



**Planning Committee**  
**Monday, 5th February, 2018 at 9.30 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 - 20)

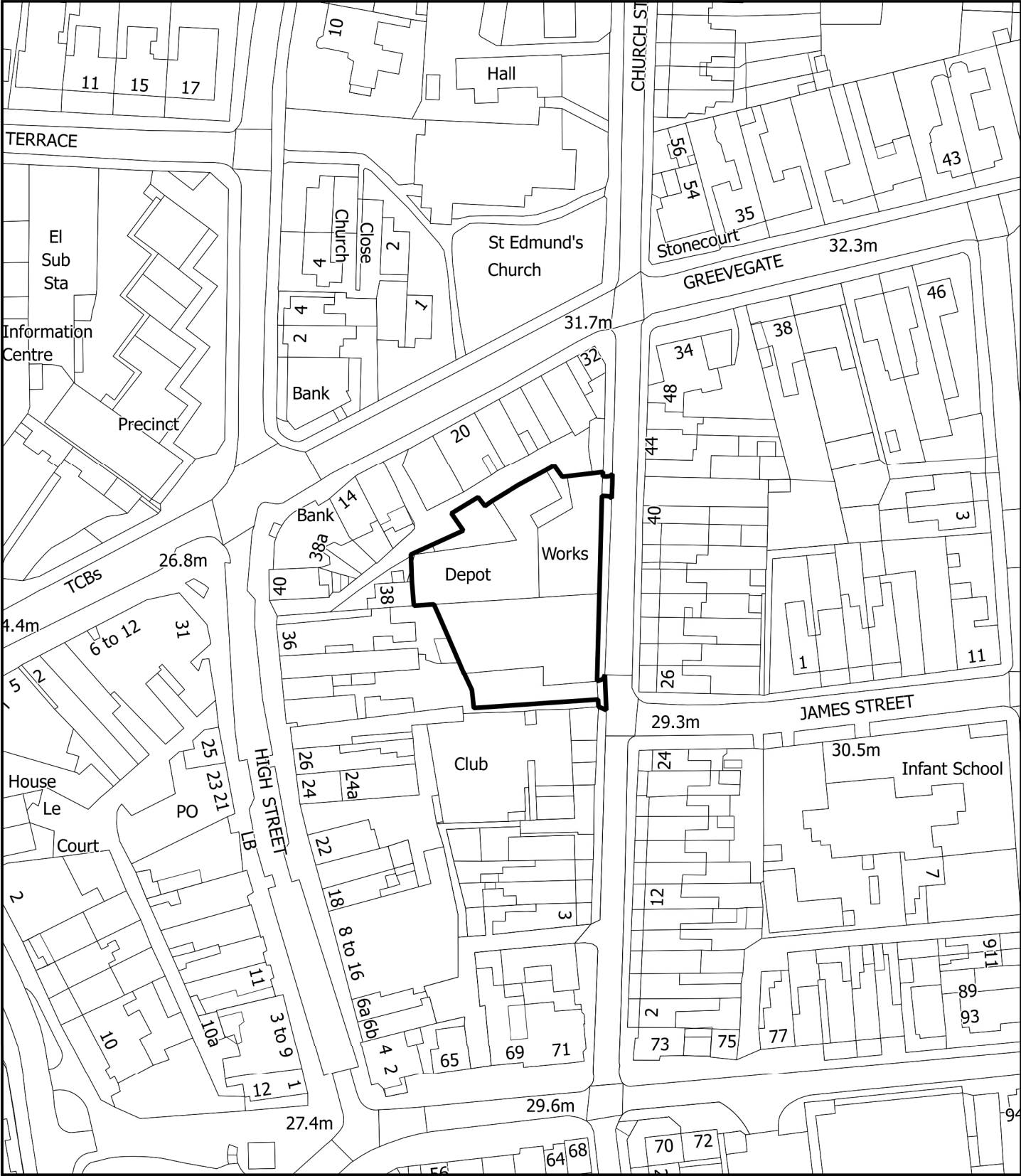
To consider and determine the attached Schedule of Planning Applications submitted by the Executive Director.

**Contact**

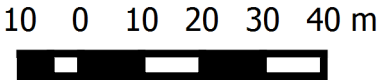
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17/00025/FM

Whitleys Stationers Press 19-21 Church Street Hunstanton



1:1,250



<b>Parish:</b>	Hunstanton	
<b>Proposal:</b>	Demolition of old print works and the construction of 15 number 2 bed flats and 1 number 1 bed flat with associated car parking	
<b>Location:</b>	Whitleys Stationers Press 19 - 21 Church Street Hunstanton Norfolk	
<b>Applicant:</b>	Waterfield Dudley Ltd	
<b>Case No:</b>	17/00025/FM (Full Application - Major Development)	
<b>Case Officer:</b>	Mr C Fry	<b>Date for Determination:</b> 4 December 2017 <b>Extension of Time Expiry Date:</b> 15 January 2018

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

**Neighbourhood Plan:** No

### Case Summary

The site is on the western side of Church Street, Hunstanton and measures .185ha and contains workshops and stores including hardstanding. The site was occupied by Witleys Stationers Press.

The site lies within Hunstanton Conservation Area.

The proposal seeks Full Planning Permission for the erection of 15 – 2 bed flats and 1 – 1bed flat following the demolition of the structures on the site.

### Key Issues

- Principle of Development
- Loss of Employment Land and Premises
- Impact upon Designated Heritage Assets
- Impact upon Residential Amenity
- Affordable Housing.
- Highways
- Drainage and Flood Risk
- Contamination
- 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, 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, 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.

## 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.

## PLANNING HISTORY

No recent relevant history

## RESPONSE TO CONSULTATION

### Town Council: **OBJECTION**

Original comments Hunstanton Town Council (HTC) is opposed to the development of 16 flats as the 3 storey building is too tall.

Because of its height it will also rob existing properties of the sunlight they have enjoyed for over a century

As HTC recognises the need for development of this site, we might have looked more favourably on a 2 storey building set further back from the pavement. We see that there are other objections relating to a drainage strategy (SUDS) and CIL and add our voice that HTC is against the current plans for this development.

It was suggested that car parking spaces at the front instead at the rear could have resolved the matter of the building being so close to the pavement.

Revised Scheme Further to our previous comments, being 3 storeys height they are overshadowing the cottages opposite; being built so close to the pavement without front gardens they will be overlooking at rather close quarters and are therefore overbearing and out of character.

We would have no objection to 2 storey houses on this site but being flats there are issues of overlooking from all 3 levels and adds over intensive development for this site. We would therefore request that the developer submits a design that is more acceptable to the area

**Highways Authority: NO OBJECTION** subject to the removal of two car parking spaces directly from Church Street and the imposing of 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. However there will be a short term impact on air quality due to dust from construction therefore I recommend that a construction environmental management plan be required by condition to mitigate this impact.

**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.

**Cadent Gas: NO OBJECTION**

**Police Architectural Liaison Officer:** The layout is encouraging as increased permeability is linked to increased crime. No through route gives residents a feeling of ownership and encourages a feeling of community. It is recommended that access is controlled to the site by a barrier to prevent unwanted intrusion. Pedestrian gates with the vehicle barrier could be introduced. Private parking signage and white lighting should be used to provide high colour lighting scheme to reduce likelihood of any contribution to light pollution.

A bicycle, bin, mobility vehicles and bicycle store must have no windows.

Other comments reflect internal designs to reflect Secure by design.

**Conservation Officer: NO OBJECTION** design sustain character of the Conservation Area and setting of Listed Church. Conditions required in respect to materials and details.

**Conservation Area Advisory Panel: OBJECTION** the panel concluded that the scheme as presented was not acceptable. The consensus of the Panel agreed that a modern building set back might be more appropriate should the applicant wish to change styles.

**Historic England :** Original design whilst we do not oppose the removal of the existing buildings we are concerned that redevelopment of the site has the potential to harm the significance if the scale, form, design and materials of the new building do not take the opportunity to preserve and enhance the character and historic significance of the area. Associated car parking would be provided to the rear with access at the southern end of the new building, although two spaces would also be accessed of the street at the northern end. The elevation to Church Street will have a significant visual impact on this part of the Conservation Area. However rather than adopt the pattern of restrained and simple terraced housing seen on the street it would be a bulky building with an asymmetrical façade including projecting element of varying heights. These are three bays width with shallow sloping roofs giving them a squat appearance. Contrasting with this are strips of full height fenestration flanking and above a central entrance bay which would give the building a feeling of additional verticality. The south elevation, which would be visible from the access drive, is very complex and bulky displaying a large mass of building out of scale with others in the street. The proposed materials have some relationship to those found in the conservation area but are not used convincingly or with good quality. The result is a building the scale and form of which are out of character with the conservation area with an overly complex design.

**Revised Scheme** In our earlier advice we expressed concern about the bulk and complexity of the new building, especially the Church Street and southern elevation. The revised plans do show some simplification of the former which is welcome. The depth of the building still gives a bulky appearance on the southern side, although the fact it steps back into the site helps reduce this. Some simplification of the northern end of the Church Street elevation would still be welcome and good use of traditional materials will be important in any approved scheme but I can confirm that we do consider the design to be improved.

**Housing Enabling Officer:** I have looked through the previous correspondence and it does appear that I had carried out the Vacant Building Credit calculation based on the combined internal area of the dwellings without including the communal/circulation space. This was incorrect. As you had suggested, the correct calculation gives a contribution of £48k, full calculation as follows

Total proposed Gross Internal Area (1885.3sqm) – GIA of vacant building (1412sqm) = 473.3sqm

Average GIA of dwellings = 117.83sqm (Total proposed GIA/No of proposed dwellings)

No of dwellings that can be provided on net increase =  $4 = 473.3/117.83$

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20% AH contribution = 0.8  
Financial contribution = £60000 x 0.8 = £48000

## REPRESENTATIONS

Original application

### 2 letters of **support**

- Can the carrstone wall which will cover an exposed flank wall at no.38 High Street continue along the sites western edge and replace the proposed 2m timber fence that will screen the garden.
- It's an eye sore and someone is willing to invest.

### 9 letters **objecting** to the scheme on the following grounds

- The proposed design and height will have direct impact on sunlight coming into my house
- Right to light
- Overlooked
- Spoiling views
- Not sufficient parking spaces
- Increase in road traffic, safety and noise disturbance
- Design out of keeping with the area – too close to the road
- Structural impact on existing properties
- Noise and disruption during the construction period
- Air pollution from extra cars
- Views of the listed Church will be blocked heading along Church Street from the south aspect.

Revised scheme

1 letter neither objecting nor supporting the application referring to the effect upon local businesses if the road is to be closed.

### 10 letters of **objection**

In addition to original comments

- A 1.5m high wall at the rear of 38 High Street Hunstanton will need to be retained or replaced

- Profit making exercise

## **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)

## **PLANNING CONSIDERATIONS**

- Principle of Development
- Loss of Employment Land and Premises
- Impact upon Designated Heritage Assets
- Impact upon Residential Amenity
- Affordable Housing.
- Highways
- Drainage and Flood Risk
- Contamination
- Other Material Considerations



## **Principle of Development**

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.

## **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 Witley 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 original scheme that was submitted with the application involved 2 storey and 3 storey elements, with numerous breaks in the front elevation, varying fenestration and appeared rather contrived and did not draw influence from the character of the development in the locality.

The revised scheme proposes both 3 storey and 2 storey elements. The scheme scales 10.9m (h) x 46m (w) x 27m (d) maximum dimensions. Taking into account the existing buildings on the site are hard onto the road and taking care not to enclose the street scene, the 2 storey and 2/1/2 storey elements are located towards the front of the site with the 3 storey element to the rear. The taller element can be accommodated given that the site slopes away to the west. Having these varying rooflines, albeit not to the degree proposed under the original scheme is considered to address the bulky and or broad appearance of the original scheme. 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, thus adhering to Historic England's request for a more restrained and simplified design akin to the terraced housing opposite.

The Conservation Area Advisory Panel objects to the revised scheme and would prefer to see a more modern appearance of buildings on the site with the buildings set further back. However, Historic England has not objected to the revised scheme. They comment in respect to the revised design "the revised plans do show some simplification of the former which is welcome. The depth of the building still gives a bulky appearance on the south side, although the fact that it steps back into the site helps reduce this; some simplification on the northern end of the Church street elevation would still be welcomed and good use of traditional materials will be important, but I can confirm that we do consider the design to be improved."

Neither the Conservation Area Advisory Panel nor Historic England refer specifically to any adverse impact of the setting of St. Edmunds Church,

The Conservation Officer has no objection to the scheme.

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 134 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 the 14m separation distance between the proposed buildings and these 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 is 2 flats. The proposed building will project 7m beyond the front elevation of 17 Church Street, however 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 windows and at second floor a flat has kitchen and ensuite windows. A roof terrace is accessed from the second floor flat that could also achieve views into the windows of 17

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Church Street. However, it is not considered to be necessary to impose a condition in respect to obscure glazing of the dining room/living room windows as these are secondary windows to that particular flat. In regards to the second floor flat, the kitchen window does not provide direct overlooking towards this window in number 17 Church Street. The ensuite window however will be conditioned to be obscurely glazed and non-opening below 1.7m above the floor level. A condition requiring details in respect to screening along the eastern elevation of the second floor roof terrace to this flat will be imposed to avoid overlooking into 17 Church Street.

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 10.9m 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 reduces the impact.

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 4.8m from the flank façade of the proposed 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.

The 3 storey 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, by virtue of the buildings on Greevegate stepping away from the site heading in an easterly direction. However, it is considered that one of the closest relationships, the balcony to Apt F1 – will need to have obscure screening along its northern elevation to address any overlooking issues. 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 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 (VAC). 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 1412sqm. compared to the proposed GIA floorspace of 1885m<sup>2</sup>. In line with guidance provided by BCKLWN in calculating floorspace for Vacant Building Credit, this means that only a total increase of 473m<sup>2</sup> of floorspace would be subject to affordable housing contributions. This number 473sqm. is then divided by the average residential floorspace ( $1885/16 = 117.813\text{m}^2$ ) to work out how many units are provided within the additional floorspace, which in this case equates to 4.01 units. The 20% affordable threshold is then applied to the 4 units = 0.8 of an affordable unit is therefore required. This would be an affordable housing contribution of £48,000 ( $0.8 \times £60,000$ ) 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 500m<sup>2</sup> 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 initially objected to the application as there were 2 parking spaces provided directly off of Church Street (north) of the building. This has since been removed from the proposal. Other comments from 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

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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 Historic Environment Service has commented that they have no objection to the proposal. There are no archaeological implications.

The Police Architectural Liaison Officer raises no objection to the scheme in principle but makes suggestions.

Aside from the material considerations covered above in response the Hunstanton Town Council and Third Party issues, other issues raised by 3rd parties in regards to a right to a view and structural issues 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**

It is your officer's opinion that the proposed development can be accepted in principle. The loss of employment land and use within the town centre could bring about an improvement to neighbour's 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 134 of the NPPF it is considered that the harm caused is outweighed by the environmental, economic and social benefits the 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 will undoubtedly result in close neighbour relationships especially with the flats contained within 17 Church Street and those flats at first floor above the shops on Greevegate. However there are no direct window to window relationships and distances to the taller elements of the building has overcome any detrimental overbearing issues. The flats in Greevegate will experience some overshadowing however this will only be for a short period of the day.

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

## **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:-  
  
Proposed Site Layout Plan - 55\_15\_P\_10 Rev B  
Proposed Ground Floor Plan - 55\_15\_P\_11 Rev B  
Proposed First Floor Plan - 55\_15\_P\_12 Rev B  
Proposed Second Floor Plan - 55\_15\_P\_13 Rev C  
Proposed Roof Plan - 55\_15\_P\_14 Rev B  
Proposed East and South Elevation - 55\_15\_P\_15\_2 Rev B  
Proposed West and North Elevation - 55\_15\_P\_15\_16\_2 Rev B  
Proposed Section A-A Elevation - 55\_15\_P\_17 Rev B
- 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: 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.

- 9 Reason: In the interests of highway safety.

- 10 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.

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

- 11 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:-

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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 46m<sup>3</sup> 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.
- 11 Reason: To prevent flooding in accordance with paragraph 103 and 109 of the NPPF.
  - 12 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.
  - 12 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
  - 13 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.
  - 13 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
  - 14 Condition: No development shall take place on any external surface of the development hereby permitted until samples of the roof tiles to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by

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the Local Planning Authority. The development shall be carried out 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: 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.
- 15 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 16 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:-
- Drawings of all new joinery works in respect to windows and doors
  - The railings to be provided on the Church Street elevation

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

- 16 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 17 Condition: Notwithstanding details received before the first occupation of the following dwellings hereby approved the following windows shall be fitted with obscure glazing and any part of the window that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.
- APT.F1 - bathroom window in the north elevation as shown on 55\_15\_P\_12\_B and 55\_15\_P\_16\_1 Rev B
  - APT.S1 - ensuite window in the north elevation as shown on 55\_15\_P\_13 Rev C and 55\_P\_P\_16\_1 Rev B
  - APT.S3 - ensuite window in the south elevation as shown on 55\_15\_P\_13 Rev C and 55\_15\_P\_15\_2\_ Rev B
- 17 Reason: To protect the residential amenities of the occupiers of nearby property.
- 18 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.

- 18 Reason: In the interests of safeguarding neighbour amenity in accordance with the principles of the NPPF.