

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2019/0920/O	CASE OFFICER	Fiona Hunter
LOCATION:	SPORLE Essex Farm The Street Sporle	APPNTYPE:	Outline
APPLICANT:	Essex Farm Partnership C/O Agent	POLICY:	Out Settlemnt Bndry
AGENT:	Durrant's Building Consultancy Pump Hill House 2b Market Street	CONS AREA:	N
PROPOSAL:	Outline Application for Residential Development (all matters reserved save for access) including access and associated roads, parking, landscaping, public open space and attenuation ponds		
		LB GRADE:	N
		TPO:	N

DEFERRED REASON

A Introduction

A.1 This application was considered by planning committee on 10th February 2020 and was resolved to be approved in accordance with the recommendation including conditions and S106. The application is brought back to planning committee for the following reasons:

- It has been over a year since planning committee last considered the application
- A new version of the NPPF has been published (2021)

A.2 The reason why the application was not determined after the planning committee was due to the landownership going through probate, with the landowner not being able to sign the S106 until probate completed. Given this is an allocated site, it was considered reasonable and expedient to agree an extension of time to allow probate to complete. The agent and probate solicitor have advised probate will complete this calendar year and thus a new decision is sought to enable the application to be determined.

B Consultee Comments

B.1 A three week re-consultation was issued on 28th July and the responses are detailed below.

B.1 The Council's Ecological and Biodiversity Consultant advise the Ecology report is now out of date as the site visit took place on November 2018 and a new one should be submitted.

B.2 NCC Infrastructure have requested monies for 16 places for Sporle C of E Primary Academy (increased from 8 previously), fire hydrants, libraries and a monitoring fee.

B.3 The Council's Housing Enabling Officer advises that the Council now uses Nationally Described Space Standards.

B.3 NCC Historic Environment Service and Natural England have advised they have no comments to make.

B.4 The Council's Air Quality Officer, Environmental Health Officer, Tree Officer, Historic Buildings Consultant and LLFA have advised they have no additional comments to make and their previous comments remain applicable.

B.5 The Parish Council raised no objection to the outline application and have asked that the following requests be taken into consideration: a roundabout, not a mini one, be included in the planning as this would help alleviate the traffic flow at an already busy part of the village; and that the affordable/social housing be built first as it has been the experience in the past that once planning permission has been granted then a variation is submitted with no affordable/social housing.

C Local Representations

C.1 Since Planning Committee three new local representation have been received. These raise objection as before plus:

- Restrict outlook of neighbours and cause overshadowing
- There is no hedgerow between between the site and the properties of Sydney Dye Court
- Impact greatly on the village ambiance and road safety
- The affordable housing needs to be secured
- There is no safe pavement for new residents to walk to the shop, pub, school, playground, village hall or church.

C.2 Layout is a reserved matter and can be done in a way to prevent overshadowing and creating a sense of enclosure to existing properties. There is no right to a view in the planning system. The boundary treatment between the application site and Sydney Dye Court can be considered at reserved matters stage. The site is allocated and therefore the impact to the villages ambiance has already been found to be acceptable, at the plan making stage. Affordable housing to be secured via the S106 agreement. A small section of footpath is proposed and to be secured by condition from the site access to tie into the existing footpath along the Street.

D Assessment

D.1 The principle of development assessment in the original committee report below (paragraphs 1.1 - 1.3) remains applicable and the development continues to be acceptable in principle.

D.2 The responses to the re-consultation only result in two recommended changes which is to increase the contribution required for Sporle C of E Primary Academy from 8 places to 16 plus a County Council monitoring fee.

D.3 The NPPF 2019 has been replaced with the NPPF 2021 and updated National Planning Practice Guidance (online). None of the changes affect the principle of development or change the assessment in respect to detailed matters which would make the development unacceptable.

D.4 An additional condition is recommended to be applied to the permission to require compliance with the Nationally Described Space Standards in accordance with Policy HOU 10, this is added to the conditions at the end of the report.

D.5 A updated ecology report is required prior to approval and consultation with the Council's Ecological and

Biodiversity consultant is recommended.

D.6 The Parish Council have requested a roundabout, however, the LPA can only apply conditions where they are necessary to make the development acceptable. Highways have not advised that a roundabout is required and as such it is not considered that a roundabout can be lawfully required as it is not needed to make the development acceptable.

D.7 The Parish Council have also requested that the affordable houses are delivered first. This would not be reasonable as some market need to be sold at an early stage for cashflow and viability. Instead a percentage of the market homes is allowed to be delivered before the affordable homes and this is at a percentage which encourages the developer to build out the entire development.

E Recommendation

E.1 Delegated approval is sought to approve the application subject to: (a) the updated conditions listed at the bottom of the report; (b) completion of the S106 which is to be updated in line with NCC Infrastructure most recent comments; and (c) to receive and consult with the Council's Ecological and Biodiversity consultant on a Ecology Report addendum. Delegated powers is also sought to refuse the application if the S106 is not completed within 6 months from the date committee decision.

REASON FOR COMMITTEE CONSIDERATION

The application includes sensitive issues which require committee consideration.

KEY ISSUES

Principle
Access, Highways and Parking
Character, Layout and Amenity
Trees and Landscape
Flood risk and Drainage
Ecology
Other matters
Planning Obligations

DESCRIPTION OF DEVELOPMENT

Outline Application for Residential Development (all matters reserved save for access) including access and associated roads, parking, landscaping, public open space and attenuation ponds.

SITE AND LOCATION

The application site is located to the south of the existing settlement of Sporle and to the west of The Street. There is existing development to the north and east of the site. Essex Farm is located to the south of the site and agricultural land is located to the west. The site is a large open site, currently used as agricultural land.

The site is located partially within the designated settlement boundary for Sporle and a proposed housing allocation site for Sporle also falls within the application site but the application extends outside of the settlement boundary and allocation to the south and west. To the south the site extends to include farm

buildings. The applicants have also submitted a further planning application to relocate these farm buildings reference 3PL/2019/0921/F.

There is dense vegetation to the eastern boundary of the site. Otherwise the site is open and largely open to its eastern boundary.

There is the Grade II Listed Wolferton House is located to the south-east of the application site.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2019/0921/F

Relocation of Essex Farm Piggery and the erection of two new pig rearing buildings, together with associated infrastructure including two silos, office building, straw storage buildings and new access.

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
EC06	Farm Diversification
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
HOU06	Principle of New Housing
HOU07	Affordable Housing
HOU10	Technical Design Standards for New Homes

LBC	Planning(Listed Building & Conservation Areas) Act 1990
SPRA1	Sporle Residential Allocation 1 Land to the north of Essex Farm (LP005
TR01	Sustainable Transport Network
TR02	Transport Requirements

OBLIGATIONS/CIL

The following planning obligations/contributions are required, in accordance with Paragraph 56 of the NPPF: Contributions to:

- Sporle C of E Primary Academy
- A library contribution of 75 per dwelling. This contribution will be spent on library stock and equipment for mobile service EDE 105.
- Provision and maintenance of open space in accordance with Policy ENV04 of the Local Plan (adopted 2019)
- 25% Affordable Housing
- 1 fire hydrant per 50 dwellings (rounding up to the nearest 50), on a minimum 90mm main, at a cost of 824.00 each (to be secured via condition).

CONSULTATIONS

ENVIRONMENT AGENCY

No site specific comment, provide standard advice.

ANGLIAN WATER SERVICE

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

HIGHWAYS ENGLAND

No objection.

NHS ENGLAND MIDLANDS & EAST (EAST)

There is sufficient capacity within our Estate, in Swaffham, to accommodate this development and increased population and therefore we have no further comments or mitigation requests to make.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection, subject to amendments.

OBLIGATIONS OFFICER, NORFOLK COUNTY COUNCIL

There is spare capacity at Early Education and High school levels and although there is some spare capacity at Sporle Primary School this is insufficient to accommodate the number of children generated by this proposed development. Therefore the 14 spare places at Sporle Primary School would be gifted, contributions for only 8 places will be sought. The County Councils Childrens Services will be seeking Education developer contributions towards the provision or enhancement of educational facilities for: Sporle C of E Primary Academy 8 (22-14 spare places) x 14,022 (cost per pupil place) = 112,176

Norfolk Fire Services have indicated that the proposed development will require 1 hydrant per 50 dwellings (on a minimum 90-mm main) for the residential development at a cost of 824 per hydrant. The number of hydrants will be rounded to the nearest 50th dwelling where necessary.

A development of 79 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 5,925 (i.e. 75 per dwelling). This contribution will be spent on library stock and equipment for mobile service EDE 105.

Green infrastructure should be included within the proposed site in line with local policy. Connections into the local Green Infrastructure (GI) network, including Public Rights of Way and ecological features, should be considered alongside the potential impacts of development. We would advise the Local Planning Authority that a maintenance/mitigation contribution or commuted sum for new and existing GI features may be required in addition to the County response, in order to comply with local policy. Thus allowing the local GI network to facilitate the development without receiving negative impact and equally, allow the development to integrate and enhance the existing network.

FLOOD & WATER MANAGEMENT TEAM

No objection subject to conditions with regards to surface water drainage.

HOUSING ENABLING OFFICER

I can confirm that the site area and number of dwellings proposed trigger the thresholds of the Council's affordable housing policy as per HOU07 of the Council's local plan document. At present a 25% provision is required on sites capable of accommodating 10 or more dwellings and/or 0.5ha.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

The Preliminary Ecological Appraisal (Greenlight Environmental Consultancy Limited.; January 2019) is fit for purpose. The report highlights several buildings, all associated within the pig farm, are present on site and proposed to be removed. All of these buildings are similar in structure and are considered as of negligible to low suitability for roosting bats. We agree with the report, the demolition works of the buildings on site should be conducted under watching brief of a licenced bat worker who should inspect all suitable roosting features within the buildings for bats immediately prior to undertaking the demolition works. The report highlights the arable land on site may also provide suitable nesting habitat for ground nesting species such as skylark which were recorded in the vicinity of the site. The area of the field to be developed measures approximately 2.8ha and would, on its own, provide sufficient area for a single breeding pair. We would expect to see compensation for this loss of suitable habitat for skylarks by creating two skylark plots in a suitable location within the rest of the field. The report suggests the creation of skylark plots in the arable fields in the vicinity of the site which belong to the same ownership. If you are minded to approve this application, we recommend that you condition an Ecological Management Plan (EMP).

CONTAMINATED LAND OFFICER

The report has recommended a site investigation in relation to the asbestos and slurry lagoon. I would recommend that this is extended to the areas of fuel storage too. I would also recommend that the applicant considers whether ground gas could be present on site owing to possible animal burial, made ground or organic matter being present in the ground for the lagoon etc. Gas monitoring may therefore be required. Therefore, conditions with regards to contamination are recommended.

ENVIRONMENTAL HEALTH OFFICERS

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

AIR QUALITY OFFICER

I recommend approval providing the development proceeds in line with the application details and subject to

conditions to alleviate environmental concerns, including an Air Quality Assessment to assess the impact of increase of air pollution from the additional vehicles likely to be linked to this development, with particular reference to the Air Quality Management Area (AQMA) in the nearby town of Swaffham declared for NO₂ from traffic and the proposed form of heating within the new homes. We would expect the Developer to have regard for mitigation measures to be included that will minimise the impact of local traffic emissions, for example Electric Vehicle charging points.

TREE AND COUNTRYSIDE CONSULTANT

No objection based on the layout shown on the basis that only category U trees are shown to be removed. The layout shown leaves ample space for a suitable landscaping scheme which should include some large maturing species.

HISTORIC ENVIRONMENT SERVICE

No objection subject to an archaeology condition.

SPORLE PARISH COUNCIL

No objection. However there were concerns raised by the residents. The increase from 35 to 79 houses. The Local Plan 2015 gave a preferred site for the area which allowed 35 houses to be built the present application goes outside the designated area which doubles the size of the development and planning for 79 houses which residents feel is too many. The height of the houses, some shown as three storey, particularly those being built behind Sydney Dye Court, which is all bungalows. Part of the land was on an area deemed as high risk of flood plain. The impact on road safety due to the large increase in traffic. Concern re the draining which had already had issues with the existing village development. Need to ensure that the village has what it needs from the developers including the correct amount of affordable housing, as already families have moved from the village as they could not afford accommodation in the village.

HISTORIC BUILDINGS CONSULTANT

The content of the submitted Heritage Statement is noted. It is agreed that the proposal will not have a detrimental impact on the historic built environment.

HISTORIC ENVIRONMENT SERVICE

No Comments Received

HISTORIC ENVIRONMENT OFFICER

No Comments Received

SPORLE WITH PALGRAVE PARISH COUNCIL

No Comments Received

REPRESENTATIONS

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

- Loss of a view/open field
- Loss of quality of life/impact on health
- Loss of light
- The proposals are over-development of the site (too many houses proposed)
- The proposals exceed that as set out in the allocation policy
- Three storey development in this location is not acceptable and is out of character with the surroundings.
- Development in this location will change the character of Sporle.
- There is poor drainage in the area and the development would lead to greater flood risk
- Significant additional cars will be added to village roads and the A47 junction is a questionable access point
- The Transport Statement is neither independent, nor impartial and contains factual inaccuracies and speculation.
- The bus service is not suitable

- Concern about the ability of emergency services to reach homes in the village quickly and unimpeded.
 - Many village children arrive/depart school by car and the area around the school is routinely and dangerously congested at school start and end times. This will only get worse.
 - There is insufficient space for additional children at the local school.
 - Trees should not be removed to create a road. A number of trees would be affected by the development
 - There is a lack of infrastructure and jobs in the village. The Doctors is oversubscribed.
 - The use of Green Belt should be avoided.
 - The loss of agricultural land should be avoided.
 - The proposals will lead to an increase in noise.
 - The development will affect already poor water pressure.
 - The social housing should be moved from the frontage of the site and pepper-potted across the site.
 - There does not seem to be adequate parking for residents, emergency vehicles, delivery drivers, visitors, etc. Parking should be provided in accordance with adopted policy.
 - Parking Courts are not characteristic of the village.
 - The new entrance to the development (between Pemberley and Highview) will not have the calming effect on traffic as mentioned in the plans despite the new place for the 30 mile an hour signs.
 - There will be increased pollution from cars.
 - There is the possibility of asbestos in the old piggery farm buildings and how will this be dealt with?
 - The proposals do not address the housing needs of the village.
- This will be a positive addition to the area and will bring new life to the area including the school, the village shop and many more small businesses which will benefit.

ASSESSMENT NOTES

1.0 Principle

1.1 The site lies largely within the Sporle settlement boundary, mainly on an allocated site, as set out in Policy SH1 of the Breckland Local Plan (adopted). Land outside the allocation and Sporle settlement boundary has also been included within this application site, including land to the south of the site with existing farm buildings and land to the west.

1.2 An indicative site plan has been submitted with the application which shows 79 houses across the site, including on land to the west and south outside the allocation. As well as open space to the south. An accompanying full planning application has been submitted (3PL/2019/0921/F) which proposes to relocate the farm buildings to the south-east, away from this development. This application is yet to be determined. Despite this being a positive for the scheme, to remove a potential not ideal neighbouring use, the additional housing and land proposed still needs to be addressed.

1.3 Policy SH1 of the Breckland Local Plan allocates part of the application site for 35 dwellings. Sporle has exceed its housing target by two dwellings. The application proposes approximately 79 dwellings. Therefore, the proposed increase in housing provision is not required in Sporle. On this basis, the proposed indicative layout would receive a recommendation for refusal. The proposal is not considered sustainable development in the context of the allocation policy and HOU03, which only allows for development outside of settlements boundaries where the local service centres housing target has not been met. It is however recognised that the site remains largely made up of an allocated site. To this end it is considered appropriate to limit the number of dwellings approved on this site to 35, as per the allocation. This can be done via a suitably worded planning condition. On this basis the principle of development is considered to be established, subject to compliance with other relevant policies, as set out below.

2.0 Access, Highways and Parking

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

2.2 The proposal is for outline planning permission with all matters apart from access reserved. The allocation policy (point 1) requires access from The Street, which the application proposes. Despite the concerns raised about highway width and vehicle speed, the Highways Authority have reviewed the proposals and are satisfied with the access, as proposed, subject to conditions which will be applied to any subsequent permission. On this basis, the proposal is considered not to impact highway safety, in accordance with TR01, TR02 and SH1 of the Breckland Local Plan (adopted).

2.3 Sufficient car parking across the site will be checked and approved at reserved matters stage and provided in accordance with Policy TR02 of the Breckland Local Plan (adopted).

3.0 Character, Layout and Amenity

3.1 Section 12 of the NPPF and GEN02 and COM01 of the Local Plan seek to promote high quality design. Layout, appearance and scale are all reserved matters not to be considered at this time. Therefore, the exact design and layout of the proposals is yet to be considered. However, an indicative layout has been submitted with the application.

3.2 As the indicative layout shows housing to the west of the application site and given the proposal to limit the housing numbers, as set out above then the indicative layout may need to be amended and certainly it will to reduce the numbers of housing proposed. Additional land to the west and south can be used as landscaping to assist with the transition to the open countryside or further open space to the south, where it is indicatively shown currently. Point 2 of the allocation policy requires new structural landscaping to the southern boundary of the site to minimise the impact of a new settlement edge. This can be secured at reserved matters stage and with the requirement of a condition for a landscaping plan to be submitted. This should address the concerns raised about the impact of the development on the character of the area. Also, concerns with regards to three storey development can be addressed suitably at reserved matters stage, especially as there will be additional space within the site, following a reduction in numbers.

3.3 It is important to consider appropriate density for the site, in accordance with Section 11 of the NPPF. However, it is considered that due to the sites rural nature and the requirement for sustainable development, also a requirement of the NPPF then 35 dwellings in this location would be acceptable in this instance.

3.4 This is an allocated site and not green belt. Therefore, the loss of agricultural land in this location is considered acceptable for reasons of its allocated nature.

3.5 Policy COM03 seeks to avoid unacceptable effects on the residential amenity of neighbouring occupants, or development which does not provide for adequate levels of amenity for future occupants. As set out above this is an outline planning application with all matters reserved. However, given the size of the site and the

number of dwellings, to be required by condition, there is sufficient space to locate dwellings of an appropriate scale to protect the amenity of future occupants. Comments with regards to loss of light and amenity are noted, however, these matters can be suitably addressed at reserved matters stage. In addition, any impact of noise can be managed through the imposition of a construction management plan condition and once constructed it is not considered that there would be significant amenity impacts in this regard.

4.0 Trees and Landscape

4.1 Policy ENV05 seeks new development to contribute to and where possible enhance the local environment by recognising the intrinsic character and beauty of the countryside. Point 2 of the allocation policy requires additional screening to the southern boundary to protect the character of the area and it is considered that this will be required to the western boundary to address its additional impact on the countryside, given its location outside the settlement boundary/allocation and further into the countryside than existing dwellings to the north. Given the sites largely allocated nature then it is not considered that the proposals would have a significant impact on the intrinsic character or beauty of the countryside and will actually tidy up the site to the south, which is currently agricultural buildings.

4.2 The retention of significant trees and hedgerows is supported by Policy ENV06 of the Local Plan, this is also required by point 2 of the allocation policy. The Tree Officer raises no objections to the proposals based on the layout shown and that only category U trees are shown to be removed. Also, that the layout shown leaves ample space for a suitable landscaping scheme which should include some large maturing species. This can be secured by condition, as set out above. The proposal is therefore considered to accord with Policy ENV06 of the Local Plan.

5.0 Flood risk and Drainage

5.1 Section 14 of the NPPF and ENV09 of the Local Plan seek to minimise the risks of flooding by direct new development away from areas at highest risk of flooding and for new development not to increase flood risk elsewhere. The site lies in flood zone 1, at the lowest risk of flooding.

5.2 Point 4 of the allocation policy requires the FRA to address the significant overland flow path running through the site or how any proposed mitigation does not worsen flooding elsewhere. Appropriate SUDs should be included as part of the landscaping scheme. The Environment Agency and LLFA have been consulted with regards to the proposals and raise no objections subject to the imposition of conditions, which will be applied. The applicants also state that 'discussion was had with the LLFA regarding the surface water flow routes and flood risk. (See section 4.3 of the FRA report) No residential dwellings were located within the flood risk area along the eastern boundary. SuDS solutions have been considered and allowed for, with surface water strategy including infiltration, filter strips and swales'. The FRA therefore addresses this point and demonstrates there won't be impact offsite.

5.3 Point 6 of the allocation policy requires the proposals to have regard to the Water Cycle Strategy, which indicates potential issues with the wastewater network capacity. The applicants state 'Canhams carried out a pre-app with Anglian Water for the site, which was included in the FRA report. The report concludes that the water recycling centre has capacity. Also, the report indicated that the foul water network has capacity. There were no concerns over capacity raised in the AW report. Anglian Water were happy for suitable worded conditions to ensure drainage strategy was approved'. Subject to this, the proposals are considered to accord with relevant parts of the allocation policy.

6.0 Ecology

6.1 Section 15 of the NPPF and policy ENV02 of the Local Plan require the protection and enhancement of biodiversity.

6.2 The Preliminary Ecological Appraisal (Greenlight Environmental Consultancy Limited.; January 2019) is considered fit for purpose. The report highlights several buildings, all associated within the pig farm, are present on site and proposed to be removed. All of these buildings are similar in structure and are considered as of negligible to low suitability for roosting bats. However, the demolition works should be conducted under watching brief of a licenced bat worker. The report also highlights that the arable land on site may also provide suitable nesting habitat for ground nesting species such as skylark which were recorded in the vicinity of the site. Compensation for this loss of suitable habitat for skylarks by creating two skylark plots in a suitable location within the rest of the field is therefore expected. The report suggests the creation of skylark plots in the arable fields in the vicinity of the site which belong to the same ownership. These matters can be dealt with by a suitably worded condition, as proposed. On this basis the proposal is considered in accordance with Section 15 of the NPPF and policy ENV02 of the Local Plan.

7.0 Other matters

7.1 Contamination

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

7.2 Heritage

Point 5 of the allocation policy requires the proposals to preserve and where possible enhance the setting of nearby designated and non-designated heritage assets and states an archaeological assessment will be required to support any application. This is also supported by policies ENV07 and ENV08 of the Breckland Local Plan (adopted), Section 16 of the NPPF and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7.3 There is the Grade II Listed Wolferton House is located to the south-east of the application site. The building is some distance from the application site and across The Street so as not be affected by the development. No objections have been raised by the historic buildings officer in this regard and therefore the significance and setting of Wolferton House is considered to be preserved.

7.4 An archaeological appraisal was subsequently provided with the application. The Historic Environment Service are satisfied, subject to condition. The proposal is therefore considered to accord with Point 5 of the allocation policy and Section 16 of the NPPF and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7.5 Air Quality

The air quality officer has recommended approval providing the development proceeds in line with the application details and subject to conditions to alleviate environmental concerns, including an Air Quality Assessment to assess the impact of increase of air pollution from the additional vehicles likely to be linked to this development, with particular reference to the Air Quality Management Area (AQMA) in the nearby town of Swaffham declared for NO₂ from traffic and the proposed form of heating within the new homes. A condition is therefore proposed in this regard.

8.0 Planning Obligations

8.1 The following planning obligations/contributions are required, in accordance with Paragraph 56 of the NPPF:

Contributions to:

- Sporle C of E Primary Academy
- A library contribution of 75 per dwelling. This contribution will be spent on library stock and equipment for mobile service EDE 105.
- Provision and maintenance of open space in accordance with Policy ENV04 of the Local Plan (adopted 2019)
- 25% Affordable Housing (the design and layout of which is to be checked at reserved matters stage.
- 1 fire hydrant per 50 dwellings (rounding up to the nearest 50), on a minimum 90mm main, at a cost of 824.00 each (to be secured via condition).

8.2 These contributions will form part of an appropriately worded section 106 agreement, if planning permission is granted.

9.0 Conclusion

9.1 The proposals, despite the sites additional land shown outside of the settlement boundary and the allocation, are considered to accord with National and Local Planning Policy, including all criteria as set out in the site allocation policy SH1 of the Breckland Local Plan (adopted). Therefore, subject to the conditions, listed below, including a condition to limit development to 35 dwellings and the signing of a section 106 agreement, as set out above, the application is recommended for approval.

RECOMMENDATION

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

CONDITIONS

- 1 Outline Time Limit (3 years)**

Application for Approval of Reserved Matters must be made not later than the expiration of TWO YEARS beginning with the date of this permission, and the development must be begun within TWO YEARS of the FINAL APPROVAL OF THE RESERVED MATTERS or, in the case of approval at different dates, the FINAL APPROVAL OF THE LAST SUCH MATTER to be approved.
Reason for condition:-
As required by section 92 of the Town & Country Planning Act 1990.
- 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.

3 Standard Outline Condition

No development whatsoever shall take place until the plans and descriptions giving details of the reserved matters referred to above shall have been submitted to and approved by the Local Planning Authority and these plans and descriptions shall provide details of the appearance, layout, scale and landscaping of the development.

Reason for condition:-

The details are not included in the current submission.

4 Max 35 Dwellings

The development shall be limited to a maximum of 35 dwellings.

Reason for condition:-

To protect the character of the area and the amenity of future occupants in accordance with Policies GEN02, COM01 and COM03 of the Breckland Local Plan and to ensure sustainable development in accordance with Policy SHA1.

5 Materials

Prior to the commencement of any works above slab level the type and colour of the external materials to be used in the construction of the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. Only such agreed materials shall be used in connection with this approval.

Reason for condition:-

To ensure the satisfactory appearance of the development, in accordance with Policies GEN02, COM01 and HHA1 of the Breckland Local Plan.

This condition will require to be discharged

6 Boundary screening to be agreed

Prior to the occupation of the development hereby approved, a scheme for the provision of boundary screening, shall be submitted and approved in writing by the Local Planning Authority. Such scheme as may be agreed shall be completed prior to the occupation of the development which the screening adjoins. The approved screening shall thereafter be maintained in that form.

Reason for condition:-

To safeguard the interests of the amenities of neighbouring occupiers and to ensure the satisfactory appearance of the development, in accordance with Policies GEN02, COM01, COM03 and HHA1 of the Breckland Local Plan.

This condition will require to be discharged

7 No permanent external lighting without prior agreement

Prior to the occupation of the development hereby permitted details of the external lighting to the site shall be agreed in writing with the Local Planning Authority, and only lighting so agreed shall be installed on the site. Such lighting shall be kept to a minimum for the purposes of security and site safety, and shall prevent upward and outward light radiation.

Reason for condition:-

To safeguard the interests of the amenities of neighbouring occupiers and to ensure the satisfactory appearance of the development, in accordance with Policies GEN02, COM01, COM03 and HHA1 of the Breckland Local Plan.

8 Non-standard highways condition

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

Reason for condition:-

To protect highway safety in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted).

9 Non-standard highways condition

Prior to the occupation of the final dwelling all works shall be carried out on roads, footways, foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority.

Reason for condition:-

To protect highway safety in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted).

10 Non-standard highways condition

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

Reason for condition:-

To protect highway safety in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted).

11 Non-standard highways condition

Prior to the first occupation of the development hereby permitted visibility splays measuring 4.5 metres x 90 metres shall be provided to each side of the access where it meets the highway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Reason for condition:-

To protect highway safety in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted).

12 Non-standard highways condition

Development shall not commence until a scheme detailing provision for on-site parking for construction workers 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:-

To protect highway safety in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted).

13 Non-standard highways condition

Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise first agreed in writing until detailed drawings for the off-site highway improvement works as indicated on Drawing 30-101 rev A has been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development hereby permitted the approved off-site highway improvement works shall be completed.

Reason for condition:-

To protect highway safety in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted).

14 Air Quality Assessment

With any subsequent reserved matters application, an Air Quality Assessment shall be submitted to and approved in writing by the Local Planning Authority. The AQA is to assess the impact of increase of air pollution from the additional vehicles likely to be linked to this development, with particular reference to the Air Quality Management Area (AQMA) in the nearby town of Swaffham declared for NO₂ from traffic and the proposed form of heating within the new homes and to have regard for mitigation measures to be included that will minimise the impact of local traffic emissions, for example Electric Vehicle charging points. The development shall be carried out in accordance with the approved details.

Reason for condition: -

In order to improve air quality in accordance with Policy COM03 of the Breckland Local Plan (adopted).

This condition will require to be discharged

15 Approved surface water system to be constructed

Prior to commencement of development, in accordance with the Flood Risk Assessment and Drainage Strategy (Canham Consulting ref: 212122 - Rev P1, dated 31 January 2019), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development.

The scheme shall address the following matters:

I. Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of any proposed attenuation basin/s, as stated within section 5.3 of the FRA / Drainage Strategy.

or

If infiltration is proven to be unfavourable then Greenfield runoff rates for the site shall be agreed with the Lead Local Flood Authority. These post development runoff rates will be attenuated to the equivalent Greenfield rate for all rainfall events up to and including the 1% annual probability. The discharge location for surface water runoff will be confirmed to connect with the wider watercourse network.

or

Surface water runoff rates will be attenuated to 0.75 l/s or 2l/s/ha as stated within section 5.3 of the FRA / Drainage Strategy.

II. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1% annual probability rainfall event including allowances for climate change.

III. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:

· 3.33% annual probability critical rainfall event to show no above ground flooding on any part of the site.

· 1% annual probability critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.

IV. The design of the any infiltration / attenuation basins will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water

flow routes that minimise the risk to people and property during rainfall events in excess of 1% annual probability rainfall event. This will include surface water which may enter the site from elsewhere.

V. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary. (Please note that our advice is that Finished Floor Levels (FFL) should be increased up to 600 mm when there is uncertainty in flood levels (section 22.3 of the LLFA Guidance) should the applicant be unable to locate the properties outside the areas of risk.

VI. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

VII. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development. This will also include the ordinary watercourse and any structures such as culverts within the development boundary.

VIII. Any infiltration / attenuation basins and connecting pipework as maybe required shall be constructed prior to the commencement the development

Reason for condition:-

Details are required prior to commencement to prevent flooding in accordance with National Planning Policy Framework paragraph 163,165 and 170 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 SuDS proposed operates as designed for the lifetime of the development.

16 Fire Hydrants

Prior to the commencement of any works 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 hydrant(s) have been provided in accordance with the scheme as approved.

Reason for condition:-

In order to secure the provision of fire hydrants.

This condition will require to be discharged

17 EMP

An ecological management plan (EMP) shall be submitted to, and approved in writing by the Local Planning Authority prior to commencement of development. The content of the EMP shall include the following.

- a) Description and evaluation of features to be managed,
- b) Ecological constraints on site that might influence management,
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives including mitigation detailed in the Preliminary Ecological Appraisal (Greenlight Environmental Consultancy Limited.; January 2019) submitted with the application namely that for bats including demolition works of the buildings on site should be conducted under watching brief of a licenced bat worker, protection and enhancement of bat feeding and commuting corridors, protection and enhancement of hedgerows birds including a check of the barn owl box prior to removal and the creation of skylark plots in suitable locations in the arable fields in the

vicinity of the site which belong to the same ownership as outlined in principle in the Preliminary Ecological Appraisal (Greenlight Environmental Consultancy Limited.; January 2019), great crested newts mitigation and enhancement measures outlined in principle in section 8 of the Preliminary Ecological Appraisal (Greenlight Environmental Consultancy Limited.; January 2019),

e) Prescriptions for management actions

f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)

g) Details of the body or organisation responsible for implementation of the plan

h) On-going monitoring and remedial measures If more than two years have passed since surveys were undertaken then update surveys may be required at the reserved matters stage and any additional mitigation measures that need incorporating into the sites design agreed with the Local Planning Authority.

The EMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer. The plan shall also set out (where the results of monitoring show that conservation aims and objectives of the EMP are not being met) how remedial action will be identified, agreed and implemented so the development still delivers the fully function biodiversity objectives of the originally approved scheme.

Reason for condition:-

Details are required prior to commencement to protect and enhance ecology in accordance with Section 15 of the NPPF and ENV03 of the Breckland Local Plan (adopted).

18 Landscaping scheme

With the reserved matters application a Landscaping Scheme shall be submitted to and approved in writing by the local planning authority for structural landscaping to the southern boundary of the site, as required by policy SHA1 of the Breckland Local Plan. The approved landscaping shall be fully implemented in the first planting season following the first occupation of any of the dwellings hereby approved.

Reason for condition:-

To minimise the landscape impact of the proposals and the impact of the new settlement edge formed by the development in accordance with policies SHA1 and ENV05 of the Breckland Local Plan (adopted).

19 No loss of trees

No trees or hedges within the site shall be cut down, uprooted destroyed, lopped or topped, other than in accordance with the approved plans, without the prior written approval of the Local Planning Authority. Any trees or hedges removed without consent shall be replaced during the next planting season November/March with trees of such size and species as first agreed in writing with the Local Planning Authority.

Reason for condition:-

To protect significant trees and hedgerows in accordance with Policy ENV06 of the Breckland Local Plan (adopted).

20 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 and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

and,

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

and,

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

In this case the mitigatory works will commence with a geophysical survey. A brief for the archaeological work can be obtained from Norfolk County Council Historic Environment Service. Please note that we now charge for our services.

Reason for condition:-

Details are required prior to commencement to protect heritage assets in accordance with policies ENV07, ENV08 and SHA1 of the Breckland Local Plan (adopted) and Section 16 of the NPPF.

21

Desk study/ site investigation

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. Desk Study

A desk study and risk assessment to determine the risk of any contamination on the site, whether or not it originates on the site. The desk study and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments.

B. Site Investigation

A site investigation and risk assessment to determine the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include (i) the same details as in part A above (ii) a survey of the extent, scale and nature of contamination and (iii) an appraisal of remedial options, and proposal of the preferred option(s).

C. Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme must include all works to be undertaken,

proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

D Implementation of Approved Remediation Scheme

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

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

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

Reason for condition:-

Details are required prior to commencement to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

This condition is imposed in accordance with Section 15 of the NPPF.

Informative:

Where remediation of contaminated land is required, the developer is advised to put in place measures to ensure that any future alterations/extensions to the development do not undermine completed remediation works and, if appropriate, that the future alterations/extension include the same scheme of remediation as that included in the original development.

The report has recommended a site investigation in relation to the asbestos and slurry lagoon. I would recommend that this is extended to the areas of fuel storage too. I would also recommend that the applicant considers whether ground gas could be present on site owing to possible animal burial, made ground or organic matter being present in the ground for the lagoon etc. Gas monitoring may therefore be required.

This condition will require to be discharged

22

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 NPPF.

23

non standard condition

Prior to first occupation of any of the dwellings hereby approved, the farm buildings shall be demolished and all materials pursuant to that demolition removed from the application site.

Reason for condition:-

To protect the amenities of neighbouring properties and the intrinsic character and beauty of the countryside and wider character of the area in accordance with Policies COM01, COM03, ENV05 and GEN02 of the Breckland Local Plan (adopted).