

AGENDA ITEM NO: 8/2(a)

Parish:	Hunstanton	
Proposal:	Proposed development of ground floor commercial unit with 17 residential units above (Amended Scheme)	
Location:	9 And 11 Seagate Hunstanton Norfolk PE36 5BD	
Applicant:	Mr Sonny Karanjia	
Case No:	09/01764/FM (Full Application - Major Development)	
Case Officer:	Mrs K Lawty Tel: 01553 616403	Date for Determination: 16th March 2010

Reason for Referral to DCB – Raises issues of wider than local concern.

Case Summary

Members may recall that this application was considered at the Development Control Board meeting on 16 March 2010.

Concern was raised regarding the parking and turning facilities within the site and consideration of the application was deferred in order that further consultation could be carried out with the Regeneration Team and the Highways Authority.

As a result of these discussions an amended scheme has been submitted which reduces the number of commercial units from 3 to 1 and also the number of residential units from 25 to 17. This allows for a single parking space for each of the residential units within the site and also service facilities for the commercial unit.

The reduction in the number of residential units results in a varied floor layout and revisions to the proposed elevations.

The site was previously the location of the Kit Kat Club which has been demolished and the site cleared. Currently the site is vacant and devoid of buildings.

The proposed building graduates in height from between 2 storeys to a maximum of 6 on the North West corner. Of the 17 residential units now proposed, none are proposed to be for affordable housing.

In planning policy terms the site is within the town of Hunstanton and the Holiday Development Expansion Zone.

Key Issues

Principle of development
Form and character and Development Brief
Design and impact on the Conservation Area
Impact upon neighbouring occupiers
Affordable housing
Highway implications
Building for Life

Crime and Disorder
Other material considerations

Building for Life Score – 14.5

(Scores out of 20:

Very Good - 16 or more positive answers

Good - 14 or more positive answers

Average - 10 or more positive answers

Poor - less than 10 positive answers)

Recommendation

APPROVE

THE APPLICATION

This application proposes 17 flats above a ground floor retail unit. None of these units will be affordable dwellings. The applicant has submitted a financial appraisal to show that it would not be financially viable to incorporate affordable housing into the scheme given the reduced number of retail and residential units now proposed on the site.

The building proposed extends in part to six storeys with the highest part of the building to the North West corner of the site. The application proposes a total of:-

1 x commercial unit

1 x 4 No. bedroom flats

12 x 2 No. bedroom flats

4 x 1 No. bedroom flats

The site is within the town of Hunstanton and within the Holiday Expansion Zone.

Since the amended plans have been submitted a further consultation exercise has been undertaken.

SUPPORTING CASE

The original planning application has been supported by a comprehensive Design and Access Statement, Buildings for Life Statement, draft S106 Legal Agreement and Contaminated Land Risk Assessment. The applicants have also been in pre-application discussion with the local planning authority and pre-application meetings with the Conservation Area Advisory Panel and Hunstanton Civic Society.

The conclusion of the DAS states:

'We hope you would agree after examining the previous detailed sections that the proposed landmark building on this currently vacant brownfield underutilised prominent site could only enhance this area of Hunstanton.

We also hope that you would agree that the proposal would provide an enhanced gateway onto South Promenade for residents and visitors alike, who want to enjoy the many facilities offered by Hunstanton.

Further the progressive increase in height of the building to its maximum of five storeys on its north-western boundary would achieve a scale that would fit well within the surrounding context, while at the same time utilising the stunning view over the Norfolk Wash natural panorama.

We also feel the proposed layout would not compromise people of different ages, mobility, gender, ethnic background and/or social grouping, and any future occupants would have pedestrian access to all of their daily requirements and as such this would significantly reduce any associated vehicle movements.

In addition we strongly think this proposal could act as a catalyst for the wider regeneration works proposed in Hunstanton.

We also feel the proposal would comply with the requirements laid down for this site within the Hunstanton Town Centre and Southern Seafront Masterplan Final Report (dated July 2008), which shows the application site as being within Opportunity Site D: 'Kit-Kat club redevelopment' in Figure 2.4 (The Masterplan).

Further we have had a great deal of positive feedback during various pre-application meetings with representatives from the Conservation Panel and Regeneration Department at the Borough of Kings Lynn & West Norfolk, and the Civic Society of Hunstanton and we note their support for this application.

Accordingly we would respectfully request your approval for three ground floor commercial units and 25 residential units above at this site, and please could we offer our sincere thanks for your diligent consideration of this proposal.'

PLANNING HISTORY

None relevant

RESPONSE TO CONSULTATION ON ORIGINAL SCHEME:

Hunstanton Town Council: SUPPORT – although raise concerns about the three retail units with so many empty retail premises in the town; there is a lack of parking spaces so the retail units could be replaced with additional parking spaces.

Hunstanton Civic Society: OBJECT to the scheme although support the principle – concerns relate to: proposed height reaching 6 storeys; architecture fails to match art deco appearance; additional retail units may not be viable; other similar residential schemes in town have failed; EIA not undertaken and danger of flooding

Highways Authority: OBJECT – inadequate parking spaces; one space per residential unit would be more appropriate

Anglian Water: No objection

Environmental Health & Housing – Environmental Quality: No comments

Norfolk Constabulary: No comments received

BCKLWN Housing Enabling Officer: No objection

BCKLWN Regeneration Team: No objection – the scheme appears to fulfil the objectives of The Hunstanton Town Centre and Southern Seafront Masterplan.

Conservation Areas Advisory Panel: **OBJECTION** - It was considered that the proposal was the wrong design for the site and needed a better focus. It was also considered that there were other entertainment / leisure uses which would be better for the site.

REPRESENTATIONS

Eight letters have been received referring to the following issues:-

- Inadequate parking (6)
- Increase in traffic (5)
- Scale and form of the proposal dominates the surrounding buildings (4)
- What has happened to the Victorian theme? (3)
- No need for more shops which will only be seasonally used (3)
- Should be semi-detached or terraced properties on the site (2)
- Too many empty flats already in Hunstanton (2)
- Damage to nearby dwellings during construction (2)
- No FRA or EIA provided; public safety risk from flooding (2)
- Design is overbearing, flat, characterless and unattractive (2)
- Infringe on privacy of local residents
- Not in keeping with surrounding development
- Overdevelopment
- Loss of sea view
- Pedestrianisation scheme should be retained
- Sewer will not cope with demand
- Should be quality not quantity
- It is a departure from the Local Plan
- Will set a precedent
- Ludicrous location for affordable housing
- The local authority should compulsorily purchase the site
- No beacon architectural merit
- Residential units are too small
- It would be a building site for 2 years
- As long as no interference with right of way, no problem

RESPONSE TO CONSULTATION ON AMENDED SCHEME:

Hunstanton Town Council: **OBJECT** – size and mass; the design is not iconic and it would not be a landmark building; it is unsuitable for what is designated an important gateway to the promenade; there are still issues regarding parking and traffic flows; although a low flood risk site the flood assessment survey needs further investigation.

Hunstanton Civic Society: **OBJECT** to the scheme – concerns relate to: proposed height reaching 6 storeys; design and materials do not harmonise with its surroundings; the flats may be second homes due to limited storage space; residents in Seagate and Seagate Road have to build in red brick; does not enhance the gateway through to the promenade;

traffic to the site will need to travel down Seagate Road; visitors will need to drive a mile to park in car park 100m away; cars reversing out of the 6 northern bays will be hazardous; loading bay is via a right of way; the end of the right of way will be blocked off with a planter; no details of piling; sewers may be damaged; flood risk issues with maintenance of sea defence; overlooking of rear gardens; only 3 fire appliances can rescue 6th floor occupants; vacant retail unit will blight the streetscene; should be a land swap with the Borough Council.

Highways Authority: No objection – conditionally

Environmental Health & Housing – Environmental Quality: No comments

Norfolk Constabulary: No objection but made comments

BCKLWN Housing Enabling Officer: No objection to loss of affordable housing due to viability of the scheme.

BCKLWN Regeneration Team: No objection – the scheme appears to fulfil the objectives of The Hunstanton Town Centre and Southern Seafront Masterplan.

English Heritage – No detailed comments but made observations – the bulk and massing of the proposed scheme will result in a structure that is quite intrusive in the views from the Conservation Area and recommend the massing be reviewed so that the building may be more sympathetic to the neighbouring Conservation Area.

Henry Bellingham MP: OBJECT – the current proposal shows a design that is completely out of keeping with the surrounding area; the design should reflect Hunstanton's vision for the future and everything being done over regeneration

C.P.R.E.: OBJECTION – totally inappropriate; it should complement adjoining properties in terms of height and style

REPRESENTATIONS

45 letters have been received referring to the following issues:-

- Out of keeping/not Victorian design (31)
- Inappropriate height and size (21)
- Will generate traffic (13)
- Blocking of a right of way (11)
- Loss of privacy/overlooking (8)
- Parking not adequate (14)
- Impact of construction traffic (8)
- Too much development crammed into the site (6)
- Compensation should be given for damage to nearby dwellings during construction (2)
- Flood risk not considered; sea wall not up to standards (7)
- No more disasters in Hunstanton like 1953 floods
- Loss of view/seaview (3)
- Legal objection to site notice
- Copy of right of way submitted
- Applicant not local and is interested in profit (3)
- No change to plans
- Turning area too small (6)

- Surrounding property will be devalued (3)
- Height of the building is the same as original scheme(2)
- Building is taller than before (2)
- Spoil/ conflict with the proposed gateway (10)
- Commercial unit is not necessary (2)
- Has the EIA been carried out? (3)
- Bins – no recycling facilities have been provided
- Impact on parking spaces
- Too many empty flats already in Hunstanton, no more required (3)
- Impact on neighbours (3)
- Pleased that pedestrian area will be preserved
- Better number of parking spaces
- Do not want construction site for two years
- Waste ground should be developed but only if suitable
- Development wrongly advertised on the new Regeneration poster/bill board (3)
- Does not fit in with regeneration plans (2)
- It is a departure from the Local Plan (2)
- Wrong location for affordable housing
- Not associated with leisure/tourism therefore should not be permitted
- Site should be compulsorily purchased
- Carbuncle/ eyesore/like something on the Mediterranean coast (5)
- Brutal architectural style
- Planning vandalism (2)
- Should be a tearoom or disco
- The Pier is one planning blunder and we don't want another
- Will set a precedent (2)
- Poor relationship with properties on Seagate
- Parking bays will be urinals and used for drug dealing at night
- Council has not allowed comments to be made via the internet (3)
- Not an 'iconic' building
- Will become a victim of graffiti on the walls

NATIONAL GUIDANCE

PPS1 - "Delivering Sustainable Development" (2005) sets out overarching policies on the delivery of sustainable development through the operation of the planning system and contains advice on design considerations.

PPS3 – Housing (2006) sets out the national planning policy framework for delivering the Government's housing objectives.

PPG13 - "Transport" (2001) aims to integrate planning and transport, promote sustainable forms of development, improve accessibility by public transport, walking and cycling, and reduce the need to travel, especially by car.

PPG15 - "Planning and the Historic Environment" (1994) provides advice on development in Conservation Areas and that involving Listed Buildings.

PPS25 - "Development and Flood Risk" (2006) provides advice on land-use planning and flooding considerations.

Tourism Best Practice Guide (2006): This Good Practice Guidance, to be read alongside national planning policies, is designed to:

- ensure that planners understand the importance of tourism and take this fully into account when preparing development plans and taking planning decisions;
- ensure that those involved in the tourism industry understand the principles of national planning policy as they apply to tourism and how these can be applied when preparing individual planning applications; and
- ensure that planners and the tourism industry work together effectively to facilitate, promote and deliver new tourism development in a sustainable way.

EAST OF ENGLAND PLAN

Policy SS1: Achieving Sustainable Development - The strategy seeks to bring about sustainable development by applying the guiding principles of the UK Sustainable Development Strategy 2005, the elements contributing to the creation of sustainable communities described in Sustainable Communities: Homes for All:

Policy E6: Tourism - Identifies key principles to be adopted in Local Development Documents.

Policy H2: Affordable Housing - Identifies targets for setting the amount of affordable housing within housing requirements of Policy H1 for Development Plan Documents. Sets an overall regional target of 35% of affordable housing being provided through planning permissions.

Policy T4: Urban Transport - States that within urban areas, Local Transport Plans, Local Development Documents and other plans or strategies should identify ways to bring about a shift away from car use to public transport, walking and cycling.

Policy T14: Car Parking - States that a range of measures should be used as part of packages for managing transport demand and influencing travel change, alongside measures to improve public transport accessibility, walking and cycling,

Policy ENV7: Quality in the Built Environment - Local Development Documents should require new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.

Policy WAT4: Flood Risk Management - States that the priorities are to defend existing properties from flooding and locate new development where there is little or no risk of flooding.

PLANNING POLICIES

The Norfolk Structure Plan (1999) contains the following policies that are relevant to this application:

T.2 - requires that the traffic implications of new development are assessed.

The King's Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

7/5 - states that the Holiday Development Zones shown on the Proposals Map are reserved for holiday development. New and improved holiday uses and buildings will be permitted in the Holiday Development Expansion Zone. The improvement and replacement of existing accommodation and facilities will be permitted in the Holiday Development Consolidation Zone.

OTHER GUIDANCE

Hunstanton Town Centre and Southern Seafront Master Plan - July 2008

PLANNING CONSIDERATIONS

The amended scheme has reduced the number of commercial units to one and residential units to 17. The overall height of the building is similar (the parapet wall takes it just over 20m high) and the scheme now proposes one parking space per residential unit. The key issues to be determined are:

- Principle of development
- Form and character and Hunstanton's Masterplan
- Design and impact on the Conservation Area
- Impact upon neighbouring occupiers
- Affordable housing
- Highway implications
- Building for Life
- Crime and Disorder
- Other material considerations

Principle of development

This site is within the town of Hunstanton where development is permitted. Although currently a vacant site, it is a previously developed site as it was the site of the former Kit Kat Club.

The site is within the Holiday Development Expansion Zone where saved policy 7/5 states that new and improved holiday uses and associated buildings will be permitted. Whilst this mixed commercial and residential scheme is not solely directed at a holiday use, both uses could be used in association with or in support of the existing seaside resort. It is not a departure from the local plan as suggested by a third party.

At a regional policy level Policy ENV7 requires new development to be of high quality which complements the distinctive character and best qualities of the local area.

Nationally, PPS1 seeks a high standard of design, and design that takes the opportunity to improve an area and promote local distinctiveness. PPS1 also states that Local Authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles, and should optimise the potential of the site to accommodate development.

Government Guidance in PPS3 also seeks quality design in housing, and states that Local Planning Authorities should encourage applicants to bring forward sustainable and environmentally friendly development. It also states that design should be well integrated

with, and should complement neighbouring buildings and the local area more generally in terms of scale, density, layout and access.

PPS5 - Planning for the Historic Environment recognises the value of the historic environment and the contribution it makes to our cultural, social and economic life and that planning has a central role to play in conserving our heritage assets and utilising the historic environment in creating sustainable places. The site itself is not within the Conservation Area but due to the height and location of the proposed structure, it will be visible from key vantage points within the Conservation Area.

At a local level The Hunstanton Town Centre and Southern Seafront Masterplan, has been endorsed by Cabinet 7th October 2008 and subsequently agreed by full Council. This document identifies this site as part of an 'opportunity site' for building upon and diversifying the established leisure uses along the seafront.

The masterplan notes that "The urban design analysis suggests that the site would be suitable for a mixed use development with commercial use on the ground floor and housing or holiday accommodation above. Providing active uses on the ground floor will help to animate this part of the promenade. "The design of any future development should provide an iconic landmark development to reflect the site's prominent location on the promenade."

Form and character and Hunstanton's Masterplan

The form and character of surrounding residential development to the south and east is predominantly terraced or semi-detached properties of two storeys with accommodation in the roof. To the north are public conveniences and the Oasis Leisure Centre which is a large structure with a wide span multi faceted roof. The roof form and height of this building changes across the site, but one towered section rises to a maximum height of 12.3m adjacent to the application site.

To the south west is an area used as a small funfair and due east is the promenade and beach. To the east Seagate links through to the town's main car and coach parks. There are no other buildings within the vicinity of the site of the height and proportions proposed by this scheme.

The application site is within one of 7 key areas identified within the Masterplan which would benefit from redevelopment to provide an improvement for residents and visitors. The former Kit Kat Club site has been identified as being within the greater Opportunity Site D which also encompasses the Sea Life Centre and part of the promenade.

The former Kit-Kat club site was highlighted as a key site in the town centre as part of the urban design analysis and an area that the community feel is in need of improvement. The urban design analysis suggests that the site would be suitable for a mixed use development with commercial use on the ground floor and housing or holiday accommodation above. Providing active uses on the ground floor will help to animate this part of the promenade.

The Masterplan states that the design of any future development should provide an iconic landmark development to reflect the site's prominent location on the promenade. The surrounding buildings to the rear of the site are predominantly two storey housing and the site is located at the beginning of a residential road (1 Seagate road). The area in front of the site is largely comprised of leisure and entertainment uses and creates a frontage along the promenade. Plans for the site should respect the surrounding residential uses while taking account of the prominent location to provide active uses and a coherent frontage onto the promenade. It is recommended that the height of any proposed development should be no more than ground floor plus 4 additional storeys. This will ensure that the developer can

provide a substantial quantum of development with the potential for a landmark building while maintaining amenity for surrounding residential properties. As part of the redevelopment it is recommended that further investigation is undertaken of the visual impact of the site, when viewed from the beach towards the town to assess the height, scale, bulk and massing in more detail.

The Masterplan also states that the redevelopment of the Kit-Kat club site will also provide an important opportunity to provide a building that can be used all year round and ensure that greater use is made of the promenade during the off-season.

Design and impact on the Conservation Area

The design of the proposed building as amended largely reflects that of the Development Brief. It does rise from 2 storeys to six, reflecting the constraints and characteristics of the surrounding development. It is a contemporary building of a simple, white render with a green sedum roof. Windows are proposed to be of powder coated aluminium frame and timber screens for the exterior decked areas to provide privacy and shade. This is in contrast to the white render to add interest, add a sense of depth and break up the mass of the render.

It has been specifically designed as a stand alone building and is not intended to mimic or replicate existing building styles and designs. The applicant believes that the scale of the building will fit well within the surrounding context while at the same time providing a focal point and gateway onto the southern promenade.

Third party concern has been raised that the proposed scale and form of the building will dominate the other surrounding buildings. The building is designed to be visible from key focal points and intended to be prominent. However, the massing of the building, which graduates in height from south to north across the site, means that it is not overbearing in scale. The fact that different elements of the building vary in width and each elevation has a different fenestration pattern mean that the building has interest when viewed from different angles and is not just a simple, single mass.

Third party representation refers to the lack of a Victorian theme which is considered would blend in with the existing predominant building era of the town. However, the Design Brief refers to the provision of a 'landmark' building of a modern design and one that should not emulate the dull but provide vibrancy. It is not the intention for any building on this site to replicate the past, but look to the future.

Third party representation refers to the design being flat, characterless and unattractive and not of beacon architectural merit. Hunstanton Civic Society objects to the scheme although supports the principle of redevelopment of the site. Their concerns relate to the proposed height of the building reaching 6 storeys, the blighting of the site by allowing inappropriate development around the site and the fact that the architecture fails to match the art deco appearance of the former boating lake. Hunstanton Civic Society considers that such a building would be better sited elsewhere and by the Civic Society if the developer would consider a land swap, the former Kit Kat site could then be incorporated into the Hunstanton regeneration proposals.

Although not in the Conservation Area, English Heritage and the Conservation Area Advisory Panel have been consulted because of the impact of the proposal upon the town and the greater Conservation Area. The Panel concluded that this is the wrong design for the site and the building needs a better focus. The Panel also considered that there were other entertainment / leisure uses which would be better for the site instead of the mixed commercial/residential use of the current application.

Among the CAAP comments it was considered that the height of the building was as expected. The tower section should create a positive focus for the massing composition although there may be issues of overlooking of neighbouring properties.

However, they considered the design does not really emulate Hunstanton very well. It should perhaps have an exciting seaside architecture image and would possibly benefit from use of colour. The CAAP considered the scheme created a hard looking building, with hard edges, although acknowledged this is the style of contemporary architecture. They commented that the design is tidy, architecturally, and has interesting articulation with shadows.

The CAAP considered the long balconies are likely to dominate the design and there could be an issue about the control of what was put on the balconies e.g. washing lines and domestic goods. The rectangular white framed large openings might benefit from some form of architectural style to avoid being box like.

Concern was raised by the CAAP that car access is likely to cause problems taking into account the intensity of other uses generating cars in the cul de sac, particularly when all of the building is fully occupied. Also there was concern that there is no information about the character of the shop's facade which ought to be identified as part of the concept, for the shop front, fascias and doors and character of the setting.

English Heritage raises no detailed comment on the application. However, they offer some general observations which state that the bulk and massing of the proposed scheme will result in a structure that is quite intrusive in the views from the Conservation Area and recommend the massing be reviewed so that the building may be more sympathetic to the neighbouring Conservation Area. They also comment that the architectural style adopts a clean, simple form with white render finish and it will be important that the building is well detailed to ensure it does not suffer from pattern staining which could detract from its aesthetic appearance. They do not consider it necessary to be consulted again.

The Town Council supported the original scheme but now objects to the amended proposal. With regard to design issues they raise concern over the size and mass of the proposed building and that the design is not iconic and it would not be a landmark building. They consider it is unsuitable for what is designated an important gateway to the promenade.

With regard to design issues the Civic Society retains its objection to the proposal, although they support the principle. Their concerns relate to the proposed height reaching 6 storey, and that the architecture fails to match the former art deco appearance.

General response to the proposal has been that the principle of development of the site is agreed but there is a concern that the design of the building is not 'vibrant' enough or that it creates an appropriate 'iconic landmark' as set out in the Master Plan.

In response to comments received, the applicant states that there were many pre-application discussions with the local planning authority and the Civic Society and that the building form conforms to the brief set for this site within the master plan document by West Norfolk.

Following these discussion the applicant revisited the design and has broken up the façade of the building with changes in materials, cut backs to the corner balconies and stepping the building as noted by English Heritage. In response to English Heritage comments they state that the building will sit at the far reaches of the site in terms of height, and that situated between the application site and the conservation area boundary are the existing sports centre and car parks

The applicant feels that the building adds to the back drop of the conservation area, but that this is from afar, with a new modern addition to the townscape with steps in height and changes in materials which allows for a new high quality modern building to this empty site.

Your officers consider that the proposal is a modern, contemporary building which has been specifically designed to reflect the constraints and opportunities of the site and its surroundings. The mass of the building is deliberately significant but not considered overbearing in scale. The building incorporates variation in width and height and elevations change as the building is viewed from different positions, which adds interest. It is considered that the overall scheme adequately responds to the criteria of the Hunstanton Master Plan. The building will be visible from the Conservation Area but this is intentional as a contrast to the traditional, Victorian and Edwardian architectural core.

The site is some distance from the Green and the Conservation Area to the north and the building will be seen from this area as a background to the buildings in front of it, including the mass of Harlequin House and the Oasis Leisure Centre. When viewed from more southerly points within the Conservation Area it will still be seen alongside the modern Oasis Leisure Centre building. At the westerly part of the Oasis building, close to the application site, this existing modern building rises to just over 12m in part, in contrast to the 20m highest point of the this proposal.

The proposed building is set amongst a cluster of modern architecture and will not be an isolated modern building in an otherwise traditional layout as suggested by objectors. The properties immediately to the south and east are of traditional style and proportion, but certainly the buildings to the north between this site and the Green are modern and contemporary with no apparent uniformity. There is certainly no strong cohesive architectural link between the historic core of the Green and the application site.

The emphasis of the Masterplan is that this site relates more to the function and activity of land to the south, including the Sea Life Centre, rather than that to the north. In this regard the site should be vibrant and forward looking rather than replicate or mimic the development styles of the past.

Impact upon neighbouring occupiers

The residential properties to the south of the site face Seagate Road and are at right angles to the proposed development. These dwellings are two storey in height. A vehicular right of way runs immediately to the north of No 2 Seagate Road and this is shown to be retained.

At the southern part of the site the proposed development rises to a height of two storey to reflect the neighbouring development. At first floor level there are four windows facing south; two serve a bedroom and two are secondary windows to kitchen/living rooms. Additionally the corner of the balcony area faces south. As the floors rise and the building steps back, this pattern of two south facing windows repeats itself on the western side of the building at second floor level. Smoke vent windows have been introduced at the end of communal corridors which open on the event of a fire. At third floor level and above only smoke vent windows which face south.

The windows at the eastern part of the building facing south are level with the properties on Seagate Road and only overlook the northern gable end of No. 2 Seagate Road. The remaining south facing windows are approximately 10m from the nearest boundary. The relationship between the building as proposed and existing dwellings to the south has been examined. There will be a degree of overlooking of neighbouring gardens from south facing windows; however, these are secondary windows to rooms overlooking the sea or bedroom

windows. These windows do not look into the windows of properties on Seagate Road as the angle of vision is too acute. It is considered that the level of overlooking of rear gardens is not so great that it will have a significantly detrimental impact upon the amenity of the occupants of these neighbouring properties. Similarly the proposal will not have a significantly detrimental impact upon the amenity of the occupants of these neighbouring properties in terms of being overshadowed or the building being over bearing.

Residential properties to the east of the site on Seagate are two and a half storeys in height. The ground levels rise as you move eastwards from the site so that these properties are on higher ground. At the western part of the site the proposed development rises to a height of four storeys to better reflect the neighbouring development.

At first floor level there are four sets of windows and two balconies facing east serving the bedrooms, a kitchen/living room and a communal corridor. As the floors rise and the building steps back, this pattern of windows repeats itself, albeit the number of windows reduces with height.

The relationship between the building as proposed and existing dwellings to the east has been examined. The property on the opposite corner to the site has nine windows facing west. The distances and orientation of the buildings are also such that there will be no significantly detrimental impact upon the amenity of the occupants of these neighbouring properties in terms of overlooking, being overshadowed or the building being over bearing, as a result of this proposal.

Concern has been raised about the loss of a sea view. However, the loss of a private view is not a material planning consideration.

The immediate neighbour to the south raises no objection to the proposal as long as there is no interference with their right of way to the north of their property. This right of way is shown on the submitted plans as being retained.

To summarise, the relationship between the proposed building and existing dwellings to the south and east has been examined. The distances between the buildings, the orientation and the scale have been carefully considered and there will be no significantly detrimental impact upon the amenity of the occupants of these neighbouring properties in terms of overlooking, being overshadowed or the building being over bearing.

Affordable housing

Previously the application provided an element of affordable housing in accordance with the policy thresholds for the Borough. This site demands a 20% provision which now equates to 4 residential units. However, the applicant has submitted a financial appraisal which demonstrates that the amended scheme of a reduced number of shop units and flats would not be financially viable if the affordable housing element was to be included. The financial appraisal has been checked by the Housing Enabling Officer who is satisfied that in this case no affordable housing contribution will be sought due to viability reasons.

Without an affordable housing provision it is not necessary for a S106 agreement to be considered.

Third party comment has been made that this is a ludicrous location for affordable housing. However, there is no objection on this ground as it is a location within the town where there is access to schools, employment, shops, doctors' surgery etc.

The Housing Enabling Officer raises no objection to the proposal as amended.

Highway implications

The proposed amended scheme now incorporates off- road parking facilities for 17 vehicles incorporating two designated disabled bays. Additionally secure off-road provision has been made for 18 bicycles. The commercial unit has a loading bay which has been incorporated into the southern part of the site. This is accessed via an existing access which also serves as a right of way. Amended plans have been received which have removed a planter at the south western corner of the site and replaced it with gates and a fence. This means that the right of way will not be completely blocked off as a result of this service access although service vehicles will be stationed in the loading bay whilst deliveries are made.

The Highways Authority raises no objection to the proposal as amended. The proposed number of parking places is now one per residential unit and given the proximity of the residential units to the town centre, the figure of 1 space per residential unit is considered to be acceptable.

Third party objection has been received to the impact this proposal will have on the local road network and parking. Third party representation states that on street parking is at a premium along Seagate Road in summer months, and this will make matters worse. However, the site is within the town of Hunstanton and within walking distance of large car parks serving the town. The Highways Authority raises no objection to the increased traffic along Seagate Road or Seagate.

Government policy is to deliver an integrated transport policy. Paragraph 3 of PPG13 – Transport states that land use planning has a key role in delivering the Governments integrated transport strategy. By shaping the pattern of development and influencing the location, scale, density, design and mix of land uses, planning can help to reduce the need to travel, reduce the length of journeys and make it safer and easier for people to access jobs, shopping, leisure facilities and services by public transport, walking, and cycling. One of the key objectives is to reduce the need to travel, especially by car.

Similarly regional policy T14 reiterates that PPG13 parking standards should be treated as maximums and that local authorities may adopt more rigorous standards to reinforce the effects of other measures to manage transport demand and influence travel change.

In this case the level of car parking and cycle storage proposed is considered to uphold the principles of an integrated transport system. The site is well located for the town's existing car parks, the town centre and the bus station. The main promenade offers pedestrian links through to the length of the town's seafront.

Hunstanton Town Council supported the proposal when it had a lower number of parking spaces per unit. This time they object to the scheme saying there are still concerns regarding parking and traffic flow.

The applicant has amended the scheme as a direct response to the previous concerns of the Highways Authority. Now each residential unit has a parking space and access to the bike store. The application now adequately caters for its own needs in terms of parking generation. It is not for the applicant to attempt to solve any general problems of parking in Seagate Road and Seagate as a result of this single application.

The current proposal provides for both car and cycle parking and there are plenty of alternative parking spaces within a short walk. Similarly the bus station is located within the town centre. It is considered the proposal adequately complies with regional Policy T3 and government advice set out in PPG13.

Building for Life

A 'Building for Life' report has been submitted in support of the application but no score ascertained by the applicant.

However, your officers have considered the proposal and awarded the scheme 14.5 points which is considered to be a good scheme. This shows that the proposal has been compiled after giving consideration to its setting, surroundings and gives thought to the long term use of the site, its users and their relationship with the facilities in the town.

Crime & Disorder Act 1998 and Secured by Design

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. Comment has been received from the Architectural Liaison/ Crime Prevention Officer of Norfolk Constabulary. No objection is raised to the proposal in general although advice is offered with regard to planting, lighting, security and surveillance. There is concern regarding the location of parking bays 1 – 6 on the northern part of the site. These are concealed from view from individual owners and therefore more vulnerable to crime. It is recommended that electronic surveillance should be installed into the scheme if the partly recessed parking bays cannot be avoided, as long as the walling is painted in a bright colour and the area is well lit.

The whole building has a single entrance point and this is not generally recommended for more than 10 units as multiple users reduces the level of care, respect and territorial responsibility. An access system with audio/visual verification would be appropriate.

Advice on the security measures for the commercial unit has also been provided. All of these comments have been forwarded to the applicant for consideration.

Third party concern has been raised regarding the use of the parking bays 1 – 6 for anti social behaviour at night time and use of the building for graffiti. The measures above should help reduce such behaviour and the plans to encourage the use of Seagate as a gateway through to the promenade should increase the footfall and activity in this area and hence the surveillance of the site.

In general terms the application before the Board will not have a material impact upon crime and disorder. Preventative measures can be incorporated into the scheme to overcome any highlighted issues.

Other material considerations

Concern has been raised that an Environmental Impact Assessment has not been submitted in support of the application. However, an EIA screening opinion has been given by the local planning authority. This concludes that the development is not considered to be EIA development under schedule 1 or 2 of the EIA regulations and therefore no further information is required to be submitted as part of this application.

Concern has been raised that the proposal will conflict with the aims and objectives of the gateway scheme promoted by the Regeneration Team. However, work has progressed to ensure that the proposal will complement the aims and objectives of the gateway scheme and not detract or contradict it in any way. The Regeneration Team has been consulted and raises no objection to the proposals.

Recent documentation produced by the Regeneration Team includes an artist's impression of works to the gateway scheme. Comment has been made that this has been wrongly

advertised as it does not include this current proposal. However, this is an indicative illustration only and literature produced by the Regeneration Team would not be expected to incorporate details of a planning proposal which at the time of production had not been granted planning permission.

Comment made regarding no further need for more shops which will only be seasonally used are noted, however, the demand for retail units is market led.

Concern has been raised that there are too many empty flats already in Hunstanton and they are too small. Current planning policy indicates that Hunstanton is a town where residential development is encouraged. The issues of size of unit, rent or ownership, however, are matters for the developer and not a planning matter.

Many of the issues raised by third parties have already been covered in this report. Concern has been raised that the existing sewer will not cope with demand. However, Anglian Water has confirmed they have no concerns regarding the proposal.

Concern has been raised that no Flood Risk Assessment (FRA) has been provided and there is a potential public safety risk from flooding. The Council's Strategic Flood Risk Assessment (SFRA), which was prepared by consultants and agreed by the Environment Agency, does indeed show the majority of Seagate Road as being in a high risk area (Flood Zone 3) but the northern top of the road, including the application site, is outside this area and in an area of low risk (Flood Zone 1). The area to the north of the site is similarly in a low risk area. Therefore, despite its proximity to the beach, the site is at low risk from flooding and consequently no flood risk assessment is required.

Concern has been raised regarding the sustainable source of the timber used for the balconies. Brazilian Ipe is proposed to be used as it is naturally water and rot resistant. Like many hardwoods, whilst the tree originates from Brazil it is now possible to source this from sustainable forests, not necessarily in Brazil. In this case it is proposed to impose a condition regarding details of materials to be agreed with the local planning authority prior to commencement of works to give a degree of latitude should the material type need to be amended in the future.

Concern has been raised that this development will set a precedent for other similar development. However, this is not a valid reason for refusal as each case is considered on its own merits.

Concern has been raised regarding the fact that the site would be a building site for two years. However, the construction period is only a temporary situation and not a material planning consideration in this case. The Highways Authority has no objection regarding construction traffic reaching the site.

Concern has been raised regarding damage to nearby dwellings during construction. However, this is a civil matter between land owners and not under the control of the Town and Country Planning Acts.

Concern has been raised that the proposal will devalue surrounding properties. However, the impact of development upon property prices is not a valid planning consideration and cannot be taken into account as part of this application.

Comment has been made that the local authority should compulsorily purchase the site for development. However, this is not relevant to the application being considered.

Comment has been made referring to other sites within the town which are considered 'planning blunders'. However, it is not possible to discuss the merits of previously approved schemes as part of this planning application. Similarly suggestions have been made for alternative uses of the site but this report is to consider the merits of the proposed scheme and not possible alternatives.

Comment has been made that the applicant is not local and is interested in profit rather than the town. The material factors are the proposal development and whether it is appropriate for this site in terms of planning policy. The planning application must stand up on its own merits and the details of the applicant are not relevant to the decisions making process.

Objection has been made that the site was not advertised in the correct manner due to the site address being incorrect. Once the error was realised (the address should have been just Seagate instead of Seagate Road) the information was corrected immediately. To assist in site recognition the site notice also contains a plan depicting the extent of the site boundary. The site boundary was correctly displayed. However, in order to avoid unnecessary confusion amended site plans were put up on the site and a full 21 day period was permitted for comment.

Concern has been raised that the Council has not allowed comments to be made to the application. There was a period of time where it was not possible for third parties to make comment through the planning portal on the website, although it was still possible to view the application and the amended plans. However, the planning portal is just one method of making comments and it was still possible to make comment electronically by email. It is considered that nobody would have been prevented from making comment on the application, just inconvenienced by having to use an alternative means.

CONCLUSION

To summarise, the site now provides an acceptable level of parking provision and is close to public car parks. The Highways Authority objection has now been overcome. The proposed scheme as amended is of good quality design and materials, and is considered to satisfy the requirements of Hunstanton's Master Plan. The concept is modern and looks to the future which deliberately contrasts with the existing traditional Victorian and Edwardian architecture found within the town.

The principle of this proposal accords with Government advice and development plan policy.

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 Notwithstanding the details that accompanied the application hereby permitted, the type, colour and texture of all materials to be used for the external surfaces of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out in accordance with the approved details.

- 2 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of PPS1.
- 3 Condition Prior to the first occupation or use of the development hereby permitted the on-site parking and turning areas shall be laid out, constructed, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.
- 3 Reason To ensure that parking and servicing facilities will be available to serve the development in accordance with the principles of PPG13.
- 4 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:

08048 GA.00 Rev A Proposed 00 Floor Plan
08048 GA.01 Rev C Proposed 01 Floor Plan
08048 GA.02 Rev C Proposed 02 Floor Plan
08048 GA.03 Rev C Proposed 03 Floor Plan
08048 GA.04 Rev C Proposed 04 Floor Plan
08048 GA.05 Rev C Proposed 05 Floor Plan
08048 GA.06 Rev C Proposed 06 Floor Plan
08048 GE.01 Rev A Proposed North Elevation
08048 GE.02 Rev A Proposed West Elevation
08048 GE.03 Rev A Proposed South Elevation
08048 GE.04 Rev A Proposed East Elevation
08048 GS.00 Section A-A
08048 S.00 O.S. Map
08048 S.01 Site Layout
- 4 Reason For the avoidance of doubt and in the interests of proper planning.

BACKGROUND PAPERS

Application file reference: 09/01764/FM

Norfolk Structure Plan (1999)

King's Lynn and West Norfolk Local Plan (1998)

AGENDA ITEM NO: 8/3(e)

Parish:	Shouldham Thorpe	
Proposal:	Alterations to barns including removal of pole barns to create three dwellings and swimming pool	
Location:	Hall Farm West Road Shouldham Thorpe King's Lynn	
Applicant:	Client Of Ian J M Cable	
Case No:	10/00612/F (Full Application)	
Case Officer:	Ms H Munro Tel: 01553 616481	Date for Determination: 14th June 2010

Reason for Referral to DCB – The Officer recommendation is at variance with the views of the Parish Council

Case Summary

The application seeks full planning permission for alterations to barns including removal of pole barns to create three dwellings and a swimming pool.

The application site is situated on the western side of West Road, Shouldham Thorpe close to its junction with Church Lane and comprises a collection of agricultural barns that form part of Stow Estate.

The site falls within Built Environment Type 'C' as defined on the King's Lynn & West Norfolk Local Plan (1998) Inset Map for Shouldham Thorpe. It also lies within the Shouldham Thorpe conservation area.

The surrounding area is predominantly residential consisting of a mix of dwelling types and sizes. Hall Farm House (The Hall) which is a Grade II listed building adjoins the site to the north. To the west lie further agricultural barns and on the southern side the site abuts the flank boundaries of Nos. 1 and 2 West Road.

An application seeking Conservation Area Consent for part demolition including removal of pole barns has also been submitted (09/00613/CA) and is to be considered with this application. An application for listed building consent has also been submitted as the barns are deemed listed as curtilage buildings to The Hall.

Key Issues

The key issues identified in the consideration of this application are as follows:

Principle of development
Form and character
Residential amenity
Highway impact
Impact on protected species
Crime and disorder
Other considerations

Recommendation

APPROVE.

THE APPLICATION

The application seeks full planning permission for alterations to barns including removal of pole barns to create three dwellings and a swimming pool.

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An application seeking Conservation Area Consent for part demolition including removal of pole barns in connection with the proposed conversion to three dwellings and swimming pool has also been submitted (09/00613/CA) and is to be considered with this application.

An application for listed building consent has also been submitted as the barns are deemed listed as curtilage buildings to The Hall.

SUPPORTING CASE

The Design and Access Statement (DAS) submitted in support of the application advises that the scheme aims to retain a complex of agricultural barns, currently vacant, for conversion to three residential dwellings, with an emphasis on 'sustainable principles' of living.

Hall Farm Barns and the adjacent hall Farm House form an integral part of the Hare family's Stow Estate, a traditional Norfolk farming and shooting estate, which during the mid 19th century extended to some 11,000 acres. Today, the estate extends to around 4,000 acres including all the land surrounding the site.

Stow Estate operates a 'Heritage Landscape Management Plan' under the guidance of Natural England. The key aim of the Management Plan is to conserve and enhance the heritage of the Stow Estate, in a sustainable manner.

In accordance with the desire to allow Stow Estate to thrive as a sustainable country estate by preserving and re-using its extensive collection of agricultural buildings, the buildings have been identified for conversion to sustainable homes, for retention by the estate.

The estate has already been recognised for its efforts to bring redundant buildings in to use through the receipt of government awards.

The DAS advises that the buildings offer an opportunity for conversion with limited need for significant structural alterations or change to the external fenestration. The principle constraint being a positive one, in so far as the buildings retention, use and upkeep need to comply with the Estate's desire to retain the buildings for future generations.

The proposal allows for three self contained dwellings, confined parking and garden areas without intruding in to the open countryside.

Externally from outside the site there will be limited visual change from the existing agricultural use. The layout utilises the existing access to the north east corner of the site, allowing provision for parking and turning within the site.

The site is served by a network of services within local villages, together with its location adjacent to the main A134 arterial route between King's Lynn, Downham Market and Thetford allowing efficient access to the major road network.

The units are designed to encourage sustainable living. High insulation standards combined with energy efficient sources for heating are proposed.

The DAS further considers that the density of development is appropriate to the site taking account of the form and character of the immediate area, local infrastructure and services.

PLANNING HISTORY (Recent)

10/00855/LB – Listed Building Consent - Alteration to barns to form dwellings, including removal of pole barns. Pending consideration.

RESPONSE TO CONSULTATION

Town / Parish Council: OBJECT for the following reasons:

- The current proposal does not address the need for residential accommodation that is addressed in the Design & Access Statement and identified in the BCKLWN local plan.
- The proposed development appears to consist of three properties primarily designed for holiday lets, to add to the adjoining Hall Farm which has the same purpose.
- The dwellings proposed are not for residential use.
- The recognised demand for residential dwellings within the locality will not be addressed by building holiday lets.
- The village already experiences noise nuisance from raucous parties at Hall Farm and does not wish this to be added to by further holiday lets on this site.

- Many of the users of the present site seem to have little or no regard for the safety or welfare of the residents of the village, the letting off of fireworks at any time of day / night / year.
- A further consideration is the volume of traffic on the roads within the village. Many of the users seem to treat the roads close to the Hall as 'their own' with little regard to road sign or sense.
- There are also concerns about the drainage available in the village in general.
- The village would be pleased to see a proposal from Stow Estate that seeks to address the identified housing needs of the area by providing a number of 2/3 bedroom properties for affordable rent.

Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to specified conditions.

Environmental Health & Housing –Community Safety & Neighbourhood Nuisance: NO OBJECTION subject to specified conditions.

Norfolk County Highways: NO OBJECTION subject to specified condition.

Norfolk Constabulary: NO OBJECTION.

Water Management Alliance: NO OBJECTION.

Natural England: NO OBJECTION.

REPRESENTATIONS

NINE letters of representation have been received from 7 local residents. Their comments can be summarised as follows:

- It has been sad to see the gradual decay of the barns. It would be good to see them put to use. My main concern is they will be turned into holiday lets. Since Hall Farm House has been a holiday let my quality of life has suffered.
- This side of the village has a problem with drainage, in recent times water collects at the back of houses further along West Road during the wet months. Also in a time of conserving natural resources is yet another swimming pool such a good idea?
- Bats are confirmed to be present but no detailed ecological impact assessment has been submitted. All bats and bat roosts are legally protected under the Habitats Regulations 2010. A detailed assessment needs to be done. Detailed mitigation plan is needed. Bat boxes alone are not sufficient mitigations. The council cannot condition further bat surveys. Natural England must be consulted.
- Trees around the site are of landscape character, the mature pink horse chestnut tree along West Road.

- Increased noise to local residents.
- Parking / traffic will increase. The application implies a reduction, the site is not currently used.
- Projected properties unsuited to permanent residential use and clearly for holiday use as is the adjoining property. Increase in transient population who are unconcerned with impact on local environment particularly noise.
- Who will buy properties of this type without individual private gardens or garaging?
- Servicing of existing holiday let has caused problems with food Lorries / party amenities searching for and using the property.
- Shouldham Thorpe is in fact a hamlet and the intensity of the development will impact on the quiet hamlet. It will add no social capital as it is likely to be a Holiday Let.
- The impact on a conservation area.
- The impact of the additional traffic on a small nearly single track road.
- According to the Conservation Area Character Statement published in February 1992 the area for the proposed development is an important unlisted building. We do not feel that the conversion to residential dwellings is appropriate for the buildings.
- We have yet to experience the full swing of holiday season at Hall Farm but have been warned by neighbours that parties and gatherings at Hall Farm regularly create excessive noise levels through the night and lead to an increase in traffic and general disregard to the residents of West Road.
- The noise and traffic caused by the development both during construction and once the dwellings are occupied would seriously disrupt the peace and quiet that attracted us to the area and is essential for our work and studies.

We are concerned that our gardens (No.9 West Road) will be overlooked. We are also concerned that our current sewage system will struggle to handle the extra households.

NATIONAL GUIDANCE

PPS1 - "Delivering Sustainable Development" (2005) sets out overarching policies on the delivery of sustainable development through the operation of the planning system and contains advice on design considerations.

PPS3 – Housing (2006) sets out the national planning policy framework for delivering the Government's housing objectives.

PPS5 – Planning for the Historic Environment (2010) provides advice on development in Conservation Areas and that involving Listed Buildings.

PPS9 - "Biodiversity and Geological Conservation" (2005) aims to promote sustainable development, to conserve, enhance and restore the diversity of England's wildlife and geology, and to contribute to rural renewal and urban renaissance.

PPG13 - "Transport" (2001) aims to integrate planning and transport, promote sustainable forms of development, improve accessibility by public transport, walking and cycling, and reduce the need to travel, especially by car.

PPS25 - "Development and Flood Risk" (2006) provides advice on land-use planning and flooding considerations.

EAST OF ENGLAND PLAN

Policy SS1: Achieving Sustainable Development - The strategy seeks to bring about sustainable development by applying the guiding principles of the UK Sustainable Development Strategy 2005, the elements contributing to the creation of sustainable communities described in Sustainable Communities: Homes for All:

Policy ENV7: Quality in the Built Environment - Local Development Documents should require new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.

Policy ENV6: The Historic Environment - Local planning authorities should identify, protect, conserve and, where appropriate, enhance the historic environment of the region, its archaeology, historic buildings, places and landscapes, including historic parks and gardens and those features and sites (and their settings) especially significant in the East of England.

Policy ENV3: Biodiversity and Earth Heritage - Planning authorities and other agencies should ensure that internationally and nationally designated sites are given the strongest level of protection and that development does not have adverse effects on the integrity of sites of European or international importance for nature conservation.

PLANNING POLICIES

The Norfolk Structure Plan (1999) contains the following policies that are relevant to this application:

T.2 - requires that the traffic implications of new development are assessed.

The King's Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

4/7 - aims to protect and enhance important landscape features such as trees and woodlands.

4/21 - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

8/1 - indicates that individual and small groups of dwellings will be permitted in settled or built-up areas of villages defined as Built Environment Types C and D.

PLANNING CONSIDERATIONS

The key issues identified in the consideration of this application are as follows:

- Principle of development
- Form and character
- Residential amenity
- Highway impact
- Impact on protected species
- Crime and disorder
- Other considerations

Principle of Development

The application site is situated within Built Environment Type C as identified on the King's Lynn & West Norfolk Local Plan (1998) Inset Map for Shouldham Thorpe. Within this defined area the principle of residential development is generally considered to be acceptable under Policy 4/21 of the Local Plan, provided that the proposal has regard for and is in harmony with the building characteristics of the area and it complies with all other relevant policies.

A structural appraisal has been submitted in support of the application. This concludes that with the exception of partially collapsed buildings to the courtyard areas the buildings are generally in good structural order, commensurate with their age and usage. Therefore the buildings are considered suitable for conversion, with minimal alteration or re-building required.

The proposed conversion of the barns for residential purposes would make good re-use of existing buildings that are within the conservation area and are deemed listed. The principle of the development is therefore considered to be acceptable provided that the proposal complies with all other relevant planning policies.

Concerns have been raised by local residents that the proposed development will be used as holiday lets instead of family houses. However even if the proposed units will be let out as self-catering holiday accommodation the principle of the development is still considered to be acceptable as the proposal would make good use of existing redundant buildings within a defined settlement (Built Environment Type 'C').

Form and Character

The proposed development involves partial demolition but would retain the traditional form of the barns to allow conversion and alteration to provide 3 no. residential dwellings. Existing openings are proposed to be utilised where possible and in light of Officer concerns in relation to the proposed fenestration details on the two-storey barn amended plans have been submitted that omit the glazing bars on the west elevation and alter the windows on the east and north elevations to ensure they are in keeping with the existing character and appearance of the buildings.

Given that the proposal involves conversion and alteration of the existing barns the scale, form and appearance of the resultant development would reflect the established character of the site. The proposal would also make good use of existing redundant buildings which would result in a general enhancement to the conservation area.

It is therefore considered overall that the proposed development would be in harmony with the established character and appearance of the site and its surroundings and would not have any detrimental impact on the conservation area or the setting of the adjacent listed building (The Hall). As a result the proposal complies with Policy 4/21 of the Local Plan and the provisions of PPS1, PPS3 and PPS5.

Residential Amenity

Given that the proposal involves alteration and conversion of the existing buildings there would be no detrimental impact on any neighbouring properties in terms of loss of light or overshadowing.

The immediate neighbouring property on the southern side (No.1 West Road) is a two storey semi-detached dwelling. The house itself is inset from the shared boundary by approximately 2 metres but the existing buildings on the application site already abut this boundary and extend along its full length (buildings 2 and 3). There is also an existing building which abuts the rear boundary of No.1 West Road (building 1).

A number of roof lights are proposed along the length of the southern elevation of Buildings 2 and 3 which abut the shared boundary with No.1 West Road. However these rooflights are to single storey buildings and would be situated 3 metres above ground level. Furthermore a number of these windows are to non-habitable rooms. As a result it is not considered that any of the proposed windows would result in overlooking or loss of privacy to the occupiers of No.1 West Road or any other residential properties situated beyond.

The proposed first floor windows on the southern elevation of Building 4 would also not result in any loss of amenity to neighbouring properties because they would be situated approximately 28 metres from the shared boundary with No.1 West Road. Furthermore on its northern side the proposed development would not result in any overlooking or loss of amenity to The Hall given the separation distance between the buildings.

Concerns have been raised by local residents in relation to existing noise from The Hall and the increase in noise and disturbance that the proposed development will potentially cause if used for holiday lets. Whilst the existing barns are redundant, agricultural use of the site could currently resume without requiring permission and this type of use within a residential area is more likely to generate nuisance to neighbouring properties. The proposed development seeks permission for 3 no. residential dwellings and it is considered that this is an appropriate use for the site which would be unlikely to result in any significant noise or disturbance. Any existing problems with noise that relate to The Hall are not material to the consideration of this application.

It is therefore considered overall that the proposed development would not result in any significant harm to the residential amenities of neighbouring properties.

Highway Impact

The proposed development includes provision of satisfactory access, turning and parking areas that comply with adopted standards. As a result Norfolk County Highways has raised no objection to the proposed development.

The concerns raised by local residents in relation to increases in traffic have been noted however the proposed conversion for residential purposes would be likely to result in less traffic movements than the agricultural use of the site and it must be taken into account that the use of the barns for agricultural purposes could currently be reinstated without planning permission.

Overall it is considered that the proposed development would not result in any significant harm to highway safety.

Impact on Protected Species

A Protected Species Survey was submitted with the application. This advises that the principle species that could be affected by the proposed development are bats, owls and other breeding birds. The bat survey identified that small numbers of soprano / pipistrelle are using the main barn (building 5) for roosting and possibly hibernation, whilst brown long eared bats appear to use the first floor level of building 4 and also building 6 for limited feeding activity. There was no evidence of barn owls noted during the protected species survey. The report concludes that the development is not likely to have a significant effect on local bat populations and as such, given appropriate mitigation, and EPS licence should not be required.

Mitigation measures proposed include: the erection of new bat roosting areas; provision of a bat loft within building 7; provision of roosting potential between the replaced clay pantiles and new underfelt; use of bat friendly chemicals for any timber treatment; and planting of night scented plants within the garden area to attract moths and other insects on which bats can feed. The mitigation measures can be conditioned.

Whilst the proposed development has the potential to affect protected species it is considered that the protected species survey carried out and the mitigation measures proposed are satisfactory to comply with the requirements of PPS9.

Crime and Disorder

There are no crime and disorder issues raised by this proposal.

Other Considerations

Concerns have been raised by a local resident in relation to the impact of the proposal on the existing Horse Chestnut trees which are situated along West Road, immediately adjacent to (but outside) the application site boundary. It is not considered that the proposed development would have any detrimental impact on these trees as the closest building to them is Building 6 and its eastern elevation would remain as existing.

Concerns have also been raised by local residents in relation to drainage problems in the area. In accordance with the Environment Agency and Environmental Health (CSNN) comments it is recommended that a condition should be attached to any consent requiring submission of foul and surface water drainage details.

CONCLUSION

The conversion and alteration of the barns for residential purposes has been found to be acceptable in principle and the proposed development is considered to be appropriate for the site and its surroundings. The proposal would not have any detrimental impact on the character or appearance of the conservation area or the setting of the adjacent listed building and it would not result in any significant harm to residential amenity, protected species or highway safety. The proposal therefore complies with Policies 4/21 and 8/1 of the King's Lynn & West Norfolk Local Plan (1998), Policies SS1, ENV3, ENV6 and ENV7 of the East of England Plan (2008) and the provisions of PPS1, PPS3, PPS5, PPS9 and PPG13. It is therefore recommended that planning permission be approved subject to conditions.

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: drawing nos. 318-14, 318-15, 318-16, 318-17, 318-18, 318-19 and P2010-15 D4.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 3 Reason To ensure that there is a satisfactory means of drainage serving the site.
- 4 Condition No development shall commence on site until a detailed scheme showing the siting of machinery, including any mechanical extract systems, and the insulation of the buildings against the transmission of noise and vibration has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use and thereafter maintained as such.
- 4 Reason In the interests of the amenities of the locality in accordance with the principles of PPG24.
- 5 Condition Prior to the commencement of the development, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets,
 - woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

- 5 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with PPS23 Planning and Pollution Control.
- 6 Condition Prior to the commencement of the development, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 6 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with PPS23 Planning and Pollution Control.
- 7 Condition The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

- 7 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with PPS23 Planning and Pollution Control.
- 8 Condition Prior to the first occupation of the development hereby permitted the vehicular access shall be laid out in the position shown on the approved plan. Additionally from the property boundary to the near channel edge of the carriageway the construction specification shall be in accordance with details to be approved in writing by the local planning authority in consultation with the highway authority. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 8 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

- 9 Condition The development hereby permitted shall be carried out in accordance with the recommendations and proposed mitigation measures of the submitted protected species survey (Section 9.0) carried out by Philip Parker Associates dated 14th April 2010 (report ref: P2010-15 R1 Final A). For clarity this shall specifically include:

- The provision of bat boxes in accordance with the submitted bat mitigation plan (drawing no. P2010-15 D4) and details (Schwegler 1WQ or similar);
- The provision of a bat loft to building 7, the precise details of which shall have been submitted to and approved in writing by the local planning authority;
- replacement roof tiles to allow bats to roost, the details of which shall have been submitted to and approved in writing by the local planning authority; and
- Habitat enhancement carried out in accordance with a detailed scheme which shall have been submitted to and approved in writing by the local planning authority.

The mitigation measures shall be implemented in accordance with the approved details prior to the occupation of any dwelling or in accordance with a timetable to be agreed in writing by the local planning authority.

- 9 Reason To ensure the protection of protected species in accordance with the provisions of PPS9.
- 10 Condition No development shall commence on site until full details of the window style, reveal, cill and header treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 10 Reason To ensure that the design and appearance of the development is appropriate in accordance with the principles of PPS1.

BACKGROUND PAPERS

Application file reference: 10/00612/F

Norfolk Structure Plan (1999)

King's Lynn and West Norfolk Local Plan (1998)

AGENDA ITEM NO: 8/3(f)

Parish:	Shouldham Thorpe	
Proposal:	Partial demolition including removal of pole barns in connection with conversion to three dwellings and swimming pool	
Location:	Hall Farm West Road Shouldham Thorpe King's Lynn	
Applicant:	Client Of Ian J M Cable	
Case No:	10/00613/CA (Conservation Area Application)	
Case Officer:	Ms H Munro Tel: 01553 616481	Date for Determination: 14th June 2010

Reason for Referral to DCB – The Officer recommendation is at variance with the views of the Parish Council

Case Summary

The application seeks Conservation Area Consent for partial demolition including removal of pole barns in connection with conversion to three dwellings and swimming pool.

The application site is situated on the western side of West Road, Shouldham Thorpe close to its junction with Church Lane and comprises a collection of agricultural barns that form part of Stow Estate.

The site falls within Built Environment Type 'C' as defined on the King's Lynn & West Norfolk Local Plan (1998) Inset Map for Shouldham Thorpe. It also lies within the Shouldham Thorpe conservation area.

The surrounding area is predominantly residential consisting of a mix of dwelling types and sizes. Hall Farm House (The Hall) which is a Grade II listed building adjoins the site to the north. To the west lie further agricultural barns and on the southern side the site abuts the flank boundaries of Nos. 1 and 2 West Road.

An application for full planning permission for alterations to barns including removal of pole barns to create three dwellings and a swimming pool has also been submitted (10/00612/F) and is to be considered with this application.

Key Issues

The key issue to be determined in this case is the impact of the proposed partial demolition and removal of the pole barns on the Shouldham Thorpe conservation area.

Recommendation

APPROVE

THE APPLICATION

The application seeks Conservation Area Consent for partial demolition including removal of pole barns in connection with conversion to three dwellings and swimming pool.

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SUPPORTING CASE

The Design and Access Statement (DAS) submitted in support of the application advises that the scheme aims to retain a complex of agricultural barns, currently vacant, for conversion to three residential dwellings, with an emphasis on 'sustainable principles' of living.

Hall Farm Barns and the adjacent hall Farm House form an integral part of the hare families Stow Estate, a traditional Norfolk farming and shooting estate, which during the mid 19th century extended to some 11,000 acres. Today, the estate extends to around 4,000 acres including all the land surrounding the site.

Stow Estate operates a 'Heritage Landscape Management Plan' under the guidance of Natural England. The key aim of the Management Plan is to conserve and enhance the heritage of the Stow Estate, in a sustainable manner.

In accordance with the desire to allow Stow Estate to thrive as a sustainable country estate by preserving and re-using its extensive collection of agricultural buildings, the buildings have been identified for conversion to sustainable homes, for retention by the estate.

The estate has already been recognised for its efforts to bring redundant buildings in to use through the receipt of government awards.

The DAS advises that the buildings offer an opportunity for conversion with limited need for significant structural alterations or change to the external fenestration. The principle constraint being a positive one, in so far as the buildings retention, use and upkeep need to comply with the Estate's desire to retain the buildings for future generations.

PLANNING HISTORY

10/00855/LB – Listed Building Consent - Alteration to barns to form dwellings, including removal of pole barns. Pending consideration.

RESPONSE TO CONSULTATION

Town / Parish Council: OBJECT for the following reasons:

1. It is considered that this proposal would create a cramped form of development, representing an over-intensive use of the site.
2. The vehicular movements associated with the use of the access / egress would lead to conflict and interference with the passage of through vehicles on Church Road and would be detrimental to highway safety.
3. The proposal is detrimental to the existing terraced street scene; during regeneration of Downham Market, the professional landscape architects made particular reference to the fact that Playhouse Yard was an important key historical and visual position in the Town and this must be taken into consideration.
4. The BCKLWN, at that time, recommended that the reinstatement of the old street scene of terraced houses in that area should be reintroduced and not lost through further development.
5. The new development, by virtue of the design and relationship with adjoining buildings, does not preserve or enhance the appearance of the Conservation Area.
6. This is a loss of a potential commercial opportunity.

REPRESENTATIONS

FOUR letters of **OBJECTION** have been received from 3 local residents. Their expressed concerns can be summarised as follows:

- According to the Conservation Area Character Statement published in February 1992 the area for the proposed development is an important unlisted building. We do not feel that the conversion to residential dwellings is appropriate for the buildings.
- We have yet to experience the full swing of holiday season at Hall Farm but have been warned by neighbours that parties and gatherings at Hall Farm regularly create excessive noise levels through the night and lead to an increase in traffic and general disregard to the residents of West Road.
- The noise and traffic caused by the development both during construction and once the dwellings are occupied would seriously disrupt the peace and quiet that attracted us to the area and is essential for our work and studies.
- We are concerned that our gardens (No.9 West Road) will be overlooked. We are also concerned that our current sewage system will struggle to handle the extra households.

- The proposed development has the potential to have a significant impact on bats and bat roosts which are legally protected under the Habitats regulations (2010).
- The proposed buildings will overlook all the current properties and also we would question the need of a swimming pool as well as Hall House having a pool if these
- houses are for private use. Is the intention to rent out these dwellings as holiday lets?

NATIONAL GUIDANCE

PPS5 – Planning for the Historic Environment (2010) provides advice on development in Conservation Areas and that involving Listed Buildings.

EAST OF ENGLAND PLAN

Policy ENV6: The Historic Environment - Local planning authorities should identify, protect, conserve and, where appropriate, enhance the historic environment of the region, its archaeology, historic buildings, places and landscapes, including historic parks and gardens and those features and sites (and their settings) especially significant in the East of England.

PLANNING CONSIDERATIONS

The key issue to be determined in this case is the impact of the partial demolition and removal of the pole barns on the Shouldham Thorpe conservation area.

Application proposals for the demolition of a building in the conservation area are not normally permitted unless planning permission has been granted for a replacement building/s or re-development. In this case planning permission for alterations to barns including removal of pole barns to create 3 no. dwellings and swimming pool on the site is currently pending determination under reference 10/00612/F and has been recommended for approval by the Case Officer on the basis that the scheme is considered acceptable for the site and its surroundings.

The buildings 'proposed' to be removed within the scheme are only the most severely decayed buildings which are located within the courtyard areas. These include the 'pole barns' (lean to structures of pole and corrugated tin construction) and open cart sheds. Whilst Conservation Area Consent is being sought for their removal the requirement for this is questionable given that the majority of these buildings have already been fully removed or partially removed through decay and collapse and therefore little physical demolition will be required to remove what remains of the structures.

Overall the building remains that are proposed to be removed are considered to be of little architectural merit and as such their loss would not have any detrimental impact on the character or appearance of the Shouldham Thorpe conservation area. As a result the proposal complies with the provisions of PPS5.

Other Considerations

Three letters of objection have been received from local residents raising a number of concerns in relation to the proposed development of the site. These issues are not considered to be material to the determination of this conservation area consent application however the matters raised have been summarised and discussed in the Officer's report for the associated planning application for the site (10/00612/F).

Crime and Disorder

There are no crime and disorder issues raised by this proposal.

CONCLUSION

Overall it is considered that the proposed partial demolition and removal of the pole barns in connection with the proposed conversion of the barns for 3 no. dwellings and a swimming pool would not have any detrimental impact on the character or appearance of the Shouldham Thorpe conservation area. The proposal therefore complies with the provisions of PPS5. It is therefore recommended that conservation area consent be approved subject to conditions.

RECOMMENDATION:

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

- 1 Condition This Conservation Area Consent is granted subject to the condition that the works to which it relates shall be begun not later than the expiration of three years from the date of this consent.
- 1 Reason To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition All material arising from the demolition of the buildings shall be removed from site within 3 months of the commencement of the works unless otherwise agreed in writing by the Local Planning Authority.
- 2 Reason In order to protect the character and appearance of the Conservation Area in accordance with the principles of PPS5.

BACKGROUND PAPERS

Application file reference: 10/00613/CA

Norfolk Structure Plan (1999)

King's Lynn and West Norfolk Local Plan (1998)