

**Reference:** 06/19/0025/O

**Parish:** Fleggburgh

**Officer:** Mrs G Manthorpe

**Expiry Date:** 10/01/20

**Applicant:** Mr Kelly

**Proposal:** Residential development of 2 chalet style houses with integral garages.

**Site:** Tretts Lane/Rollesby Road (Land in corner) Fleggburgh

## **1. Background / History :-**

1.1 The site comprises 1230 square metres of land located to the north side of the village of Fleggburgh. The application is an outline application with some matters reserved; access and layout form part of the application with landscaping, scale and appearance to be decided by a later reserved matters application should the outline be approved. The application details state that the existing use of the land is meadow according to the application form

1.2 The planning history for the site is as follows:

06/18/0387/F – Proposed residential development of 3no. detached houses with detached garages. Withdrawn.

1.3 Although not on the application site planning permission has recently been given for the erection of 4 dwelling houses off Rollesby Road reference 06/18/0133/F, 06/17/0705/F is currently under construction for 9 dwellings, a current application is in for 13 dwellings to the north east of the site and a further development for 33 dwellings is currently being assessed to the south east of the site.

## **2 Consultations :- All consultation responses received are available online or at the Town Hall during opening hours.**

2.1 Parish Council – Support the application whilst noting concern regarding traffic along Tretts Lane which is very narrow.

2.2 Neighbours – There has been one objection to the application which is attached to this report and is summarised as follows:

- An oak tree on site has been cut down before the application was submitted.

Information regarding a bat survey was also submitted however this was not marked as in relation to any specific application. It provides information on bat movements within the area.

2.3 Highways – No objection to the application subject to conditions.

2.4 Assistant Grounds Manager and Arboricultural Officer – The trees on site have long life expectancy and fair amenity value – BS5837 Cat B. classification seems to be fair.

Based on the submitted plans, there looks adequate protection supplied to the trees through the development process including RPA, no dig areas, car park construction method etc. to ensure they are not harmed.

2.5 Building Control – No objection.

2.6 Broads Authority – No objection.

### **3 Local Policy :-**

3.1 Local Policy - Saved Great Yarmouth Borough-Wide Local Plan Policies (2001):

3.2 Paragraph 213 of the National Planning Policy Framework (NPPF) states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007. An assessment of policies was made during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption.

3.3 The Saved Policies listed have all been assessed as being in general conformity with the NPPF and add further information to the policies in the NPPF, while not contradicting it.

3.4 HOU10: Permission for new dwellings in the countryside will only be given in connection with agriculture, forestry, organised recreation, or the expansion of settlements.

- 3.5 HOU16: A high standard of layout and design will be required for all housing proposal. A site survey and landscaping scheme will be required will all detailed applications for more than 10 dwellings. These should include measures to retain and safeguard significant existing landscape features and give details of, existing and proposed site levels planting and aftercare arrangements.

#### 4 **Core Strategy – Adopted 21st December 2015**

- 4.1 Policy CS2: Achieving sustainable growth. This policy identifies the broad areas for growth, sets out the sustainable settlement hierarchy for the borough and two key allocations.

Fleggburgh is identified as a Secondary Village:

a) Ensure that new residential development is distributed according to the following settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements: (partial)

- Approximately 5% of new development will take place in the Secondary and Tertiary Villages named in the settlement hierarchy

- 4.2 Policy CS3: To ensure that new residential development in the borough meets the housing needs of local people, the Council and its partners will seek to:

a) Make provision for at least 7,140 new homes over the plan period. This will be achieved by (extract only):

- Focusing new development in accessible areas and those with the most capacity to accommodate new homes, in accordance with Policy CS2
- Ensuring the efficient use of land/sites including higher densities in appropriate locations

d) Ensure that new housing addresses local housing need by incorporating a range of different tenures, sizes and types of homes to create mixed and balanced communities. The precise requirements for tenure, size and type of housing units will be negotiated on a site-by-site basis, having regard to the Strategic Housing Market Assessment, Policy CS4 and the viability of individual sites

- 4.3 Policy CS4: The need to provide additional affordable housing is one of the greatest challenges facing the borough. To ensure that an appropriate amount and mix of

affordable housing is delivered throughout the borough, the Council and its partners will seek to:(partial)

b) Ensure that affordable housing is either:

- Provided on-site using this contribution to deliver homes of a type, size and tenure agreed by the developer and the local authority based on local evidence and where appropriate, delivered in partnership with a Registered Provider; or
- Provided via an off-site financial contribution, in exceptional circumstances

c) Ensure that new affordable housing, when provided as part of a market housing site, is well integrated into the development in terms of its design and layout

4.4 Policy CS9: Encouraging well designed and distinctive places. This policy applies to all new development.

4.5 Policy CS11: The Council will work with other partner authorities and agencies to improve the borough's natural environment and avoid any harmful impacts of development on its biodiversity, geodiversity, landscape assets, priority habitats and species.

4.6 Policy CS13: The risk of flooding and coastal change is expected to increase with climate change. This presents a challenge for property/business owners and service providers in susceptible areas and will also place some important biodiversity and heritage assets at risk. The Council will ensure a sustainable and practicable approach to flood risk and coastal change and ensure development does not increase the risk of flooding elsewhere. This will be achieved by:

a) Directing new development proposals away from areas of highest risk of flooding (Flood Zones 2, 3a and 3b) unless it can be demonstrated that:

- The requirements of the Sequential Test are met
- Where applicable, the requirements of the Exception Test are met. A safe access/egress route throughout the duration of the flood event should be provided. However, if this is demonstrated as not being possible then evacuation will be considered as a means of making the development safe
- A satisfactory Flood Response Plan has been prepared

c) Seeking the use of Sustainable Drainage Systems (SuDS) in all new developments

d) Ensuring that new development takes into consideration the findings of the Surface Water Management Plan

- 4.7 Policy CS14: New development can result in extra pressure being placed on existing infrastructure and local facilities. To ensure that the necessary infrastructure is delivered the Council will: (a to f)

e) Seek appropriate contributions towards Natura 2000 sites monitoring and mitigation measures.

## **5 Draft Local Plan Part 2**

- 5.1 Table 8.12. of the draft Local Plan Part 2 2018 consultation gives a summary of reason(s) for the site not being selected as an emerging allocation:

(part of the application site) Site 89: Site is not well related to Fleggburgh. Significant highway improvements required to upgrade Tretts Loke to serve the proposed development.

- 5.2 Policy G1-dp  
Development limits

Development will be permitted within the development limits of settlements shown on the Policies Map, provided it is in accordance with the other policies in the Local Plan The areas outside development limits (excepting specific allocations for development) will be treated as countryside or other areas where new development will be more restricted, and development will be limited to that identified as suitable in such areas by other policies of the Local Plan, including:

- domestic extensions and outbuildings within existing residential curtilages, under Policy H8-dp; replacement dwellings,
- under Policy H4-dp;
- small scale employment, under Policy B1-dp;
- community facilities, under Policy C1-dp;
- farm diversification, under Policies R4-dp, L3-dp & L4-dp;
- rural workers' housing, under Policy H1-dp; and
- development relocated from a Coastal Change Management Area, under Policy E2-dp.

- 5.3 Housing Applications Reliant on the 'Presumption in Favour of Sustainable Development'

In the event that the Council is unable to demonstrate a five year supply of deliverable housing land, or meet the Housing Delivery Test, it will give favourable consideration to proposals for sustainable housing development (as defined by the National Planning Policy Framework) which will increase the delivery of housing in the short term, and apply flexibly the relevant policies of the development plan where it is robustly demonstrated that the development will be delivered promptly (i.e. within 5 years maximum).

Consideration will be given to applying a shorter than standard time limit to such permissions, in order to signal the exceptional nature of the permission and to encourage prompt delivery. Applications for renewal of permissions which relied on that presumption will be considered in the light of the housing delivery and supply situation at the time.

Such renewals will only be permitted where the applicant can demonstrate convincing reasons both why the development did not proceed in the time frame originally indicated, and why, in the light of the previous delay, the development can now be expected to proceed promptly.

## **6 National Policy: - National Planning Policy Framework (NPPF) February 2019**

- 6.1 Paragraph 2: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.
- 6.2 Paragraph 7: The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs<sup>4</sup>.
- 6.3 Paragraph 8: Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

6.4 Paragraph 11 (partial): Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>7</sup>, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

6.5 Paragraph 48. Local planning authorities may give weight to relevant policies in emerging plans according to:

a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

6.6 Paragraph 55. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be



permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

- 6.7 Paragraph 59. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 6.8 Paragraph 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.9 Paragraph 170 (partial). Planning policies and decisions should contribute to and enhance the natural and local environment by:
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- 6.10 Paragraph 177. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

## **7 Local finance considerations: -**

- 7.1 Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus or the Community Infrastructure Levy. It is noted that the Borough of Great Yarmouth does not have the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a Local Authority. It is assessed that financial gain does not play a part in the recommendation for the determination of this application.



## **8 Shadow Habitats Regulation Assessment**

- 8.1 The applicant has submitted a shadow Habitat Regulations Assessment (HRA) template as drafted by Great Yarmouth Borough Council. It is confirmed that the shadow HRA submitted by the applicant has been assessed as being suitable for the Borough Council as competent authority to use as the HRA record for the determination of the planning application, in accordance with the Conservation of Habitats and Species Regulations 2017.
- 8.2 Great Yarmouth Borough Council as competent authority agrees with the conclusions of this assessment. The impact of this development is in-combination with other projects and can be adequately mitigated by a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling) to ensure that there will be no adverse effects on the integrity of the internationally protected habitat sites.

## **9 Assessment**

- 9.1 The application is an outline application with some matters reserved, access and layout form part of the application with landscaping, scale and appearance to be decided by reserved matters application. Appearance will need to be carefully considered should the application be approved in order to promote an attractive form of development which does not adversely affect the character of the area. The appearance will also need to carefully consider the overlooking potential to the south. While layout is acceptable the scale, which is not part of the application, may need to be reduced should the design of the development not be able to adequately overcome the potential adverse impact on the surrounding properties however this is for the reserved matters stage should the application be approved.
- 9.2 The layout proposed allows for the trees which are on site to be given adequate root protection areas and is supported by the Assistant Grounds Manager and Arboricultural Officer. Two of the trees on site are covered by a tree preservation order (TPO) and are therefore protected. These trees are proposed to remain with adequate root protection areas. The layout of the development has also been considered to protect the trees in the future by setting the dwellings away from the canopy spread to mitigate against future occupants requesting that they are removed or altered owing to the impact on the dwellings. The layout as applied should allow for a harmonious coexistence between the trees and the dwellings applied for.
- 9.3 When assessing the application, the impact on the Broads National Park is a material consideration that holds substantial weight. The layout of the development is appropriate and respects the setting, with specific reference the retention of the

trees on site and there are no objections to the development from the Broads Authority.

- 9.4 According to the draft Local Plan Part 2, Fleggburgh is one of the largest and best-served secondary village in the Borough, with facilities including a primary school, GP surgery and sports club/gym. The settlement is located along the A1064, inland 6 miles north-west of Caister-on-Sea. The village is adjacent Filby Broad which further encourages its attraction as a tourist destination, with a wide range of holiday cottages, and a camping and caravan park.
- 9.3 The application site is bounded one side by a development which is currently under construction and a residential dwelling to the east. To the west on the other side of the road are residential dwellings. The application site is not assessed as isolated in location and would fit into the character of the area.
- 9.4 The application site, while bounded by residential uses and ongoing development is located within a rural village within close proximity to the Broads Authority Executive Area, as such consideration to protected species such as bats is reasonable. There are no trees proposed to be removed as part of the development and it is recommended that external lighting is restricted to mitigate any impact on bats.
- 9.5 Although not in relation to the application, information cited as 'Tretts Lane' applications has been submitted detailing the results of a Bat Survey. The survey demonstrated that there are bats in the locality by number of sightings; however it is not verified or put forward with any context of disturbance or impact. While it is valuable to acknowledge that the area has bats foraging, in the absence of context it is difficult to assess that the application will have an adverse impact on the bats within the area. As per the above and below paragraph planting, restrictions on lighting and biodiversity improvements should be included within the scheme.
- 9.6 The development gives the opportunity for biodiversity enhancements commensurate with the size of the development which can come through at reserved matters stage. Enhancements include planting which can include trees that have a long-life span and could provide future roosting locations, bat and bird boxes erected on the dwellings to encourage protected species to the area and, with specific regard to bats, planting of night smelling flowers as part of the landscaping scheme. In addition, the fences should have gaps or holes provided to allow for the free movement of hedgehogs to mitigate the loss of open habitat.
- 9.7 The Parish Council, while supporting the application, note that Tretts Lane is of restricted width. There are no highways objections to the application from Norfolk County Council subject to conditions being applied to any grant of planning permission.

- 9.8 The application is an outline application and as such to ensure deliverability it is recommended that should the application be approved there is a condition placed on the permission requiring that reserved matters are submitted within 12 months of the decision being issued.
- 9.9 An important factor when determining applications is whether a Local Authority has the ability to demonstrate a five-year housing land supply. If a Local Planning Authority cannot show that they are meeting this requirement, their policies with regards to residential development will be considered to be "out of date". There is currently a housing land supply of 2.55 years (as at the end of year 2017/2018) which is a substantial shortfall. In addition, the publication of the first Housing Delivery Test figures in February 2019 showed that the Borough had not seen delivery of 75% of the housing requirement over the previous three-year period. Although this does not mean that all residential developments must be approved the presumption in favour of sustainable development must be applied.
- 9.10 In weighing the material considerations in this application considerable weight must be given to Paragraph 11 (d) of the National Planning Policy Framework states that where the policies which are most important for determining the application are out-of-date, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits. Footnote 7 states that "this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years."
- 9.11 In the case of *Wavendon Properties Ltd v SoS for Housing, Communities & Local Government plus Another* (June 2019, reference [2019] EWHC 1524 (Admin)), Mr Justice Dove made an important judgement on the correct interpretation of paragraph 11(d) of the National Planning Policy Framework (February 2019). Paragraph 11 (d) states:
- "Plans and decisions should apply a presumption in favour of sustainable development...
- For decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>7</sup>, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed(6); or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

9.12 The implication of the Wavendon judgement is that there must: firstly be an assessment as to which policies of the Development Plan are most important for determining this planning application; secondly, an assessment as to whether each of these policies are, or are not, “out of date”; and thirdly, a conclusion as to whether, taken as whole, these most important policies are to be regarded as “out-of-date”. If, taken as whole, they are regarded as “out-of-date”, then the “tilted balance” of NPPF paragraph 11 applies (for a refusal to be justified, the harms must “significantly and demonstrably outweigh the benefits...”). If, taken as a whole, they are not regarded as out-of-date, then the tilted balance does not apply.

9.13 Whilst various policies are of importance for determining the application (and these are highlighted above), the most important policy for the determination of the application is, in my judgement, Saved Local Plan Policy HOU 10, New Dwellings in the Countryside. This policy – which essentially deals with settlement boundaries – is clearly out-of-date and this confirms that the “tilted balance” therefore applies.

9.14 The application site is a sustainable one, being within a village with (albeit limited) facilities, and as adjacent to existing residences it cannot therefore be assessed as isolated.

9.15 Few harms are identified with the application, and with reduced weight given to Saved Local Plan Policy HOU10 and the “tilted balance” applying, the harms do not, in my judgement, significantly and demonstrably outweigh the benefits.

## 10 RECOMMENDATION:-

10.1 Approve – subject to the conditions to ensure an adequate form of development including those requested by consultees and a one-year condition for the submission of reserved matters. The proposal complies with the aims of Policies CS2, CS3, CS9, CS11 and CS14 of the Great Yarmouth Core Strategy.

S

Jill K. Smith

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**From:** Fleggburgh Parish Clerk <fleggburghpc@gmail.com>  
**Sent:** 01 March 2019 13:02  
**To:** plan  
**Subject:** 06/19/0025/O

Dear Planning

Fleggburgh Parish Council wish to submit comments regarding planning application 06/19/0025/O:

Fleggburgh Parish Council **support** this application, whist noting concern regarding traffic along Tretts Lane which is very narrow.

--

Jimmy

Dr Jimmy Miller  
Parish Clerk, Fleggburgh Parish Council



## Internet Consultees

Application Reference 06/19/0025/O

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Glenn Higgins

Address 3 fir tree close, mill lane Fleggburgh

Post Code NR293DU

Telephone

Email Address glenn.higgins@btinternet.com

For or Against OBJ Object

Speak at Committee

Basically they cut down about 6 to 12 months ago the marvellous oak tree in the middle of the site, waited awhile and then applied... this tree was protected I believe... when the site was nexted assessed ... tree has been unprotected as it's died! Shocking !!

Date Entered 01-02-2019

Internet Reference OWPC2516

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Norwich Norfolk NR1 1RY  
tel 01603 610734  
broads@broads-authority.gov.uk  
www.broads-authority.gov.uk

Mrs G Manthorpe  
Planning Services  
Development Control  
Great Yarmouth Borough Council  
Town Hall  
Hall Plain  
Great Yarmouth  
NR30 2QF

Ms Cally Smith  
Head of Planning  
01603 756029  
cally.smith@broads-authority.gov.uk

Date 29 April 2019

Our ref BA/2019/0143/NEIGHB

Your ref 06/19/0025/O

Dear Mrs Manthorpe

Application No : BA/2019/0143/NEIGHB  
Proposal : 2 chalet style dwellings with integral garages  
Address : Tretts Lane/Rollesby Road (Land On Corner), Fleggburgh, Norfolk,  
Applicant : Mr Kelly-Toppers

I write further to the above planning application. I can confirm that the Broads Authority does not wish to raise an objection.

I would be grateful to receive a copy of the Decision Notice for my file in due course.

Yours sincerely

Cally Smith  
Head of Planning



 **INVESTORS  
IN PEOPLE** Silver  
Chairman: Mr Haydn Thistle  
Chief Executive: Dr John Packman





Community and Environmental  
Services  
County Hall  
Martineau Lane  
Norwich  
NR1 2SG

NCC contact number: 0344 800 8020  
Text Relay - 18001 0344 800 8020

Gemma Manthorpe  
Great Yarmouth Borough Council  
Town Hall  
Hall Plain  
Great Yarmouth  
Norfolk  
NR30 2QF

Your Ref: 06/19/0025/O  
Date: 1 February 2019

My Ref: 9/6/19/0025  
Tel No.: 01603 638070  
Email: stuart.french@norfolk.gov.uk

Dear Gemma

**Fleggburgh: Residential development of 2 chalet style houses with integral garages  
Tretts Lane/Rollesby Road (Land on corner) Fleggburgh GREAT YARMOUTH Norfolk**

Thank you for your recent consultation with respect to the above which has been subject to pre-application advice from the Highway Authority.

Accordingly, in highway terms only, I have no objections to the proposals subject to the following conditions and informative notes being appended to any grant of permission your Authority is minded to make.

SHC 05 Prior to the first occupation of the development hereby permitted the vehicular access shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.

Reason: 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.

SHC 07 Any access gates/bollard/chain/other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway. Any sidewalls/fences/hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the outside gateposts to the front boundary of the site.

Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened.

*Continued/...*

- SHC 10 The gradient of the vehicular access shall not exceed 1:12 for the first 5 metres into the site as measured from the near channel edge of the adjacent carriageway.

Reason: In the interests of the safety of persons using the access and users of the highway.

- SHC 16 Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety in accordance with the principles of the NPPF.

- SHC 20 Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and 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: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.

- SHC 32A Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works (namely footway provision south of Tretts Lane to link to existing provision) as indicated on Drawing No.(s) 17/159 30 have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

- SHC 32B Prior to the first occupation/use of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed.

- Inf.1 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. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant

*Continued/...*

and the County Council. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained and typically this can take between 3 and 4 months. Advice on this matter can be obtained from the County Council's Highways Design and Development Management Group based at County Hall in Norwich. Please contact Stuart French on 01603 638070.

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.

If required, street furniture will need to be repositioned at the Applicant's own expense.

Inf 10 It is the applicant's 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. For further details please contact the highway research team at [highway.boundaries@norfolk.gov.uk](mailto:highway.boundaries@norfolk.gov.uk)

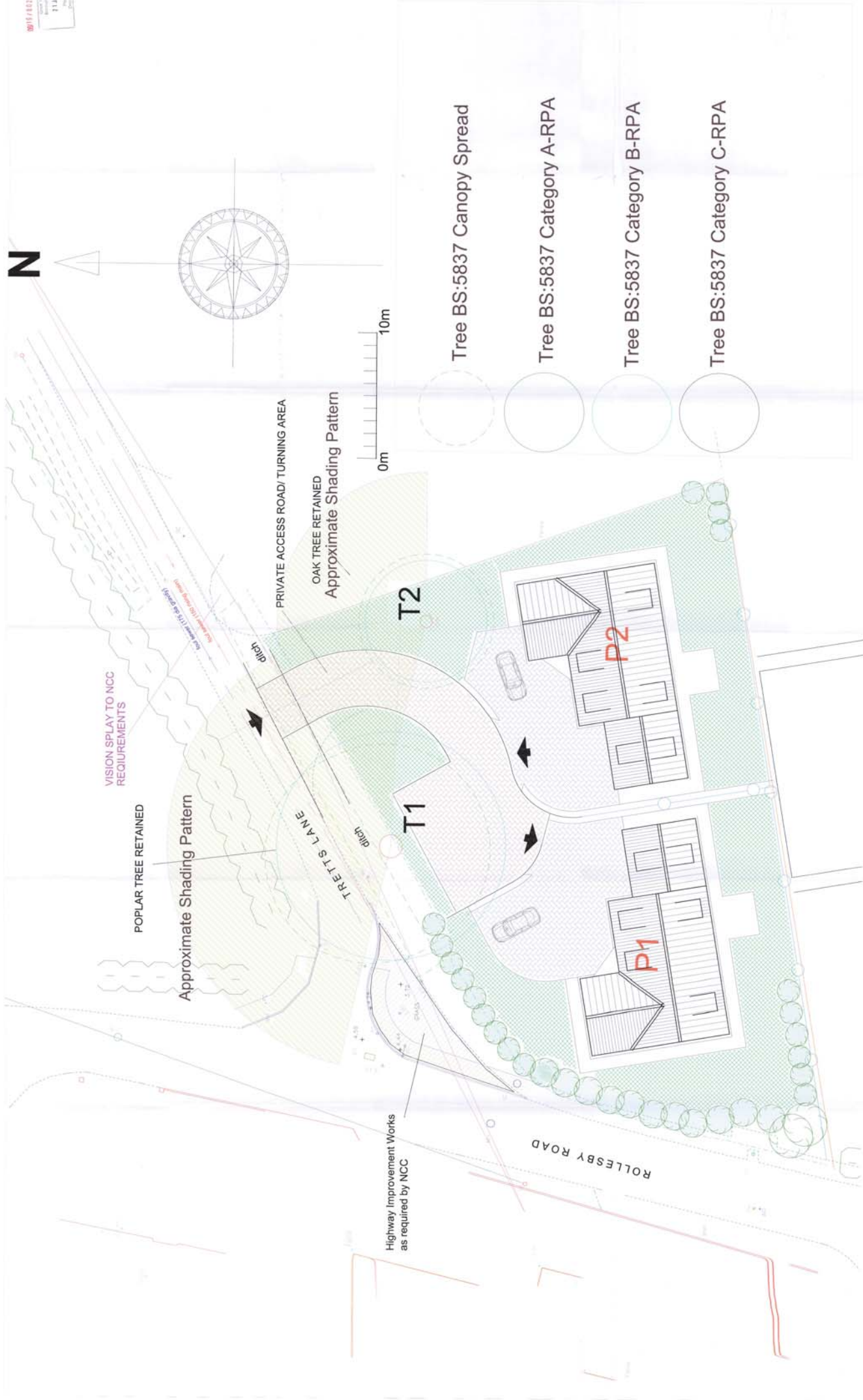
Yours sincerely

*Stuart French*

Highways Development Management & Licensing Officer  
for Executive Director for Community and Environmental Services



N



- Tree BS:5837 Canopy Spread
- Tree BS:5837 Category A-RPA
- Tree BS:5837 Category B-RPA
- Tree BS:5837 Category C-RPA

