the Local Planning Authority. The details approved pursuant to this condition shall be implemented prior to the sub-station first being commissioned and thereafter the drainage of the site shall be carried out in accordance with the approved details.

Reason for condition:-

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

**9 CEMP**

The development shall take place in accordance with the approved Preliminary Ecological Appraisal (prepared by ADAS; Report 'Snetterton Primary'; dated March 2021), with particular regard to the protection and mitigation measures set out in sections 6 of the report; the timescales for implementation and the ongoing monitoring and management measures contained within the report.

Reason for condition:-

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

**10 Tree replacement and Biodiversity Net gains**

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

Reason for condition:-

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

**11 Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with details to be agreed in writing with the Local Planning Authority. Where

remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

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

14

**Criterion E - Planning Apps Where Approved**

Appeals against planning decisions

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

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

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

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

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

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

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK

15

**NOTE NCC Inf 2 When Vehicular access works required**

This development involves works within the public highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing.

It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the Applicants' responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Management Group.

Please contact Kay Gordon [kay.gordon@norfolk.gov.uk](mailto:kay.gordon@norfolk.gov.uk).

If required, street furniture will need to be repositioned at the Applicants own expense.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

Please be aware it is the applicants responsibility to clarify the boundary with the public highway. Private structures such as fences or walls will not be permitted on highway land. The highway boundary may not match the applicants title plan. Please contact the highway research team at [highway.boundaries@norfolk.gov.uk](mailto:highway.boundaries@norfolk.gov.uk) for further details.