

AGENDA ITEM NO: 9/2(c)

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| Parish: | Castle Rising | |
| Proposal: | Application for a temporary construction access and haul road in association with development approved under 16/02231/OM | |
| Location: | Land West of Knights Hill Village Grimston Road South Wootton Norfolk PE30 3HQ | |
| Applicant: | BDW Cambridgeshire | |
| Case No: | 23/00086/F (Full Application) | |
| Case Officer: | Connor Smalls | Date for Determination: 15 March 2023 Extension of Time Expiry Date: 4 August 2023 |

Reason for Referral to Planning Committee – Called in by Lord Howard.

Neighbourhood Plan: No

Case Summary

This application proposes the widening and alteration of an existing field access to act as a temporary construction access for the Knights Hill residential development site, located to the west of Knights Hill Village and to the south of Grimston Road. This would be to serve the construction of the roundabout approved under: 16/02231/OM alongside a temporary haul road leading to a site compound. Once the roundabout is constructed this temporary access and haul road would be required to be removed and the use discontinued.

Key Issues

Principle of Development
Form and Character
Impact on Neighbour Amenity
Highway Safety
Ecology and Impact on Trees/hedges.
Any other matters requiring consideration prior to determination of the application

Recommendation

APPROVE

THE APPLICATION

This application would be in association with the outline consent for residential and associated development at Knights Hill, approved under application: 16/02231/OM. An application is currently under consideration at reserved matters stage for full details of the wider development under application reference: 22/01310/RMM.

This application proposes the alteration and widening of an existing field access to function as a temporary construction access for the site to serve the construction of the roundabout approved under: 16/02231/OM alongside a temporary haul road leading to a site compound. These works would be to serve the construction of the roundabout only, as shown within indicative plans. Once the roundabout is constructed this temporary access and haul road would be required to be removed and the use discontinued. Conditions would be attached to any approval to ensure this is the case.

The haul road would have a width of approximately 10.8m closest the access incorporating a wheel wash facility. This would reduce to approximately 7.5m as the haul road would head south towards the compound location. The haul road would extend less than 150m from the access on Grimston Road to the compound location as shown on plan. Exact details of the the construction and surface water management of the haul road would be the subject of a condition of any approval. A Construction and Operation Management Plan (COMP) would also be conditioned which would provide full details of compounds alongside the means of access for construction vehicles, site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, dust and air pollutants, land contamination and ground water, how the developer shall monitor and document compliance with point 3 and arrangements which by the developer shall maintain communication during the course of the development hereby approved and any subsequent variations to the development hereby approved, with the parish councils, residents and businesses in the vicinity of the site.

SUPPORTING CASE

The Proposal

Permission is sought for a temporary construction access in association with development approved under 16/02231/OM.

The application site is located within the north eastern corner of a larger allocated triangular site ("the Knights Hill site") approved for residential development in July 2020 (16/02231/OM) and now subject of a reserved matters submission (22/01310/RMM).

As part of the outline approval for the Knights Hill site, access was approved via a new roundabout on Grimston Road. Norfolk County Council, via their contractors Tarmac, hope to begin construction of this roundabout later this year. This application allows for a temporary construction access to be provided through the Knights Hill site, which will allow Tarmac to begin construction of the roundabout outside of the live highway.

The proposed temporary construction access involves the widening of an existing agricultural access which is already in use by agricultural vehicles. The first 11m of the access is to be constructed of asphalt and will be gated, which prevents access outside of construction hours. A wheel wash facility is also provided. The temporary access then continues into the site to a construction compound (which is not part of the application) and from there to the site of the approved roundabout.

An arboricultural survey and ecology survey have been submitted with the application which demonstrate that the impact of the temporary construction access on reptiles and trees will be acceptable. A Transport Assessment has also been provided which demonstrates that the proposed temporary construction access is safe, with the ability for HGVs to enter and exit in forward gear, and achieve suitable visibility. The proposed temporary construction access will not have an impact on highways safety and the additional traffic generated is within the expected parameters of the site allocation and the outline application.

Once the roundabout is operational to the satisfaction of Norfolk County Council, the temporary construction access will then be reinstated to its current appearance.

Need for the Proposal

The majority of the roundabout is to be built “off-line” – i.e., it sits to the south of the existing highway (A148 Grimston Road). The roundabout can therefore, if managed successfully, be built mostly off-line with minimal disruption to existing traffic using Grimston Road. The creation of an appropriate off-highway compound forms part of the construction strategy to positively manage the construction process and minimise the disruption to road users. We have been working with NCC, their consultants and contractor to ensure that the construction has minimal impact on the existing highway network.

If the roundabout construction compound cannot be served using the temporary construction access proposed within this application, a much larger construction access at the location of the roundabout would need to be created with the working area extending alongside the carriageway of Grimston Road. Restrictions along Grimston Road would therefore likely be needed to enable the construction process to proceed safely. This alternative approach would involve the removal of additional hedgerow and the closure of one lane of Grimston Road. Rather than taking 6-9 months, construction could take up to 18 months given the less efficient process, bringing prolonged disruption to the local area.

Advantages

There are many advantages to using the temporary access to support the construction of the roundabout:

- The access already exists and needs minimal additional work/vegetation loss to use it.
- It takes construction traffic “off-line” away from the live highway, allowing both lanes of Grimston Road to be used unimpeded for the majority of the roundabout build programme.
- It allows for the segregation of HGVs/construction vehicles and the construction workers actually building the roundabout (which is a health and safety requirement).
- It allows for a much quicker build programme and therefore helps to minimise disruption to Grimston Road and users of this key route.

Management of the access

The applicant has consulted with the local Parish Councils on the proposals. The Parishes have recommended a number of conditions be imposed on any approval. The applicant proposes that many of these concerns (provision of a banksman, management of pedestrians and cyclists, signposting of construction traffic, management of vehicles exiting onto Grimston Road) would be dealt with through provision of a Construction and Operation Management Plan, which is to be conditioned. The local planning authority and Parishes would therefore continue to have oversight of how the temporary construction access is to be managed.

Conditions are to be imposed which will manage the impact of the temporary construction access on ecology, trees and biodiversity.

A condition is also to be imposed which states that the temporary construction access will only be used whilst the roundabout is under construction. The land will then be reinstated as per drawing HKL01-001-08 A ‘TEMPORARY ACCESS RE-INSTATEMENT PLAN’.

Conclusion

We hope the information set out above helps to clarify the use of the proposed temporary access and how it relates to the wider Reserved Matters scheme. We have also sought to re-emphasise/explain the significant benefits this construction access will provide if temporary consent is granted that will enable the disruption caused by the construction of the roundabout to be minimised. We hope that Councillors can approve the application.

PLANNING HISTORY

22/01310/RMM: : - Approval of matters reserved for layout, scale, appearance and landscaping following outline planning permission 16/02231/OM for the erection of new homes, open space, a car park to serve Reffley Wood, paths and cycleways and associated development

16/02231/OM: Application Refused: 21/03/19 – ALLOWED ON APPEAL- 14/07/2020 - Residential development of the land to provide up to 600 dwellings, incorporating affordable housing, together with a local centre for uses A1, A2, A3 and/or A5 (600m2) with the total quantum of A1 net sales area not to exceed 279m2 in the alternative, D2 community floorspace (up to 500m2), open space, formal sport pitches, a car park to serve Reffley Wood and associated development to include substations, drainage features, roads, cycle and pedestrian paths and other such works

2/94/0472/O: Application Withdrawn: 04/10/99 - Site for construction of food superstore and petrol filling station non food retailing fast food restaurant multi plex cinema and bowling alley and park and ride site

2/92/2273/O: Application Withdrawn: 12/12/96 - Site for construction of superstorepetrol filling station and structural landscaping.

2/93/1686/O: Application Withdrawn: 18/10/94 - Site for construction of food superstore and petrol filling station non food retailing fast food restaurant multi plex cinema and bowling alley and park and ride site

RESPONSE TO CONSULTATION

Parish Council: **OBJECTIONS** from Castle Rising, South Wootton and North Wootton Parish Council (Summarised for clarity):

- The developer now seeks to make a change, permitting in effect major site works prior to the access roundabout being constructed.
- The Allison Homes application (South Wootton) was refused at planning committee (against officers' advice) for major use of a temporary access.
- This application is on the same heavy traffic bound route to town.
- The temporary access is designed to save the developer money at the resident's inconvenience, expense and delay as well as extra damage to air quality.
- The Knights Hill development for 600 homes was proposed on the basis that the roundabout would be created at the outset to serve the site.
- We cannot detect any timetable or guarantee as to when or how long the roundabout will be commenced or completed and brought into use.
- Within the SoS letter approving the outline application, Annexe A "List of Conditions" attached to the approval of the application states:

- 'Para 5 requires the development to be carried out in accordance with the Access and Movement Plan and Location Plan as submitted.'

Para 6 states verbatim "other than highway improvement work to form a new roundabout on Grimston Road, notwithstanding the details submitted, the development...shall not be commenced until a phasing plan has been submitted to and agreed in writing by the Local Planning Authority."

- Whilst those infrastructure facilities that must be included in the phasing plan are listed, and this doesn't include the access roundabout there is a case to be made as this was not specifically referred to it was outside the phasing plan, the development cannot be started until the phasing plan has been approved.
- It is the SoS' expectation that the roundabout would have been completed before or at the same time as the phasing plan is approved. Therefore, the roundabout must have been built before.
- Para 8 states verbatim "no works shall commence on site until detailed drawings for the off-site highway improvement works together with a programme for their implementation have been submitted and approved in writing by the Local Planning Authority." In this and other sections, "off-site highway improvement works" refers to Grimston Road, ie it is off-site of the actual development itself. This underlines that the plan for the roundabout will have been submitted and approved prior to development works start.
- We must insist the developer constructs the roundabout at the outset before other major works take place. As the application stands failure to reject could result in exploitation as to the length of time an unsatisfactory temporary access can be utilised.

In response to additional information

- Whilst Carter Jonas have prepared conditions, they fall far short of those needed to safeguard the several thousand residents and daily road users who will be inconvenienced and should have priority at all times.
- We all know from a traffic and highways perspective and now a lack of public transport, this site is highly contentious and lacks sustainability through poor planning.
- The consultants and developers knew from the outset there were major highways problems, and we were failed by the Borough when the developers persuaded the Boroughs Officers to drop the highways challenge at appeal.
- Since then, the situation has become worse when a major mitigation to provide onsite public transport was reduced by County, making the site car dependant contrary to the sustainability test in the NPPF.
- BDW wish to use a farm access for the purpose of constructing the new roundabout and a compound. We were assured this would be the sole use for this temporary farm access.
- We were also told following the creation of the new Roundabout the temporary farm access would immediately be closed and not used as an access to create other infrastructure, build out new homes or for any other purpose. We were informed the roundabout would immediately become the only vehicular access for the site.
- BDWs proposed access conditions fall far short of those required to safeguard the situation and protect residents.
- Grimston Road is one of the main access routes to and from our town and the only designated HGV route. The road already experiences over capacity, any changes or works will ultimately lead to a worsened situation, this will impact on the lives of 1,000s of commuters and residents and our already poor emissions record.

- The location is very close to the main Knights Hill A149 and A148 congested roundabout, the entrance to The Knights Hill Hotel complex. The Lodge Lane access and the Farm shop. The traffic numbers used by the developers' highways consultant has been based on outdated 2016 traffic information which is now highly underestimated.
- This development is likely to take place at the same time as Allison Homes site works (South Wootton), the continuing Surgery development and the Solar Farm, all of which will be generating more heavy construction plant and site traffic.
- BDW estimated for the roundabout phase at Knights Hill there would be 30 HGV movements per day and 50 site workers movement per day. To manage the situation, we feel an updated traffic impact survey should be a requirement.
- We have been informed construction of the roundabout and the need for use of this farm access is likely to be 9 months. Much of this over the summer period with the added impact of holiday traffic and the considerable farm traffic generated at the time of harvest.
- We are therefore deeply concerned the existing rat runs through our villages of Castle Rising, North and South Wootton will be subjected to much higher levels of traffic during this period. We have been advised we will be sent a works management plan hopefully for consultation, this will need to factor in changes and the impacts mentioned to manage what will be traffic mayhem.
- The conditions we require for both the temporary access and the reserved matters are as follows: -

1. The agreement will incorporate a clause stating no commencement on the housing or any infrastructure for same will commence until such time the roundabout is brought into full use and the temporary access is decommissioned, made good and landscaped and not brought back into use at a future date or for any other purpose.

Reason for this condition to make sure there is just one roundabout access serving the site before the build programme commences.

2. There must be an agreed period with a maximum of 9 months from the start date to the finish of the above works and the new roundabout being brought into full use.

The reason to restrict the period of inconvenience.

3. For vehicles travelling from South Wootton up Knights Hill strictly no right turn off the A148 into the site - such vehicles will need to continue to the roundabout and return entering the site from the nearside.

The reasons - in the interest of safety and avoidance of having to cross oncoming vehicles thereby causing further delays to road users.

4. All right turns out of site to be controlled by a banksman and lights. During site opening hours the lights are to be manually operated to give priority to road users not site traffic. The lights will remain in place until such time the roundabout can be brought into full use.

The reason to provide safety in travel and the minimum interruption to road users

5. In addition there will be no right turn exit when leaving the site when traffic is already grid locked and queuing on the carriageway to the roundabout. There must therefore be a holding area immediately within the site for vehicles waiting to exit and turn right (this is the only permitted exit for HGVs). At all times existing road users will have priority over site vehicles which will be expected to wait in their holding area until such time the traffic queued from the Knights Hill roundabout has cleared.

6. The Banksman will also have to ensure the safety of cyclists and pedestrians when site vehicles leave the site by the temporary access.

7. Temporary lighting to be erected at the access/egress points.

8. Adoption of an agreed site management and works plan with restricted delivery slots for materials to avoid peak traffic periods.

9. The above conditions to be legally binding and once adopted cannot be varied, amended and will remain in place until such time the temporary access is closed and the roundabout brought into full use as the only vehicular access to and from the Grimston Road.

Further Response

- Reiterates the Parishes list of measures/conditions that must be adopted by the contractor during the roundabout construction phase.

Highways Authority: NO OBJECTION:

With reference to the additional information supplied by the applicant indicating support from Tarmac to use of the compound, and the creation of a haul road from the compound to the roundabout within the development site, in relation to highway matters, the County Council would not wish to raise an objection to the proposed temporary construction access as shown on drawing DRD074-010 (Indicative drawing).

However, any permission should be suitably conditioned to ensure the temporary construction access and haul road to the compound is permanently removed upon the completion of the roundabout and that it is used for the sole purpose of constructing the roundabout. All construction traffic thereafter must access the development site via the roundabout only. Further conditions were recommended regarding requiring approval of appropriate construction/drainage details before the development is constructed. Conditions would be attached to any approval as shown within this report.

Historic Environment: NO OBJECTION.

Conservation Officer: NO OBJECTION.

Arboricultural Officer: NO OBJECTION:

Following minor corrections and amendments to the Arboricultural Impact Assessment, the Arboricultural Officer raises no objection and recommended a condition securing that tree and hedgerow protection measures shall be implemented in complete accordance with the approved Tree Protection Plan. This would be attached to any approval.

Ecology Officer: NO OBJECTION:

Thank you for consulting Ecology on planning application 23/00086/F for a temporary construction access in association with development approved under 16/02231/OM.

Ecology haven't previously been consulted but in response to the consultation the following documents have been reviewed:

- Ecology Technical Notes (MKA Ecology, 2023)
- Temporary Construction Access
- Temporary Access Setting out

- Temporary Re-instatement Plan
- Location Plan

For context from Planning application 16/02231/OM.:

- Preliminary Ecological Appraisal (Torc Ecology, 2016)

Please note that Ecology have not reviewed all the ecology related documents on this scheme only those that give immediate context to the access proposed.

The application related to temporary construction access which will require the removal of part of a hedge line along Grimston Road. The hedgerow was subject to a hedgerow assessment in 2016 as part of an Ecological appraisal undertaken by Torc Ecology (2016). The hedgerow is more than 30 years old and was identified as present in 1946 based on aerial photography. The hedgerow was assessed as Local importance and Important under the Hedgerow Regulation due to a number of contributing factors.

The composition of the hedgerow is outlined within the results section of the MKA Ecology Technical Note (2023). The habitat is suitable to support several protected species and will consequently require sensitive working methods to be outlined and controlled under a Construction and Ecology Management Plan (CEMP). This requirement is outlined within Recommendation 1 of the Ecology Technical Note. A second recommendation (Recommendation 2) is made for a Landscape and Ecology Management Plan to secure the reinstatement of the Hedgerow.

Ecology are in full agreement with the recommendations made within the Ecology Technical Note. If you are minded to grant consent please condition both a Construction Ecology Management Plan (CEMP) and Landscape and Ecology Management Plan (LEMP).

Environmental Quality: NO OBJECTION:

The application is for a temporary construction compound.

The applicant has provided a site plan showing the location of the compound and a cover letter to provide information on the proposed change. We have reviewed our files and the site is on land not seen developed for the duration of our records. The surrounding landscape is largely agricultural and residential.

No potential sources of contamination are identified in our records, or in the information provided by the applicant. We have no objection regarding contaminated land.

King' Lynn Civic Society:

King's Lynn Civic Society tend to share the concerns of Castle Rising Parish Council in relation to this application.

Whilst it is clear that the contractors need to 'break ground' on site at some point, it does appear that the Inspector anticipated that the new roundabout would be in place before any other works proceeded. Do the contractors need their site offices in place before the roundabout is constructed? We assume it may actually be the Highways Authority who construct the roundabout in any case?

This has been a very contentious project to date, especially in relation to likely transport impacts. We would think that every effort should be made to ensure that required highways infrastructure is delivered prior to any significant construction activity commencing on site.

REPRESENTATIONS TWO public OBJECTIONS regarding (summarised for clarity):

- This proposal will give new residents in the proposed housing priority over existing residents from Sandy Lane onto Grimston Road. It is already very difficult to get from Sandy Lane onto Grimston Road, this will greatly increase the risk of serious accidents.
- Fear that a serious "rat run" through Sandy Lane, Oxborough Drive, Felbrigg Close and Barsham Drive will be created caused by traffic trying to avoid the Grimston Road congestion.
- It is not a condition of the previous planning permission that the roundabout must be built before the main estate is built.
- It is clear that the construction site is expected to be there for the whole of the time that the 600 houses etc., are being constructed. This access could easily be in use for 10 years or more- the temporary access road is nowhere near the proposed roundabout, if the temporary construction access were only for the roundabout, it would surely have been positioned nearer the roundabout.
- Speed limit on Grimston Road means that traffic could be travelling at 50 m.p.h. in both directions - a collision speed of 100 m.p.h. The construction vehicles would be turning on to this road in the middle of them, this is an obvious road safety risk.
- The proposed temporary construction access is close to the brow of a hill which limits visibility.
- Further down the hill of Grimston Road where the roundabout is due to be built, the road speed is limited to 40 m.p.h. and there is no brow of the hill problem. The sun wouldn't be so much of a problem either. A temporary construction access here would be much better from a road safety point of view.
- The applicant owns the land to the west of the temporary access and could lower the hedge but does not own the land to the east. There is no evidence given to show that there is any agreement with that land owner to lower that hedge.
- A wheel wash facility is shown immediately before leaving the site, this will mean that washed wheels will leave the site dropping water and, quite probably, wet mud on the road. The wheel wash facility should be positioned further back in the site.
- The Transport Assessment Report at 3.3.1 says the "wheel wash facilities will be provided within the site to avoid any mud being taken onto Grimston Road" however the report continues that "The developer will also ensure that the road will be cleaned at regular intervals. This will be provided in order to maintain adequate safety for the proposed access road". This regards adequate safety on their access road, not on the 50 m.p.h. public Grimston Road.
- The Transport Assessment Report at 3.2.3 declares that Grimston Road has "no footpath access for pedestrians" yet in figure 3.2.1 a photograph is exhibited showing a well worn footpath at the side of the road. The proposed temporary construction access makes no provision for pedestrians to cross it and so this is a real road safety risk. For this reason, I feel the planning authority should refuse this planning application.
- The Executive Summary of the Transport Assessment Report says at 1.1.2 "This temporary compound, and associated access road will be in place until such time the proposed roundabout that serves the development is completed." It carefully fails to define "completed" and does not say that it will be removed then. Any permission that the Borough Council might grant for the access road, should be until the roundabout is completed to a useable state and the permission should say that use of the access road should be stopped within one week of the roundabout becoming useable. Permission for the access road should be granted for the purposes of constructing the temporary compound, wheel wash facility and roundabout only.
- Any permission granted for this access road should be of limited life, enough to build the access road and the roundabout but no more, say 12 months from the start of work.

LDF CORE STRATEGY POLICIES

CS12 - Environmental Assets

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS03 - King's Lynn Area

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM12 - Strategic Road Network

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

PLANNING CONSIDERATIONS

The main considerations are:

- *Principle of Development
- *Form and Character
- *Impact on Neighbour Amenity
- *Highway Safety
- *Ecology and Impact on Trees/Hedges.
- *Any other matters requiring consideration prior to determination of the application

Principle of Development:

This application proposes the alteration and widening of an existing field access from Grimston Road to function as a temporary construction access for the site to serve the construction of the roundabout approved under: 16/02231/OM which will become the subsequent access to the site. These works will be to serve the construction of the

roundabout only, as shown within indicative plans. Once the roundabout is constructed this temporary access and haul road would be required to be removed and the use discontinued.

The works proposed are within the boundaries for the wider site and the development the works would serve benefits from outline consent with reserved matters currently under consideration. Therefore, the principle of this temporary access and haul road is considered acceptable subject to other material considerations.

Form and Character:

The access would involve work to enlarge the access' width by at least approx. 4m compared to existing. The haul road would have a width of approximately 10.8m closest the access incorporating a wheel wash facility. This would reduce to approximately 7.5m as the haul road would head south towards the compound location. As detailed in the supporting documentation from the applicant, the first 11m of the haul road will be constructed of asphalt carriageway moving to "a Type 1 construction" material or aggregate. Full details alongside surface water details would be required by condition to any approval.

The proposed works to the access would involve the addition of visibility splays for highway safety reasons alongside the widening of the access. This would result in the alteration, small areas of loss and pruning of the existing hedge/vegetation boundary fronting Grimston Road. It is an important consideration that Grimston Road benefits from a verdant street scene in this area and any impact must be considered. There would be limited loss of the established hedging with the splays removing more lower level scrub. Notwithstanding this, as noted later within this report, it is considered that any loss of hedging can be mitigated and replaced following the use of the temporary access and haul road coming to an end. Therefore, no long-term damage would take place to this verdant character and the reinstatement of any loss of hedge/vegetation can be secured by condition.

A Construction and Operation Management Plan (COMP) would also be conditioned which would provide full details of the means of access for construction vehicles, full details of the site compound(s), site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, dust and air pollutants, land contamination and ground water, how the developer shall monitor and document compliance with point 3 and arrangements which by the developer shall maintain communication during the course of the development hereby approved and any subsequent variations to the development hereby approved, with the parish councils, residents and businesses in the vicinity of the site.

This application is considered to represent works of limited scale that would not have a significant or adverse impact on the visual amenity of the immediate area, street scene or locality. The access would have what is considered an acceptable impact as described. The haul road would be of very limited visual scale with little to no wider views, again further details would be provided via condition but the materials as currently detailed do not raise significant concern. Any future compounds would be seen within the context of the development of the site, and it is not considered reasonable that this could be resisted. It is also of note that a compound may be permitted development in association with the construction works for the development. Full details of these would be provided via condition to any approval.

It is important to note that adjacent to the site to the east lies the Grade II Listed Building, Rising Lodge which forms part of the Best Western hotel complex. The site is not within or adjacent to a Conservation Area or other heritage asset. As noted above these works are limited in scope and visual presence. The Conservation Team no not object and, as these

works will not be a permanent feature of the wider development site, the development is considered acceptable.

The proposal therefore complies with Policies CS08 and CS12 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as the NPPF.

Impact on Neighbour Amenity:

It is not considered that the development of this temporary access and haul road leading to a compound and wider roundabout construction site would have any unacceptable or adverse neighbour amenity impacts. The nature of work, being an altered access and haul road, whilst adjacent to the boundary with the Knights Hill Hotel site, would ensure that any amenity impact would be limited. There is ample separation and an established boundary of vegetation to the east and the works are not immediately adjacent to any other neighbouring properties. Full details of construction compounds will be provided within the Construction and Operation Management Plan (COMP). This will detail a compound for the construction of the roundabout and a compound serving the wider development which will then be accessed from the completed roundabout only. However, as these would in association with the development proposed on the wider site, benefiting from outline approval, it is not considered that this would demonstrate any unacceptable impact.

The use of the access and haul road would be limited via condition to not be used outside of 07:30-17:00 Monday to Friday, 08:00 to 13:00 on Saturdays only and at no time on Sundays or Bank Holidays. Alongside this, a Construction and Operation Management Plan would be required to be submitted to ensure the construction, operation and use of the access and haul road is acceptable. Based on the above, it is considered that the development would be in accordance with Policy CS08 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016 and the NPPF.

Highway Safety:

Norfolk County Council Highways raise no objection to the proposed temporary access and haul road on any grounds. It has been established over time that the temporary access and haul road would be suitable for NCC Highways and the roundabout contractor, Tarmac, in order to construct the roundabout which will be the formal and permanent access to the site. In addition to detailed plans, the indicative plan submitted in support of this application (DRD074-010) demonstrates how the temporary access and haul road would serve the construction of the roundabout. Visibility splays provided have been demonstrated to be within the legal highway boundary and can therefore be provided in accordance with the submitted details.

NCC Highways have requested that any permission should be suitably conditioned to ensure the temporary construction access and haul road to the compound is permanently removed upon the completion of the roundabout and that it is used for the sole purpose of constructing the roundabout. All construction traffic thereafter must access the development site via the roundabout only. Further conditions were recommended regarding requiring approval of appropriate construction / drainage details before the development is constructed.

These conditions are considered to meet the tests for planning conditions (necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects) and would be attached to any approval as outlined within this report. It is therefore considered that the temporary access and haul road can be

suitably controlled to ensure the use is limited explicitly to the construction of the roundabout and this use ceases as soon as possible when it is no longer required for that purpose.

NCC highways raise no objection on highways safety grounds in relation to the use of the altered field access for this purpose and the wider proposal. It is therefore not considered reasonable to request any further information in regard to highway matters other than further construction/drainage details and the submission of a Construction and Operation Management Plan which will provide full details of how the access will be operated whilst in use.

The proposed development would be a short-term solution allowing the developer, Norfolk County Council and their contractor the ability to construct the majority of the roundabout 'off line' with minimal disruption to Grimston Road. The access and haul road would only be permitted to be used for this construction period, estimated by the developer to be around 6-9 months. It is therefore considered that the proposal would comply with Policies CS08 and CS11 of the Core Strategy 2011, Policies DM12 and DM15 of the Site

Ecology and Impact on Trees/Hedges

Both the Ecologist and Arboricultural Officer raise no objection to this application. To facilitate the enlarged access, visibility splays and haul road some areas of scrub and hedge would be removed, pruned or altered.

The Ecologist does not object to this application and notes that the hedgerow fronting Grimston Road was assessed as being of local importance and important under the Hedgerow Regulation due to a number of contributing factors. The habitat is suitable to support several protected species and will consequently require sensitive working methods to be outlined and controlled under a Construction and Ecology Management Plan (CEMP). A Landscape and Ecology Management Plan is also required to secure the reinstatement of the Hedgerow. Both of these requirements would be conditioned with any approval.

The Arboricultural Officer is satisfied with the proposed works and details submitted within the Arboricultural Report. Any removal and pruning of hedge and vegetation in regard to the temporary access can be reinstated following the cessation of the use of the temporary access, preventing long term impacts. Other protection measures and considerations are outlined within the submitted Arboricultural Report which would be conditioned for any approval. It is also of note that a replanting condition would be attached that would ensure that any replanting that dies within 5 years is replaced as soon as possible.

Overall, it is considered that suitable controls can be put in place that would prevent any unacceptable impacts to ecology and biodiversity and as a result, the proposal complies with Policies CS08 and CS12 of the Core Strategy 2011, Policy DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as the NPPF.

Any other matters requiring consideration prior to the determination of this application:

Parish Council Objections

Parish Council Objections

In response to the representations from Castle Rising, North and South Wootton Parish Councils it is important to note that this application would permit a temporary access and haul road that would be strictly conditioned to serve only the construction of the roundabout that would then serve the site and associated construction compounds as detailed in the

above report. The rationale behind the works has been explained within the report and the supporting statement from the developer. The aim of the works is to prevent significant highway distribution during the roundabout construction rather than exacerbate it. The temporary access and haul road will then, as conditioned, be required to be removed and the land reinstated. All site access would then be required to be taken from the completed roundabout.

NCC Highways raise no objection based on highway safety considerations of the proposed access and have considered plans and additional documentation forming this application. As NCC Highways raise no objection it is not considered reasonable to consider that application contrary to this in regard to highway safety. Other conditions and requirements of both the permitted outline application and the reserved matters application will also need to be considered in association and addition to this consent if approved. This includes the phasing plan required by the outline consent, which allows only the highway improvement works (roundabout) to take place prior to that condition being discharged.

Conditions recommended by the Parish Councils are noted. Attached to this report are a suite of conditions that are considered to suitably control the development alongside triggers for further information regarding the construction and operation of the development as well as surface water/construction details in addition to current plans. The recommended conditions are considered appropriate and would meet the tests as outlined in the above report especially taking into account reasonableness and necessity.

King's Lynn Civic Society

It is considered that the points raised by the civic society are addressed within the above report and within conditions that would be attached to any approval.

Public Objections

Regarding public objections, this development of a temporary access and haul road would not alter the access arrangements for residents of either the current neighbouring properties to the site or future residents of the Knights Hill development as these works will facilitate the construction of the roundabout already approved only.

It is clearly conditioned within this report that any approval would only allow the use of the temporary access and haul road to facilitate the construction of the roundabout only. Conditions would also ensure that the use of the temporary access and haul road would cease as soon as the roundabout is in use. The location of any compounds does not later this consideration. Highway safety is addressed in the above report and NCC Highways raise no objection on this basis, it would not therefore be reasonable to consider the development as unacceptable on this matter. It is clear on additional plans and within the above report that visibility splays can be provided within the legal highway boundary so these can be achieved.

NCC Highways raise no objection to the proposed wheel wash location and a Construction and Operation Management Plan is required via condition. At the location of the access, there is no formal footpath present, once again, NCC Highways raise no objection. As detailed above, the conditions recommended are considered suitable to control the development in relation to the temporary nature of the use and ensuring it is only used to construct the roundabout.

CONCLUSION:

Overall, it can be clearly demonstrated that the proposed development forming this application can be suitably controlled to ensure that it operates as a temporary access to facilitate the construction of the roundabout that will serve the subsequent development only. The access and haul road would then be removed, and the land reinstated as well as any loss of hedging and vegetation on the Grimston Road boundary.

Conditions can suitably control the use of the access and haul road and a Construction and Operation Management Plan will be required. NCC Highways raise no objection on highway safety grounds and suggest, in line with the above, that the development can be suitably conditioned. The Ecologist and Arboricultural Officer are satisfied with the works and proposed protection and mitigation measures.

Therefore, the development is duly recommended for approval as it is considered to be in accordance with Policies CS08 and CS11 of the Core Strategy 2011 as well as DM12 and DM15 of the Site Allocation and Development Management Policies Plan 2016 and the NPPF.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: TEMPORARY CONSTRUCTION ACCESS, Drawing Number: HKL01-001-01, Rev: E, TEMPORARY ACCESS KERBING MATERIALS, Drawing Number: HKL01-001-05, Rev: C, TEMPORARY ACCESS SETTING OUT, Drawing Number: HKL01-001-04 C, TEMPORARY ACCESS LONG SECTIONS, Drawing Number: HKL01-001-03 A and LOCATION PLAN, Drawing Number: H8607/01.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Notwithstanding approved plans, no part of the development hereby approved shall commence until a detailed scheme including construction and drainage details has been agreed in writing with the Local Planning Authority. 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. The development shall be constructed in accordance with the detailed scheme.
- 3 Reason To ensure that the works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with policies CS11 of the Core Strategy and DM12 of the Site Allocations and Development Management Policies Plan 2016 as well as the NPPF.
- 4 Condition The temporary construction access and haul road hereby approved shall be used for the construction of the Grimston Road roundabout and associated infrastructure, as approved by application 16/02231/OM only. The temporary access

and haul road shall be used for the sole purpose of constructing the roundabout and no construction traffic thereafter shall access the development site other than via the roundabout

- 4 Reason For the avoidance of doubt to ensure that the completed roundabout is used as the sole access to the wider site and to ensure that the highway network is adequate to cater for the development proposed in the interests of highway safety in accordance with policies CS11 of the Core Strategy and DM12 of the Site Allocations and Development Management Policies Plan 2016 as well as the NPPF.
- 5 Condition The temporary construction access and haul road shall be permanently removed no later than 21 days following receipt of the Applicant (or their Successor's in Title) of the Certificate of Final Completion by Norfolk County Council or their appointed contractors, and the land re-instated to its previous condition in accordance with drawing number HKL01-001-08 A 'TEMPORARY ACCESS RE-INSTATEMENT PLAN'.
- 5 Reason In the interest of highway safety and the visual amenity of the locality in accordance with CS08 of the Core Strategy 2011 and DM15 of the Site Allocations and Development Management Policies Plan 2016 the NPPF.
- 6 Condition The temporary access and haul road hereby approved shall not be used outside the hours of 07:30-17:00 Monday to Friday, 08:00 to 13:00 on Saturdays. For the avoidance of doubt, the access and haul road shall not be used on Sundays or Bank Holidays
- 6 Reason In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF.
- 7 Condition No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not be limited to, the following:

A Construction and Environmental Management Plan (CEMP) which outlines the required methods and mitigation during clearance for, and lifespan of, the temporary access route has been submitted to the Local Planning Authority. The CEMP shall include, but not be limited to, the following:

- a. When and where an Ecological Clerk of Works will be required
 - b. Fencing/protection of EMZ i prior to commencement
 - c. If lighting required, sensitive lighting scheme in place prior to works
 - d. Clearance of tall vegetation (to a height of 15-30cm and minimising disturbance to ground layer) prior to March (or nesting bird check if clearance between March-August (with likelihood of delays)
 - e. Ecologist-supervised clearance of ground-level vegetation to avoid risk to reptiles, conducted outside the reptile hibernation period which runs from October to March inclusive (dependent upon weather conditions.
 - f. Use of materials from vegetation clearance to create reptile features within EMZ i
1. The approved CEMP: Biodiversity shall be adhered to and implemented through the construction phases strictly in accordance with the approved details, unless agreed in writing by the local planning authority."

A 'statement of good practice' shall be signed upon completion by the competent ecologist, and be submitted to the LPA, confirming that the specified enhancement measures have been implemented in accordance with good practice upon which the planning consent was granted'.

- 7 Reason In order to safeguard the ecological interests of the site in accordance with Policy CS12 of the Kings Lynn and West Norfolk Core Strategy 2011 and Section 15 of the NPPF. The details are required prior to commencement to ensure the ecological interests of the site are not prejudiced by the construction process.
- 8 Condition Within 28 days of commencement (including demolition, ground works, vegetation clearance) a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority. The LEMP shall detail the management and planting details of the reinstatement of the hedgerow once the access is no longer in use. Any trees, shrubs or hedges that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.
- 8 Reason In order to safeguard the ecological interests of the site in accordance with Policy CS12 of the Kings Lynn and West Norfolk Core Strategy 2011 and Section 15 of the NPPF. The details are required prior to commencement to ensure the ecological interests of the site are not prejudiced by the construction process.
- 9 Condition Prior to commencement of the development hereby permitted all Tree and Hedgerow Protection Measures shall be implemented in complete accordance with the approved Tree Protection Plan (Arboricultural Report, Authored by: Tim Moyer Associates, dated: July 2023, reference: 210513-PD-31b).

The erection of fencing for the protection of any retained tree or hedge shall be carried out before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.

- 9 Reason To avoid damage to existing trees and hedgerows and ensure the continuity of amenity to the area in which they are and from where they can be seen.
- 10 Condition Notwithstanding approved plans, no part of the development hereby approved shall commence until a Construction and Operation Management Plan (COMP) has been submitted to and approved in writing by the Local Planning Authority. The COMP shall set out:-
 1. The means of access for construction vehicles.
 2. The location(s) of the site compound(s).
 3. Site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, dust and air pollutants, land contamination and ground water.
 4. How the developer shall monitor and document compliance with point 3.

5. Arrangements which by the developer shall maintain communication during the course of the development hereby approved and any subsequent variations to the development hereby approved, with the parish councils, residents and businesses in the vicinity of the site.
- 10 Reason To ensure that the works are properly controlled in the interests of highway safety and amenity in accordance with the principles of the NPPF.
- 11 Condition The gate serving the temporary haul road hereby approved shown on drawing number HKL01-001-01 Revision E 'TEMPORARY CONSTRUCTION ACCESS' shall remain open during the hours of construction and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no other gates or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 11 Reason In the interests of highway safety and to accord with the provisions of the NPPF.