

AGENDA ITEM 8: DEFERRED APPLICATIONS

Item. 8a

Location: Colkirk: Land off Whissonsett Road

Proposal: Variation of Condition No 22 of planning permission 3PL/2021/1265/VAR - to vary the wording to enable works to continue up to slab level across all plots, in advance of this condition being discharged.

REFERENCE: 3PL/2022/0132/VAR

Applicant: Breckland Bridge Ltd

Author: Rebecca Collins

HIGHWAYS COMMENT

Whilst I can confirm comments have been provided by my technical consultants at WSP to the applicant's agent regarding the off-site highway works, these comments did not consider the overall ability of the applicant to deliver the scheme.

Therefore, I have had further discussions with WSP this morning. They would agree the scheme extents are contained within land under the control of the applicant or the boundaries of the existing highway. However, they are also of the view that in order to construct parts of the scheme, hedges planted along the highway boundary and in third party ownership will need to be removed and that appropriate accommodation works will need to be agreed with all appropriate third parties, prior to the technical approval of the highway works being granted. It is my understanding that WSP will be updating their response to the applicant's agent to reflect this opinion.

Based on the above advice, the County Council would be of the view it would be difficult to substantiate a highway objection to the suggested amendment to the condition, allowing construction on all plots up to slab level. However, both the applicant and Local Planning Authority should be aware that any start of works will be at the applicant's risk, as there may be significant delays to approving the detailed plans for the off-site highway works and subsequently completing the Section 278 Agreement, if agreement cannot be reached with any affected third parties.

RECOMMENDATION

The application remains recommended for approval, subject to conditions and a Unilateral Undertaking. Delegation is also sought with regards to nutrient pollution and impacts to the integrity of protected habitats.