



Planning Committee
Monday, 1st October, 2018 at 10.45 am
in the Assembly Room, Town Hall, Saturday Market
Place, King's Lynn PE30 5DQ

Reports marked to follow on the Agenda and/or Supplementary Documents

- a) Decisions on Applications (Pages 2 - 22)

To consider and determine the attached Schedule of Planning Applications submitted by the Executive Director.

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Parish:	Hunstanton	
Proposal:	Demolition of old print works and the construction of 15 number 2 bed flats and 1 number 1 bed flat with associated car parking (Resubmission of 17/00025/FM)	
Location:	Whitleys Stationers Press 19 - 21 Church Street Hunstanton Norfolk	
Applicant:	Waterfield Dudley Ltd	
Case No:	18/01142/FM (Full Application - Major Development)	
Case Officer:	Mr C Fry	Date for Determination: 3 October 2018 Extension of Time Expiry Date: 15 October 2018

Reason for Referral to Planning Committee – Contrary to Town Council Comments

Neighbourhood Plan: No

Case Summary

The site is on the western side of Church Street, Hunstanton and measures 0.185ha and contains workshops and stores including hardstanding. The site was occupied by Whitleys Stationers Press.

The site lies within Hunstanton Conservation Area.

Members will recall an application refused by the Planning Committee in February 2018 for the erection of 15 – 2 bed flats and 1 – 1bed flat following the demolition of the structures on the site.

This application seeks to address the reasons for refusal.

Key Issues

1. Principle of Development and Planning History
2. Loss of Employment Land and Premises
3. Impact upon Designated Heritage Assets
4. Impact upon Residential Amenity
5. Affordable Housing.
6. Highways
7. Drainage and Flood Risk
8. Contamination
9. Other Material Considerations

Recommendation

A APPROVE subject to conditions and completion of a Section 106 agreement that secures the affordable housing financial contribution, SUDS management and maintenance, Habitats Mitigation Payments and Landscape Management and Maintenance within 4 months of the date of this decision

B REFUSE In the event that the Section 106 agreement is not completed within 4 months of the date of this Committee meeting, the application shall be **REFUSED** affordable housing financial contribution, SUDS management and maintenance, Habitats Mitigation Payments and Landscape Management and Maintenance within 4 months of the date of this decision

THE APPLICATION

The site lies within Hunstanton Conservation Area on the western side of Church Street approximately 34m south of the junction of Church Street and Greevegate.

The existing site slopes away in a westerly direction and contains asbestos clad buildings, brick and carrstone buildings.

On the Church Street frontage, there is a semi-circular roofed building, as well as a building that is gable end on linked to a flat roof building. Vehicular access is gained to the southern side of these buildings, which is a shared vehicular access with the properties to the west.

The existing dwellings on the eastern side of Church Street are 2 storey, except for taller 3 storey building(s) on the junctions of Church Street and Greevegate and Church Street with Westgate. There is more variety of heights on the western side of Church Street. The buildings on the site are currently single storey but beyond the site there are taller 3 storey buildings.

The proposal involves the creation of 15 – 2 bed flats and 1 -1 bed flat. The East Elevation, Church Street, will be partly 3 storeys in height, dropping down to 2 storeys. The building will have pitched roof projections on the rear with balconies. The design features that pick up on detail in the locality include dormers, brick quoin detailing, carrstone and sliding sash windows.

Parking is provided to the rear of the site, utilising the existing access arrangements to the side of the existing building. Soft landscaping areas are also proposed.

Members will recall a scheme for 15 flats – 2bed and 1 -1 bed flat was previously proposed for the site. This was refused on the following grounds:-

1. The proposed development would, by virtue of its height and its siting hard onto the pavement, be overly dominant in the street scene resulting in an overdevelopment of the site which would cause less than substantial harm to the character of the Conservation area. It is considered that the harm caused to the character of the Conservation Area is not outweighed by the public benefit of permitting a housing scheme in Hunstanton. The proposal would therefore be contrary to National Planning Policy Framework paragraphs 17,56,58 and 64 in terms of general design; paragraphs 131 and 134 in terms of Conservation Area, Policies CS08, CS12 of the Local Development Framework Core Strategy 2011 and Policy DM15 Site Allocation and Development Management Policy Plan 2016

2. The proposed development by virtue of its height and siting in relation to neighbouring properties is considered to result in an unneighbourly form of development specifically in relation to overshadowing and overbearing issues. The proposal would therefore be contrary to paragraph 56 and 64 of the National Planning Policy Framework and Policy DM15 of the Site Allocation and Development Management Policies Plan 2016.

This application tries to address these issues by stepping back the taller built form of the scheme from the Church Street frontage and setting the whole of the development back on the site.

SUPPORTING CASE

The application has been supported by the following suite of documents.

- Design and Access Statement
- Phase II Contamination Statement
- Planning Report
- Strategic Housing Land Availability
- Economic Viability Analysis
- Sustainable Urban Drainage Statement

The agent does not wish to add any additional statements to support their case. However it is considered relevant and important to underline the agent's approach to addressing the reasons for refusal. The summary is provided below from their Design and Access Statement:-

- The building has been set back from Church Street, and in particular, to address the "right to light" issue.
- The new deeper frontage offers the opportunity for more significant and substantial landscaping, making a valuable contribution to the street scene.
- The principles of the previous design have been maintained but the building has been set back a minimum of 3m at the southern end, and increasing to 3.65m at the northern tip.
- The setting back at ground level is now broadly in accordance with the house opposite, and with the remodelling at first and second floor, and the roof, we hope you will agree the design will now settle into, and harmonise, with Church Street's gentle conservation area street scene.
- As much as possible the parts of the building closest to the site boundary are maintained at 2 storeys with pitched roof and step-backs leading up to the top floor, which is now further enhanced with a minimum of 3m step back from Church Street.
- On Church Street, the main entrance is recessed from the pavement and bounded by an area of enhanced landscaped frontage gardens incorporated into the substantial stepback that reflects the gardens of the houses opposite. The client intends to retain a landscape architect to design high quality gardens.
- The first two storeys on the street frontage are clad in carrstone to directly reflect the houses opposite.
- The massing of the south elevation is now in context with the houses opposite.
- The nearest neighbours on Greevgate are at the closest point some 9m away from the northern elevation.
- The massing on the western elevation to the carpark has been "pulled in" thus the neighbours right to light on Greevgate has been also been addressed.

- A screen is detailed to be provided on flat F1, to avoid looking into the neighbours in Greevegate. Trespa Privacy Screen (palisade fence – screen)

PLANNING HISTORY

17/00025/FM – Construction of 15 – 2bed flats and 1 -1 bed flat refused 12.02.2018

RESPONSE TO CONSULTATION

Town Council: OBJECTION

1. The proposed application does not fit in with the current residential dwellings in Church Street Nos 11 - 17, with regards to the building lines and height of those properties.
2. The proposed application if built will directly affect the residents in Nos 26 - 46 with regards to the amount of natural light coming into their homes, this will increase their usage of energy to provide artificial light in their properties, this is not in keeping with current or future energy conservation policies.
3. There are 16 dwellings in the planning application and only 15 resident spaces plus 2 visitor spaces provided for parking, there is the potential for 32 resident vehicles for this development in an already restricted area for parking spaces. National guidelines state for assigned spaces 1 Bed apartments 1.5 spaces and 2 Bed apartments 1.75 spaces, therefore the current application is under spaced by 12.75 spaces.

Recommended Solution.

The proposed building to be built in line with the Victorian Town Houses Nos 11 - 17 with regards to building line frontage and the existing heights of those properties. The application should reduce the number of dwellings to accommodate this and therefore the knock on effect will reduce the number of residents vehicles and not put extra vehicles on the public highway, as this is an area close to the town centre which is already struggling to cope with the number of vehicles in the area all year round.

By relocating the building in line with the properties Nos 11 - 17, this will address the Right to Light issue somewhat, the residents have been canvassed by the Town Council Eplanners and they are agreeable to this recommendation.

Waste Management Insufficient capacity provided for waste storage within the proposed development which will lead to loss of residential amenity to the future occupiers of the proposed development.

Cadent Gas: standing advice to the developer drawing attention to there being a low or medium (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity). Further to that there are also operational gas apparatus in the site boundary and there may be easements or wayleaves in the land that restricts activity.

Natural England: NO OBJECTION based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutory designated sites or landscapes.

Highways Authority: NO OBJECTION subject to condition

Anglian Water: NO OBJECTION there is capacity in the Anglian Water sewerage network.

In regards to surface water can be addressed by condition

Environment Agency: NO OBJECTION subject to conditions

Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to conditions in respect to additional investigations.

It is recommended that consultation is sought with the Environment Agency in respect to potential contamination of controlled waters

No issues with regard to air quality.

Environmental Health & Housing – Community Safety Neighbourhood & Nuisance: NO OBJECTION subject to conditions in respect to surface water, construction management plan, dust suppression and external lighting.

Lead Local Flood Authority: NO OBJECTION subject to conditions.

Police Architectural Liaison Officer: No comment received at time of report.

Historic England: comments that the application is a resubmission of a previous application, 17/00025/FM, in which Historic England also provided advice.

Church Street is situated in the heart of the Hunstanton Conservation Area on the east side of the Victorian planned town. It is a back street with a mixture of building, including some commercial premises but the majority of building consists of small terraces of houses of two or two and half storey. They are late nineteenth century in date with the characteristic styles and use of local brick and carrstone. The former print works building on the application site are more modern and do little to contribute to the character of the area, although they are of some interest in terms of the social and industrial history of the town.

Our previous advice established that we would not oppose the removal of the existing buildings and consider there is potential for redevelopment of the site. However, in order to preserve and enhance the character and significance of the Conservation Area the scale, form, design and materials of new building should respond to the context. We explained that the elevation to Church Street would have a significant visual impact on this part of the Conservation Area.

In response to this advice and discussions with your authority, the Church Street elevation has been revised to respond to the terrace housing on the street. The front range has been reduced to two storeys with dormers providing articulation at roof level. The rear range which is set back however remain taller. The south elevation, which would be visible from the access drive, has also been reduced in bulk. These revisions are an improvement on the earlier scheme. With regard to the materials, we note that the materials relate to those found in the Conservation Area, and the proposal remains to use carrstone with brick to the upper storey behind.

The application records that there has been extensive pre-application consultation with your authority. We have not been involved with this, however, we consider the proposal responds more sympathetically to the character of the Conservation Area.

Conservation Officer: NO OBJECTION design sustains character of the Conservation Area and setting of Listed Church. The proposal is an improvement on the previous scheme and conditions are required in respect to materials and details.

Conservation Area Advisory Panel: OBJECTION the panel had some debate on the proposed design and materials proposed to be used. In considering whether the amended design had complied with the requirement to move back from the pavement line to reduce the overshadowing the Panel agreed it had.

The panel considered that the frontage should be designed to reflect the buildings in the vicinity and appear to be terraced dwellings with access to the bottom flat from the front, and the top flat from the side or rear or from inside (with no fake doors). The Panel generally agreed that any space left at the rear after car parking could potentially be made up of smaller units, although there was a danger of overshadowing.

The panel concluded that that the stepping back from the pavement was acceptable. The design of the building should reflect the properties surrounding the site as terraced dwellings and have the rhythm of 6 dwellings across the frontage.

Housing Enabling Officer: following discussions with the property services team in light of the submitted viability study, affordable housing contributions of £33,840 is required after vacant building credit has been taken into account.

REPRESENTATIONS

3 letters of **SUPPORT** (as of 18.09.2018)

- A rat infested eyesore
- A dilapidated and insecure building in a residential area
- Blot on the landscape and setting of the Church
- Developer has addressed the reasons for refusing the application.
- Attempts to market the site have failed
- Viability is a challenge to get anything on the site.
- It would fulfil one of the objectives in the Hunstanton Prospectus, produced by Hunstanton Prosperity team
- Site needs to be regenerated
- Hunstanton could become a ghost town

8 letters **OBJECTING** to the scheme on the following grounds

- Provision of parking spaces is one per flat. The area is already very congested and has a lot of traffic to serve the local businesses. The roads around are already poorly maintained. Will they be repaired once work is finished.
- The flats further up at Valentine Court have 2 spaces, even for a one bedroom property, why is this different, especially since then, the local bus service now no longer operates in the evening there is even more reliance on car transport. Very few properties now have only one vehicles, or never have any visitors.
- Not in keeping with the design of the rest of the road
- Impact on right to light
- Impact on parking and road usage
- Fails to preserve or enhance the character of the Conservation Area.
- Overshadowing and overbearing upon neighbours

- Structural impact on neighbouring properties from construction traffic and building out the site.
- Increase in road traffic
- Disruption and noise of a large building site

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS05 – Hunstanton

CS08 - Sustainable Development

CS09 - Housing Distribution

CS10 - The Economy

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

OTHER GUIDANCE

Conservation Area Character Statement.

PLANNING CONSIDERATIONS

1. Principle of Development and Planning History
2. Loss of Employment Land and Premises
3. Impact upon Designated Heritage Assets
4. Impact upon Residential Amenity
5. Affordable Housing.
6. Highways
7. Drainage and Flood Risk
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9. Other Material Considerations

Principle of Development and Planning History

The proposal seeks consent for the erection of 15 2 bed flats and 1 - 1bed flat following the demolition of the buildings that were once used by Whitley Stationers Press.

Hunstanton is classified as a Main Town according to Policy CS02 of the Local Development Framework Core Strategy, which could support development of this scale dependant on other material considerations. Furthermore one of the strategies for Hunstanton (CS05) is to promote opportunities for residential development within the Town Centre, particularly for affordable housing.

It worthy of note that the application site was submitted as part of the Strategic Housing land Availability Assessment - 2011. The site was also appraised in the 2014 HELAA (Housing and Economic Land Availability) which is the latest published appraisal of land availability. The site was primarily not allocated for development as a site allocation, as the site could come forward without the need for allocation as it is within the development boundary of Hunstanton.

Members will recall that an application for 15 flats and 1 – 1bed flat was refused by the Planning Committee (17/00025/FM) for the following reasons:-

1. The proposed development would, by virtue of its height and its siting hard onto the pavement, be overly dominant in the street scene resulting in an overdevelopment of the site which would cause less than substantial harm to the character of the Conservation area. It is considered that the harm caused to the character of the Conservation Area is not outweighed by the public benefit of permitting a housing scheme in Hunstanton. The proposal would therefore be contrary to National Planning Policy Framework paragraphs 17,56,58 and 64 in terms of general design; paragraphs 131 and 134 in terms of Conservation Area, Policies CS08, CS12 of the Local Development Framework Core Strategy 2011 and Policy DM15 Site Allocation and Development Management Policy Plan 2016
2. The proposed development by virtue of its height and siting in relation to neighbouring properties is considered to result in an unneighbourly form of development specifically in relation to overshadowing and overbearing issues. The proposal would therefore be contrary to paragraph 56 and 64 of the National Planning Policy Framework and Policy DM15 of the Site Allocation and Development Management Policies Plan 2016.

To address these two issues it is proposed to setback the development from Church Street and to shift the tallest elements back on the site.

Loss of Employment Land and Premises

The loss of land and premises needs to be considered in light of Policy CS10 - Employment. CS10 requires the retention of employment land or premises currently or last used for employment purposes unless it can be demonstrated that:

- Continued use of the site for employment purposes is no longer viable, taking into account the site's characteristics, quality of buildings, and existing or potential market demand; or
- Use of the site for employment purposes gives rise to unacceptable environmental or accessibility problems for sustainable modes of transport or

- An alternative use of mix of uses offers greater potential benefits to the community in meeting local business and employment needs, or in delivering the Council's regeneration agenda.

In respect to Policy CS10 - the site is currently vacant, albeit Whitley Stationers, who used to operate from the building, still operate from premises on Greevegate. The site is contained within a mixed use area. The land use to the north of the site is retail/commercial at ground with flat/office above. Church Street in which the site is located is however predominantly residential.

The current land use is B2 - General Industry. It is also of note that B2 could change use to a B1 (business) or B8 (storage and distribution) of up to 500m² of floor space (the current building is approximately 1412sqm). Whilst a B1 use could be a better neighbour than a B2 use in a residential area, a B8 use could result in an intensification of the site in terms of vehicular movements on a street that already has on-street parking, which may lead to highway safety issues. By removing the existing building on the site and introducing a residential use on the site could improve the standard of amenity for the residents in Church Street, in accordance with CS10.

It is therefore considered that the loss of employment land and premises on Church Street can be accepted in principle.

Impact upon Designated Heritage Assets

The site is 44m away from St Edmunds -1872 Grade II listed Church, at its nearest point, and is contained within the Hunstanton Conservation Area. Accordingly under the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, s.66 of the Act places a statutory duty in regards to development that affects a listed building or its setting, and having special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. S.72 places a duty on the LPA, with respect to any buildings or other land in a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Forms of development on Church Street comprise of, on the eastern side, 2 storey carrstone terraced properties set back from the roadside and on the western side, 2 and 3 storey carrstone residential properties. Church Street climbs in height in a northerly direction and yet the topography slopes away towards the sea in the east to west direction.

The existing buildings on the site fronting Church Street are varied in form and character. From south to north, adjacent to the vehicular access to the site, is a white painted brick built, semi-circular roofed building, adjoined to a building with its ridge line on a west-east axis with a carrstone gable end to the road. Adjoined to this is a flat roof brick built building that completes the run of buildings on Church Street. All buildings fronting Church Street are hard onto the pavement and single storey in scale. Further back into the site, adjacent to the northern boundary, there are brick and asbestos sheet roofed buildings.

Vehicular access is served by a part made road to the west of the buildings on Church Street, that leads to a concrete apron to the rear. Secondary access is also provided from Greevegate between 16 and 18 Greevegate.

The Hunstanton Conservation Area Character Statement refers to the area around Greevegate and Church Street, "the eastern end of Greevegate is entirely residential and has retained the air of a prosperous Victorian suburb. Some of the original stone walls and railings have been lost and some have been replaced in brick and concrete block. Many windows have replacement plastic, though in most cases they are back from the wall and

have imitated the pattern of glazing bars." Church Street is specifically described, "This is for the most part a quiet residential street with walled front gardens. The houses are mostly small, of two storey and terraced, some with attic dormers, some with bay windows. Many windows have been replaced with plastic, though in most cases an attempt has been made to keep sympathy with the originals. Many slate roofs have been replaced with concrete tiles. Chimneys are generally intact. North of the junction with James Street, the street rises gently to greevegate and then levels out past the Church. Built of carstone, most of the houses on the east side are of modest scale and could be described as cottages. Numbers 40 to 50 are built hard up to the pavement. Numbers 40 and 42 (opposite the site) which share a gable end facing the street are unusual". The application site is also specifically referenced "The Whitley Press takes up most of the frontage from James Street to Greevegate on the west side. It has three sections; an interesting early 20th Century framed building with a wide-span curved roof, an older small building with its gable end to the street and a dull flat roof building of the 1950s".

The scale of the proposal is 10.4m (h) x 24.6m (d) x 46.5m (w) maximum dimensions. These dimensions do not differ significantly from that considered previously, however the tallest element of the scheme is set back from the pavement edge of Church Street at 11.3m, whereas before the tallest element of the scheme was only 8.9m away from the edge of the pavement. The front of the building itself is setback from the front of the site by 3m at its closest point, where the previous scheme was hard onto the pavement.

The appearance of the scheme has changed somewhat from that previously considered particularly the front (Church Street) elevation. Where the front elevation demonstrated 3 storey vertically emphasised elements to alleviate the massing of the horizontal look, this has now been achieved by having two hipped roof pods set back above a 2 storey element. The materials used in the construction of the building include carrstone and red brick. White powder coated aluminium doors and windows will be used. The building has drawn design influences from the adjacent properties in so far as the window proportions, dormer windows, and use of brick quoin detailing and carrstone.

Historic England have made comment that the Church Street elevation, especially the south elevation of the building which would be visible from the access driveway has been reduced in bulk and these revisions are an improvement on the earlier scheme. Ultimately they have no objection to the application on heritage grounds.

The Conservation Officer comments that the revised scheme has addressed most of the concerns raised in respect of the original proposal. In particular the front range has been reduced so that it is now two storey so the bulk of the new build is visually reduced and it sits more comfortably with the surrounding terraces. The varied roof line and dormers also help to provide interest at high level and lessen the impact of the structure as a whole. Materials will be key and it's pleasing to note that carrstone will be used.

In response to the new design the Conservation Area Advisory Panel commented that the amended design had complied with the requirement to move back from the pavement line to reduce overshadowing. The panel considered that the frontage should be designed to reflect the buildings in the vicinity and appear to be terraced dwellings with access to the bottom flat from the front, and the top flat from the side or rear or from inside (with no fake doors). The design of the building should reflect the properties surrounding the site as terraced dwellings and have the rhythm of 6 dwellings across the frontage.

In light of the comments raised, it is considered that there would be less than substantial harm to the significance of the Conservation Area and there would be little harm if any caused to the setting of the Listed Church, especially noting that Historic England do not object to the loss of the buildings that are currently on site, or make any specific objection to

the current scheme in so far as to the setting of the listed church. In line with paragraph 196 of the NPPF, where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Impact upon Residential Amenity

It is acknowledged in relation to the neighbours opposite the site, that they will notice the new buildings being significantly taller than what currently exists. However the scale of these new buildings are not considered to cause detrimental overshadowing, overlooking or overbearing issues given that this scheme now proposes that the tallest element is 23.2m from the front façade of those opposite and the architect has detailed on the accompanying plans that the design has taken into account the right to light issues raised by the neighbours. Furthermore it must be noted that these neighbours are on higher land than the application site by approximately 0.4m.

17 Church Street, the neighbour to the south of the site is separated from the development by the access road and comprises of 2 flats. The proposed building will project only 2.5m beyond the front elevation of 17 Church Street, compared to the 7m previously advocated. Being due north of 17 Church Street, it is not considered that the occupiers of the flats will be detrimentally affected in terms of being overshadowed by the development. There are two windows contained in the north elevation of no. 17 and there are windows proposed in the south elevation of the new building. At first and second floor there are windows in the south elevation of the new building that serve habitable room windows. At first floor in the new building, a flat has secondary living/dining room window and the second floor flat has a secondary bedroom window. A roof terrace serves both the first and second floor flats that could also achieve views into the windows of 17 Church Street. It is considered that notwithstanding details received screening along these balconies and obscure glazing with restricted opening to the windows will be required to protect the neighbour's amenity and is conditioned accordingly.

The neighbours to the rear of the site include the flats above the shops on the High Street and a house whose eastern elevation forms part of the boundary of the site. These neighbours are separated from the proposed balconies by some 20m and with the area to the rear of these buildings being used as service areas to the shops on the High Street it is considered that they will not experience detrimental overlooking issues. The topography of the site slopes away in a westerly direction by 1.8m from the front to the rear of the site. Accordingly with the tallest element of the proposal being 10.4m high, whilst there will be some overshadowing into the courtyards of the buildings that front the High Street, this overshadowing will be in the morning period only, as by midday sunlight is achieved over the single storey flat roof Conservative club building at the rear of no. 17 Church Street. These neighbours will experience some overbearing issues given the height of the building and the increase in site levels however the 20m separation reduces the impact, to an acceptable level.

The neighbours to the north of the site are separated from the building by a service road that provides access to the shops and flats that are on Greevegate. The shops and flats have service courtyards. The nearest flat would be 28a Greevegate, which is only 5.7m from the two storey element of the building. 28a is orientated in such a way in relation to the siting of the proposed new building that on balance it will not detrimentally affect their amenity to a degree that would recommend a refusal of the application. Notwithstanding details received, it is however considered necessary to condition screening along the northern elevation of the balcony to APT F.1 to avoid overlooking into the neighbours in Greevegate.

The tallest element of the building is 13m away from the rear of the buildings on Greevegate and the 2 storey element of the building 6m away from these neighbours on Greevegate. The windows in the rear elevation of these buildings are non-obscurely glazed and could serve residential flats. Albeit this proposal will promote a close relationship with these buildings, it has to be noted that there would be no direct window to window relationship with window separation from habitable room windows in the proposed buildings to the glazed windows on the rear of those on Greevegate being 10.3m and 13m at their closest point. The closest relationship will be between those who will use the roof terrace on F1 and the neighbours from Greevegate and it is detailed that a screen will be provided on the northern elevation of this balcony to avoid overlooking. A condition will be attached accordingly.

The moving away of the buildings on Greevegate from the taller elements of the proposed building reduces the buildings overbearing presence. These neighbours will experience some overshadowing during a period of the day, but not to a degree that would merit refusing the application.

The Environmental Health and Housing - Community Safety Neighbourhood & Nuisance team request possible internal layout changes in so far as minimising the noise between the flats, however this is not considered to be necessary as such noise issues are adequately addressed under other legislation (the Building Regulations).

The site is contained within a dense residential and commercial area and will involve demolition of existing buildings to create 16 flats. It is therefore considered that conditioning a construction management plan including measures in respect to dust suppression will be necessary.

Affordable Housing

Ordinarily a site of this size and scale, 16 dwellings, would require affordable housing contributions of 20% i.e. 3.2 dwellings. However the site contains vacant B2 units and accordingly the proposal benefits from the government's vacant building credit. The broad premise of vacant building credit is a credit that can offset against the affordable housing requirement of the new development. The credit takes into account the gross internal floorspace of the vacant building brought back into use or demolished for redevelopment purposes.

The proposal has been supported by a viability analysis that takes into account the vacant building credit. The existing GIA floorspace of the building is 1476sqm. compared to the proposed GIA floorspace of 1791.7m². In line with guidance provided by BCKLWN in calculating floorspace for vacant building credit, this means that only a total increase of 315.7m² of floorspace would be subject to affordable housing contributions. This number 315.7sqm. is then divided by the average residential floorspace ($1791/16 = 111.98\text{m}^2$) to work out how many units are provided within the additional floorspace, which in this case equates to 2.82 units. The 20% affordable threshold is then applied to the 2.82 units = 0.564 of an affordable unit is therefore required. This would be an affordable housing contribution of £33840 ($0.564 \times £60,000$) which shall be secured through a s106 agreement.

Highways

The former printing press would have generated its own traffic movements and furthermore a B2 use could operate from the site without requiring planning permission, and 500m² of floorspace could be a B1 or B8 use, through a permitted change of use.

It is important to acknowledge this fact, as there would be a form of traffic "trade off" in terms of numbers and frequency of movements between a business use and a proposed

residential use. Furthermore some of the vehicles associated with such uses (larger vehicles) would potentially be more intensive during operational hours.

The highways officer notes that 17 parking spaces is below the minimum levels outlined in the parking standards, however the site is within the town centre and therefore people can access services without relying on the motor car. Furthermore there is the provision of an 18 space cycle store. It is worth noting that whilst 17 parking spaces are below the standard requirement, each flat has the equivalent of 1 parking space.

Thus subject to conditions the highways officer has no objection to the proposal.

Drainage and Flood Risk

The site lies within flood zone 1 according to the Environment Agency's maps and the site is less than 1 ha accordingly no Flood Risk Assessment was submitted with the application.

In respect to drainage a Sustainable Urban Drainage System document has accompanied the application and has subsequently been amended during the application to take into account the LLFA comments. The site is 100% covered in hard surfacing and any form of SUDS would be betterment than the current situation in regards to surface water drainage. Initially it was considered that SUDS could be through infiltration techniques however this was subsequently ruled out due to the geology of the ground (chalk) and from the desk study in respect to contamination, which states that there would be likely ground contamination on this site. Accordingly a second option was put forward that would involve connection to the public sewer with a pumping station following a time of attenuation of the water in cellular storage tanks.

The LLFA are content with this drainage scheme and subject to more details to be secured by way of condition, they have no objection to the scheme. The management and maintenance will be secured by way of S106 agreement. It is worth noting that both the Environment Agency and Anglian Water also required surface water drainage details to be secured by way of condition.

In regards to foul water drainage, Anglian Water confirms that there is capacity within the network to accommodate the foul water flows.

Contamination

The application is accompanied by a phase 1 Desk Study Report produced by AF Howlands Ltd. From this study it is apparent that there are multiple sources of different contaminants from industrial sources and potentially asbestos containing materials within the building structure. The report recommends additional investigations to target the identified potential contaminants. Accordingly full contamination conditions are imposed, as recommended by the Environmental Quality Officer, which have been echoed by the Environment Agency.

Additionally in line with the CSNN officer comments, air quality conditions (construction management) are also imposed as referenced earlier in the report.

Other Material Considerations

The site has no redeeming ecological features that require a phase 1 protected species report and Natural England has considered that the proposal does not have any significant adverse impacts on statutorily protected sites or landscapes. Habitats Regulation payments shall be secured in the S106 agreement.

The Historic Environment Service has not responded to the application but they had commented in regards to the previous scheme that they have no objection to the proposal as there are no archaeological implications.

Whilst the Police Architectural Liaison Officer has not responded to this scheme, it is largely the same as that considered previously to which The Police Architectural Liaison Officer had raised no objection to the previous scheme.

Aside from the material considerations covered above in response to the Hunstanton Town Council and Third Party issues, other issues raised by 3rd parties in regards to a right to a view and potential structural issues caused by the build are not material planning considerations.

There are communal landscaped areas on the site that will need to be managed and maintained. This will be secured in a S106 agreement in regards to landscape management and maintenance.

CONCLUSION

The previous application was refused on the grounds that the proposal was overbearing in the street scene by virtue of its scale and siting in relation to the properties on Church Street. In turn this also caused neighbour amenity issues especially with those on the opposite side of Church Street.

The proposal has sought to resolve these issues by setting the taller elements back on the site and setting the overall building back on the site by 3m. This has resulted in a separation of the taller elements of building from those on Church Street by 21m and a scheme that is no longer considered to be overbearing upon the street scene and the character of the Conservation Area.

It is your officer's opinion therefore that the proposal has overcome the reasons for the Committee refusing the previous application.

In regards to other material issues the loss of employment land and use within the town centre could bring about an improvement to neighbour amenity and is considered to comply with policy on retention of employment land. The design causes less than significant harm to the character of the Conservation Area and setting of St Edmunds Church, but in accordance with paragraph 196 of the NPPF it is considered that any harm caused is outweighed by the environmental, economic and social benefits the housing scheme would bring to Hunstanton.

The affordable housing contribution meets the national scheme on affordable housing adopted by the Council, and is acceptable in these terms.

The proposal is therefore recommended to be approved subject to the following conditions and legal agreement.

RECOMMENDATION:

A APPROVE subject to conditions and completion of a Section 106 agreement that secures the affordable housing financial contribution, SUDS management and maintenance, Habitats Mitigation Payments and Landscape Management and Maintenance within 4 months of the date of this decision

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:-

Proposed Site Layout Plan - 55_15_P_10 Rev E
Proposed Ground Floor Plan - 55_15_P_11 Rev G
Proposed First Floor Plan - 55_15_P_12 Rev F
Proposed Second Floor Plan - 55_15_P_13 Rev F
Proposed Roof Plan - 55_15_P_14 Rev E
Proposed East & South Elevations – 55_15_P_15_1 Rev F
Proposed East and South Elevation - 55_15_P_15_2 Rev F
Proposed West and North Elevation - 55_15_P_15_16_2 Rev E
Proposed Section A-A Elevation - 55_15_P_17 Rev E
Proposed Elevations to recesses A and B – 55_15_P_18
Proposed Elevations to recesses C and D – 55_15_P_19 Rev A

2 Reason: For the avoidance of doubt and in the interests of proper planning.

3 Condition: Prior to the commencement of groundworks, 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'.

3 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. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.

- 4 Condition: Prior to the commencement of groundworks, 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.

- 4 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. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.

- 5 Condition: The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, 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 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.

- 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.

- 6 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 3, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 4, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 5.

- 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.

7 Condition: No development or other operations shall take place on site until a detailed construction management statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:

- (a) the methods to be used and the measures to be undertaken to control the emission of dust, noise, and vibration from the operation of plant and machinery to be used;

The development of that phase shall be carried out in accordance with the approved construction management statement.

7 Reason: In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF.

8 Condition: Notwithstanding the submitted details unless otherwise agreed in writing by the Local Planning Authority the proposed private drive shall be maintained in perpetuity at a minimum width of 4.2 metres for its complete length and shall be constructed perpendicular to the highway carriageway for a minimum length of 10 metres as measured from the near edge of the highway carriageway.

8 Reason: In the interest of highway safety and traffic movement.

9 Condition: Prior to the commencement of the use hereby permitted the vehicular access indicated for improvement on Drawing No.55_15_P_10/E shall be upgraded in accordance with the Norfolk County Council Residential access construction specification for the first 2 metres as measured back from the near channel edge of adjacent carriageway. 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.

9 Reason: To ensure construction of satisfactory access and to avoid carriageway of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement.

10 Condition: Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

10 Reason: In the interests of highway safety.

11 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car and cycle parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

11 Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

12 Condition: Prior the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage. The

splay shall thereafter be maintained at all times free from any obstruction exceeding 0.95 metres above the level of the adjacent highway carriageway.

- 12 Reason: In interests of highway safety in accordance with the principles of the NPPF.
- 13 Condition: Notwithstanding details in respect of the submitted Drainage Strategy (Barter Hill, 6590, October 2017), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:-
1. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration from the 1 in 100 year return period, including allowances for climate change, flood event. A minimum storage volume of 46m³ will be provided in line with the submitted calculations.
 2. Detailed designs, modelling calculations and plans of the drainage conveyance network in the:
 - * 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - * 1 in 100 year critical rainfall plus climate change event to show, if any, the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) with the development.
 3. The design of the attenuation basin will incorporate an emergency spillway and any drainage structures showing the routes for the management of exceedance surface water flow routes for the management of exceedance surface water flow routes that minimises the risk to people and property during rainfall events in excess of 1 in 100 return period.
 4. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding.
 5. Details of how all surface water management features to be designed in accordance with the SuDS Manual (CIRCA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
- 13 Reason: To prevent flooding in accordance with paragraph 103 and 109 of the NPPF.
- 14 Condition: No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the building(s) and/or extension(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 14 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

- 15 Condition: No development over or above foundations shall take place 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.
- 15 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 16 Condition: No development shall take place on any external surface of the development hereby permitted until samples of the roof tiles be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 16 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 17 Condition: Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate. All hard and soft landscape works shall be carried out in accordance with the approved plans prior to the first occupation of the development hereby approved.
- 17 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 18 Condition: Notwithstanding the approved plans, details of the following items at a scale of 1:20, or as otherwise specified, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation:-
1. Drawings of all new joinery works in respect to windows and doors
 2. The railings to be provided on the Church Street elevation

The development shall be carried out in accordance with these agreed details.

- 18 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 19 Condition: Notwithstanding details received the terraced area serving APT.F1 accessed via the Kitchen/Living/Dining Room shall be screened on its northern elevation in accordance with a screening scheme to be approved in writing by the Local Planning Authority prior to the first occupation of APT. F1 The screening scheme shall include the height of any screening and the materials used in its construction and the method by which to prevent overlooking into windows contained in the southern elevation of those flats on Greevegate. The screening scheme has been carried out in accordance with the agreed details and installed prior to the first occupation of APT.F1
- 19 Reason: In the interests of safeguarding neighbour amenity.

- 20 Condition: Notwithstanding details received the terraced area serving APT.S3 accessed via the Kitchen shall be screened on its southern elevation in accordance with a screening scheme to be approved in writing by the Local Planning Authority prior to the first occupation of APT.S3. The screening scheme shall include the height of any screening and the materials used in its construction and the method by which to prevent overlooking into windows contained in the northern elevation of 17 Church Street. The screening scheme has been carried out in accordance with the agreed details and installed prior to the first occupation of APT.S3.
- 20 Reason: In the interests of safeguarding neighbour amenity in accordance with the principles of the NPPF.
- 21 Condition: Before the first occupation of the building apt F5 hereby permitted the secondary living room windows on the east elevation in APT.F5 as annotated on drawing no.55_15_P_12 Rev F shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.
- 21 Reason: To protect the residential amenities of the occupiers of nearby property.
- 22 Condition: Before the first occupation of the building apt S3 hereby permitted the secondary bedroom window on the east elevation in APT.S3 as annotated on drawing no.55_15_P_13 Rev F shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.
- 22 Reason: For the avoidance of doubt and in the interests of proper planning.

B REFUSE In the event that the Section 106 agreement is not completed within 4 months of the date of this Committee meeting, the application shall be **REFUSED** affordable housing financial contribution, SUDS management and maintenance, Habitats Mitigation Payments and Landscape Management and Maintenance within 4 months of the date of this decision