

Borough Council of
**King's Lynn &
West Norfolk**



Planning Committee

Agenda

**Monday, 12th July, 2021
at 9.30 am**

in the

**Assembly Room
Town Hall
Saturday Market Place
King's Lynn**

**Also available to view at [WestNorfolkBC](#)
on You Tube.**



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PLANNING COMMITTEE AGENDA

Please note that due to the number of applications to be considered it is proposed that the Committee will adjourn for lunch at approximately 12.30 pm and reconvene at 1.10 pm.

Please ensure that all mobile phones are switched to silent

DATE: **Monday, 12th July, 2021**

VENUE: **Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ**

TIME: **9.30 am**

1. APOLOGIES

To receive any apologies for absence and to note any substitutions.

2. MINUTES

To confirm as a correct record the Minutes of the Meeting held on 14 June 2021 and the Reconvened Meeting held on 17 June 2021.

3. DECLARATIONS OF INTEREST

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the Member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

4. URGENT BUSINESS UNDER STANDING ORDER 7

To consider any business, which by reason of special circumstances, the Chair proposes to accept, under Section 100(b)(4)(b) of the Local Government Act, 1972.

5. MEMBERS ATTENDING UNDER STANDING ORDER 34

Members wishing to speak pursuant to Standing Order 34 should inform the Chair of their intention to do so and on what items they wish to be heard before a decision on that item is taken.

6. CHAIR'S CORRESPONDENCE

To receive any Chair's correspondence.

7. RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS

To receive the Schedule of Late Correspondence received since the publication of the agenda.

8. INDEX OF APPLICATIONS (Page 6)

The Committee is asked to note the Index of Applications.

a) Decisions on Applications (Pages 7 - 143)

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

9. DELEGATED DECISIONS (Pages 144 - 171)

To receive the Schedule of Planning Applications determined by the Executive Director.

To: Members of the Planning Committee

Councillors F Bone, C Bower, A Bubb, G Hipperson (Vice-Chair), M Howland, C Hudson, C Joyce, B Lawton, C Manning, E Nockolds, T Parish, S Patel, C Rose, A Ryves, Mrs V Spikings (Chair), S Squire, M Storey and D Tyler

Site Visit Arrangements

When a decision for a site inspection is made, consideration of the application will be adjourned, the site visited, and the meeting reconvened on the same day for a decision to be made. Timings for the site inspections will be announced at the meeting.

If there are any site inspections arising from this meeting, these will be held on **Thursday 15 July 2021** (time to be confirmed) and the meeting reconvened on the same day (time to be agreed).

Please note:

- (1) At the discretion of the Chair, items may not necessarily be taken in the order in which they appear in the Agenda.
- (2) An Agenda summarising late correspondence received by 5.15 pm on the Thursday before the meeting will be emailed (usually the Friday), and tabled one hour before the meeting commences. Correspondence received after that time will not be specifically reported during the Meeting.

(3) Public Speaking

Please note that the deadline for registering to speak on the application is 12 noon the working day before the meeting, **Friday 9 July 2021**. Please contact borough.planning@west-norfolk.gov.uk or call (01553) 616818 or 616234 to register.

For Major Applications

Two speakers may register under each category: to object to and in support of the application. A Parish or Town Council representative may also register to speak. Each speaker will be permitted to speak for five minutes

For Minor Applications

One Speaker may register under category: to object to and in support of the application. A Parish or Town Council representative may also register to speak. Each speaker will be permitted to speak for three minutes.

For Further information, please contact:

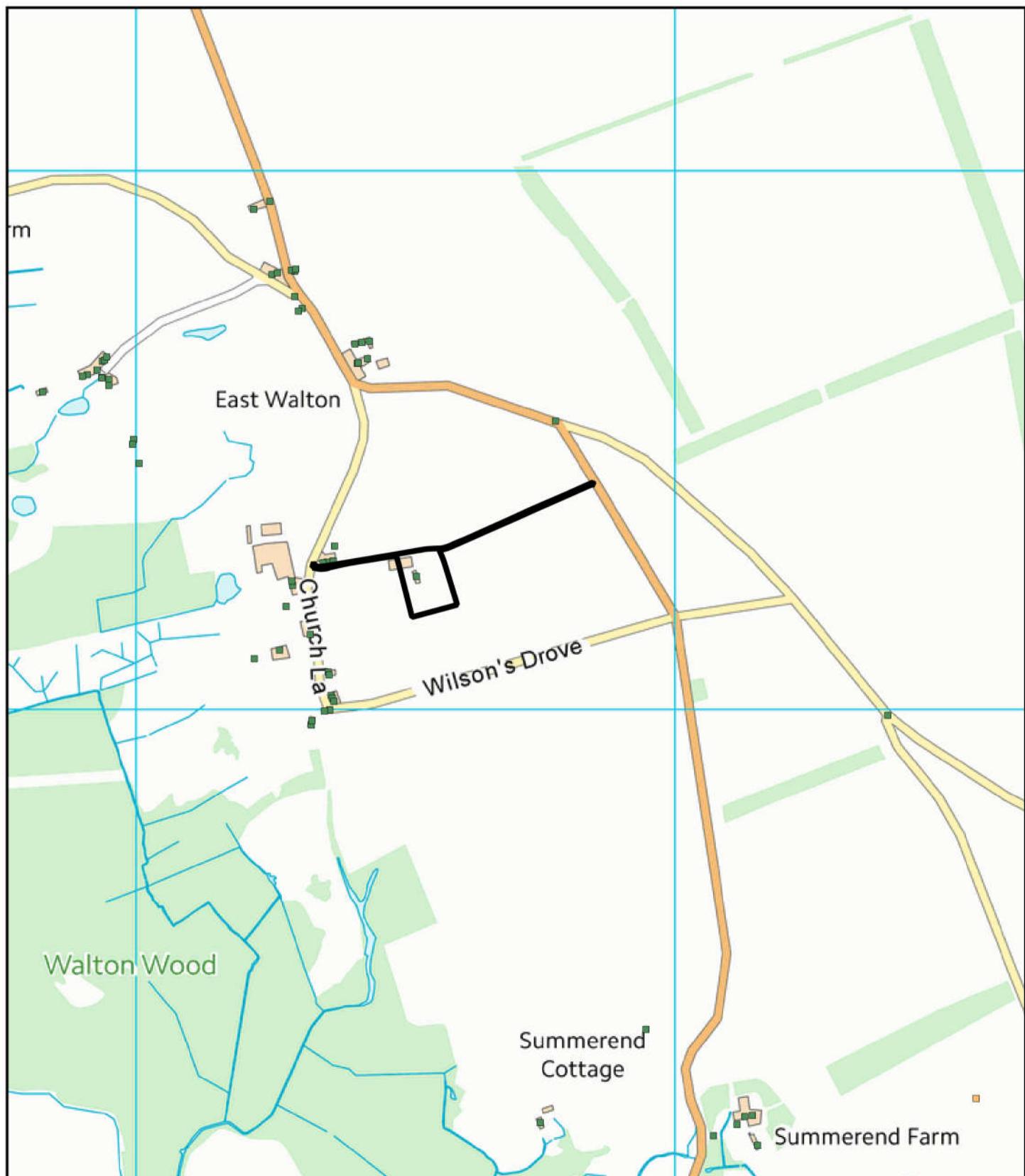
Kathy Wagg on 01553 616276
kathy.wagg@west-norfolk.gov.uk

**INDEX OF APPLICATIONS TO BE DETERMINED
BY THE PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON MONDAY 12 JULY 2021**

| Item No. | Application No. Location and Description of Site Development | PARISH | Recommendation | Page No. |
|--|--|----------------|-----------------------|-----------------|
| 8/1 DEFERRED ITEMS | | | | |
| 8/1(a) | 20/01136/F Siting of 38 storage containers The Old Pheasantry E of Keepers Cottage Church Lane | EAST WALTON | APPROVE | 7 |
| 8/2 MAJOR DEVELOPMENTS | | | | |
| 8/2(a) | 20/01166/FM Demolition of existing residential blocks to provide mixture of new flats with communal space and townhouses, including parking and hard and soft landscaping Hillington Square | KINGS LYNN | APPROVE | 27 |
| 8/2(b) | 20/01957/FM Construction of 78 affordable dwellings and associated access, infrastructure and landscaping Land E of Losinga Road W of Waterside and N of Salters Road | KINGS LYNN | APPROVE | 68 |
| 8/3 OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE | | | | |
| 8/3(a) | 21/00369/F The Hoste Arms 14 Market Place Creation of outdoor seating area with new walling and canopies. | BURNHAM MARKET | APPROVE | 98 |
| 8/3(b) | 21/00081/F 59A Manor Road Proposed new dwelling | DERSINGHAM | APPROVE | 110 |
| 8/3(c) | 20/01792/F East of The Chalet Priory Chase Construction of five dwellings and garages | DOWNHAM MARKET | APPROVE | 125 |
| 8/3(d) | 20/01942/F Rosewood House Narborough Road Erection of three storage barns for commercial purposes | PENTNEY | APPROVE | 137 |

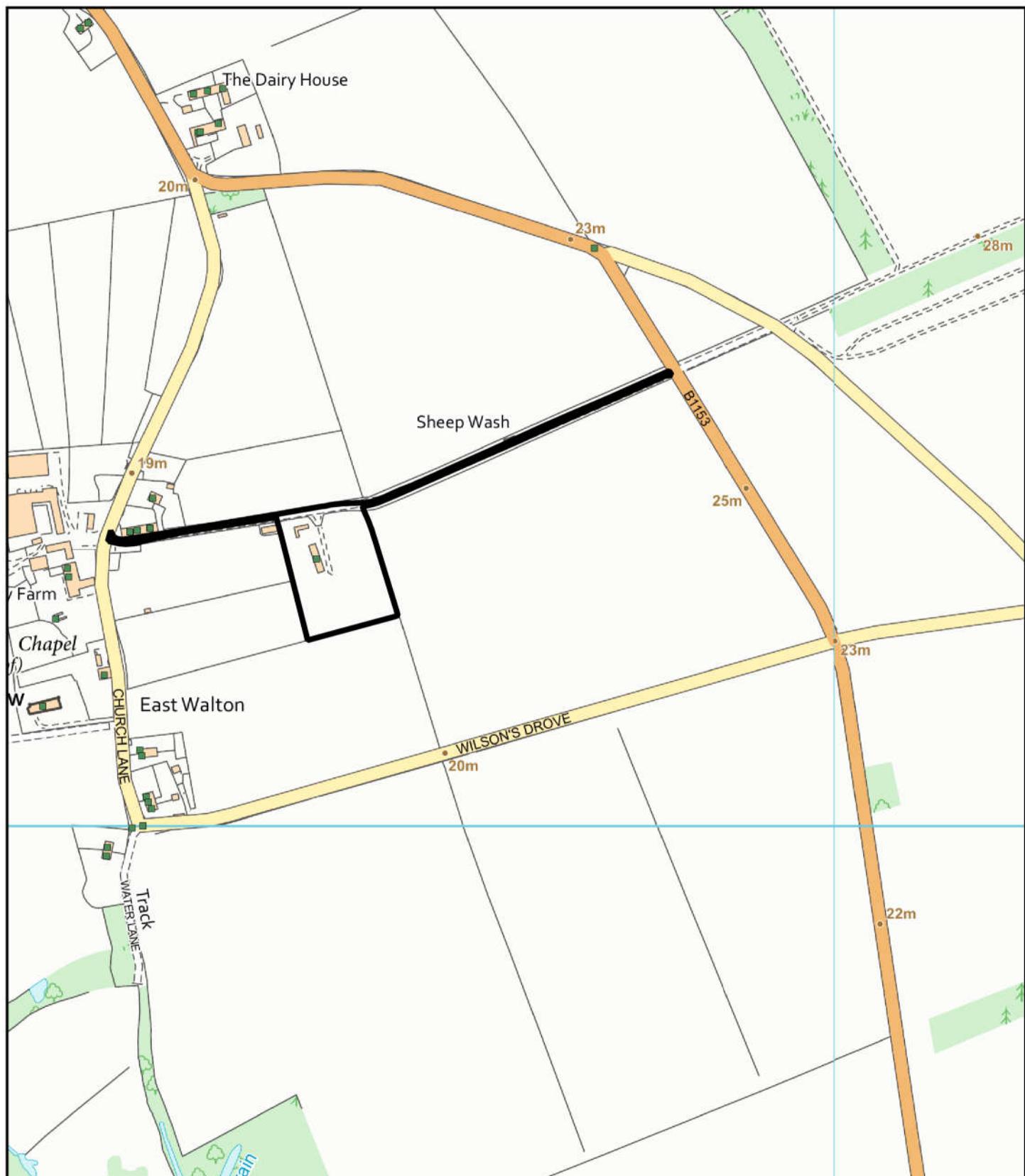
20/01136/F

The Old Pheasantry E of Keepers Cottage, Church Lane



20/01136/F

The Old Pheasantry E of Keepers Cottage, Church Lane



| | | |
|----------------------|--|---|
| Parish: | East Walton | |
| Proposal: | Siting of 38 storage containers | |
| Location: | The Old Pheasantry E of Keepers Cottage Church Lane East Walton Norfolk | |
| Applicant: | Westacre Estate Management | |
| Case No: | 20/01136/F (Full Application) | |
| Case Officer: | Mrs Jade Calton | Date for Determination: 2 October 2020 |

Reason for Referral to Planning Committee – Referred by Councillor's Manning and De Whalley.

Neighbourhood Plan: No

Members may recall that this application was presented at the 8th February 2021 meeting where it was resolved that the application be deferred to another meeting for determination.

For ease of reference amendments to the February report (inclusive of previous Late Correspondence) are presented in emboldened text.

Case Summary

The application site relates to a former Pheasantry and later a Quail Egg Farm which comprises two single storey buildings; a timber clad building and a concrete building which are both disused and in a state of disrepair.

The site is located on the eastern side of Church Lane, to the southern side of an unmade track which joins the B1153, East Walton.

Full planning permission is sought for the siting of 38 storage containers to the eastern side of the existing buildings on site. There are currently 37 containers present on site.

East Walton is a Smaller Village and Hamlet within the Core Strategy's Settlement Hierarchy.

Key Issues

- * Principle of development;
- * Planning history;
- * Impact on the landscape / visual amenities of the area;
- * Impact on Heritage Assets;
- * Highway safety;
- * Other material considerations

Recommendation**APPROVE****THE APPLICATION**

The application site relates to an agricultural field which was a former Pheasantry and later a Quail Egg Farm, comprising two single storey buildings; a timber clad building and a concrete building which are both disused.

The site is located on the eastern side of Church Lane, accessed via an unmade track which adjoins the B1153, East Walton.

Full planning permission is sought for the siting of 38 storage containers to the eastern side of the existing buildings on site. There are currently 37 containers present on site. 36 are Standard shipping containers measuring 6.1m long x 2.4m wide x 2.6m and 2 are high-cube containers measuring 12.2m long x 2.4m wide x 2.9m high.

They are used for self-storage purposes by local residents from East Walton, West Acre and Castle Acre for the long term storage of personal possessions and by local tradespeople and businesses, such as builders, a roofer, electrician for the storage of tools/equipment/materials associated with their work which is carried out on the Estate, in and around the area. The Estate office and local Montessori school also make use of the storage facilities for long term storage purposes.

SUPPORTING CASE

The applicant has submitted a supporting case, which states the following: -

'The site known as the 'Old Pheasantry' in East Walton is owned by the Westacre Estate, as is all the land and property in the vicinity, with the exception of two houses at the southern end of Church Lane.

It is a remote location, comprising an open field and two dilapidated buildings, surrounded by farmland and accessed via a private track.

Its original use, as the name suggests, was as a facility for raising pheasants for shooting on the Estate and for the kennelling of beagles. It was then for many years used by two local builders as a yard for storing materials and equipment.

In 2015, the Estate was approached by a local quail farmer who was losing his premises on a neighbouring estate and was in need of somewhere to relocate his business as well as somewhere to live. From January 2016 to March 2019 he ran his quail farm from the Old Pheasantry and lived in an Estate house nearby. This was quite a large enterprise, involving himself and one other full-time employee plus up to four additional part-time workers.

The site was attended around the clock, employees coming and going in separate vehicles. Eggs were removed on a daily basis for processing and collection nearby, and feed and LPG deliveries arrived by lorry on a weekly basis. Bird waste was stored on site for removal by the local farmer and the site was illuminated 24 hours a day.

Unfortunately, economic conditions forced him to close his business and the site became vacant. Soon after however, the Estate was asked to remove a number of storage containers that had been installed at a different site – Abbey Farm in West Acre – because it was felt they compromised the historic status of that location. This was another Estate-owned agricultural site that, similarly affected by changing circumstances, was at risk of falling into disrepair if new uses couldn't be found for it. The shipping containers had been installed there at the request of local residents as an accessible and economical location for storing personal possessions and equipment and materials associated with their businesses. It was with regret that we had to relocate them but we understood the council's concerns and felt that the Old Pheasantry made a good alternative.

There are now thirty-seven containers at the new site and the tenants remain local residents, businesses and tradespeople. There is no advertising for the business and no signage at the site. Each container has been let through word of mouth, with additional ones only being transferred to the site when someone in the community has requested it.

The local Montessori School has a container; four containers are let to residents of East Walton; six are let to West Acre businesses/residents; the Estate itself keeps two containers; four are let to people in Castle Acre. Six containers are let to people involved in festivals held on the Estate and so naturally are only frequented a few times a year at festival time. And whilst some of those held by local tradespeople – a decorator, electrician and several builders, for example, all of whom do the bulk of their work on the Estate – will often be visited several times a week, others are used for the long term storage of personal possessions and are visited very infrequently.

Tenants are instructed to access the site from the east – from the B1153 – rather than through the village. Efforts to improve the visibility at the junction have already been made and further improvements will be put in place once instructed by Highways. Vehicle numbers have been monitored and found to be low, certainly no more than was the case with previous uses of the site, and unquestionably not at a level to compromise the use of the access track by the Public Right of Way users (predominantly horse riders from the local livery stables run by an Estate tenant). The track will be resurfaced once the weather allows to improve the experience for all users'.

PLANNING HISTORY

No site history.

RESPONSE TO CONSULTATION

Parish Council: OBJECT – Various objections as seen on planning application comments after a village site meeting.

Highways Authority: **NO OBJECTION** - Vehicles numbers accessing the facility would appear to be low in number which is in line with the general trend that we do tend to find across the county for similar sites. The applicant also has the ability to route the associated traffic to a specific junction, to avoid others where there is safety concern and they have the ability to improve and upgrade to accord with the adopted standards.

While not ideal given its rural location and fast road onto which it would access, I believe that it would be difficult to substantiate an objection to this application should junction improvements be made and the applicant routes customers to the east. As a result it is

recommended that conditions with respect to the access and a suitably worded condition be applied to secure the route of access.

Public Rights Of Way: **NO OBJECTION** - we must make it very clear that this is private use and we would expect the track to be maintained so that it isn't to the detriment of non-motorised use.

Environmental Health & Housing – Environmental Quality: **NO OBJECTION**

Natural England: **NO COMMENTS RECEIVED**

Historic England: **NO OBJECTION** - We have considered the application and provided that the containers are matt green in colour, as shown in the application images, we consider that the containers would not be particularly visible from the medieval settlement scheduled monument and the remains of St Andrew's Church or the grade I listed Church of St Mary. As such, the impact on the setting and significance, would be negligible. On the basis of the information available to date, Historic England does not wish to offer any further comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Conservation Team: As this is a retrospective application the impact or harm from the storage containers, is already quantifiable. The containers are some distance from the nearby listed buildings, separated by hedgerows and existing agricultural buildings and barely visible . On this basis the harm caused is only minor, therefore no conservation objections. Historic England have already confirmed that they have no objections to the location of the containers with regards to the setting of the Scheduled Monuments, and Conservation would not disagree with this opinion.

REPRESENTATIONS

TWENTY-FIVE representations of **OBJCETION** have been received raising the following concerns:-

- Highway safety;
- Additional traffic;
- Minor roads totally inadequate for increased traffic;
- Poor visibility at the Church Lane / Beagle Drove / B1153 junction and Wilsons Drove;
- Impact on horse riders;
- Numerous accidents in village on B1153;
- Envisage accidents happening;
- Increase in heavy goods vehicles;
- Church Lane is a single carriageway;
- Drove used by farm vehicles and horses;
- Local roads used by walkers, cyclists and horses;
- Roads are dark in winter afternoons;
- No road infrastructure to cope with more traffic;
- Views from B&B directly onto containers;
- Hedging on plans non-existent;
- Impact on local businesses;
- Impact on visitors;
- At present the location is visited by tourists as an area of natural beauty;
- An eyesore;
- Know of no evidence of increased demand in local area;

- Far more suitable locations for the development;
- Adds nothing to the local economy or to local area;
- Noise pollution;
- Bad for the village and residents;
- Abbey Farm and the Church are close by;
- East Walton has a long history;
- Inconsistent with its past and future;
- Containers moved to site before consultations started with the local community;
- Caused anger and dismay;
- Not a suitable business proposition in a small rural setting;
- Better suited to an industrial estate;
- No local facilities to support such development;
- Cause loss of visual amenity;
- Covered in many different colours;
- Not in keeping with surrounding rural landscape;
- Consider restrictions to opening times, including Sundays;
- Consider Improvement to screening;
- Consider all containers to be painted a neutral colour;
- Affects amenity causing distress to residents;
- The planning proposal contravenes the following: -
- NPPF section 2. Achieving sustainable development - The proposal is not sustainable, it will increase carbon emissions as the site is in the centre of a hamlet;
- NPPF section 6. Building a strong, competitive economy - this proposal does nothing for the local economy;
- proposer says they have a "waiting list", yet similar sites within a 15 mile radius have vacancies and are able to offer the same as this development would offer;
- NPPF Section 9. Promoting sustainable transport - The impact of increased goods and heavy goods traffic to and from the proposed site would be detrimental in the extreme;
- The infrastructure in and surrounding East Walton is wholly unsuitable for this traffic;
- The location is not accessible by public transport;
- The development is unsustainable;
- The same planning proposal was refused in West Acre, which has better public transport, is closer to a town but has similar single carriageway country lanes for access;
- NPPF Section. 11. Making effective use of land- this proposal does not make effective use of land. It does nothing support or enhance the countryside;
- It does nothing to improve public access to the village, in fact the reverse would be true;
- NPPF section 15. Conserving and enhancing the natural environment - The proposed development will be detrimental to the local environment and valued unspoilt countryside, increasing traffic, noise, pollution, as well as spoiling the scenic beauty enjoyed by local residents, visitors and tourists;
- SADMP DM9 - Community Facilities -There is nothing about this development that benefits or supports the local community;
- SADMP DM15 - Environment, Design and Amenity - This development will have a huge detrimental impact on existing residents, and the village as a whole. Noise, possible light pollution, visual impact;
- SADMP DM17 - Parking Provision in New Development - While the proposal does include parking on site, that in itself will lead to increased traffic, noise and pollution;
- Core Strategy CS01 Spatial Strategy - This proposal is located in a wholly unsustainable location. It will be detrimental to the heritage, cultural and environmental assets of the village, including an ancient woodland and historic church;
- CS06 Development in rural areas - it will be detrimental to the local character of the surrounding area and landscape, and detrimental to what is currently a high quality environment;

- does nothing to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources, currently enjoyed by locals, visitors, tourists horse riders and dog walkers;
- CS10 The Economy - Rural Employment Exception Sites - The proposed development is neither appropriate in size or scale to the local area;
- With other sites in nearby towns currently having vacancies for what will be offered at this development, it is not needed;
- CS12 Environmental Assets - detrimental to the environmental, social and economic needs of the local village, and the increased traffic, pollution and noise will have a negative impact on quality of life for current and future residents and visitors;
- East Walton is home to areas of ancient woodlands and Regionally Important Geological Sites (pingos);
- CS11 Transportation - increases rather than reduces the need to travel due to its remote rural location. The opportunity to promote sustainable transport does not exist;
- It will neither improve nor enhance the village;
- It will bring no benefit to the village;
- It will bring more traffic to the narrow lanes of the village and begin the downward trend to becoming a dumping ground for any eyesore not wanted elsewhere;
- This can only be detrimental for the village and there are numerous industrial estates around King's Lynn ideally suited for this enterprise;
- It could prove to be a very dangerous situation. The volume of traffic through our village has increased tenfold in the past few years. Having extra lorries, and or cars, in competition with farm machinery and horses in Church Lane, plus walkers and dog walkers will be so dangerous;
- There is another entry to the site but again you have the same problem;
- There are other places these containers can be placed;
- We all wish for a 30mph sign because the traffic is too fast through our village;
- Not all of the containers on site have been painted a neutral colour (green).

FIVE letters of **SUPPORT** received making the following comments: -

- Vital that small local businesses need affordable storage solutions;
- These are not widely available in the area;
- Store equipment safely and securely;
- The benefits to local businesses outweighs the objections;
- Consider rural economics and more people employed;
- Help small traders to help our economy;
- Having a cheap location where small businesses both existing and start-ups can use to continue trading during these times is both essential to the local economy and jobs;
- Find it unbelievable that so many people object to this application on such minor issues;
- This facility is also great for local residents who need more storage space;
- Do not believe there are any visibility issues;
- Do not believe it will have an impact on traffic in the village;
- When travelling on the B1153 you cannot see the site, not compared to the previous company on the site;
- My local business of 10 years relies on the use of this facility;
- Local trades people, school and community events which use the containers as an essential part of their business;
- They have been placed so hardly anybody notices them.

LDF CORE STRATEGY POLICIES

CS12 - Environmental Assets

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

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

OTHER GUIDANCE

National Design Guide 2019

PLANNING CONSIDERATIONS

The main considerations in the determination of this application are as follows:

- Principle of development;
- Planning history;
- Impact on the landscape / visual amenities of the area;
- Impact on Heritage Assets;
- Highway safety; and
- Other material considerations

Principle of Development:

The application site lies within the countryside and was historically associated with agricultural use, most recently as a quail egg farm.

Locally, Core Strategy (2011) Policy CS10 (The Economy) supports the rural economy and diversification through a rural exception approach to new development within the countryside; and through a criteria based approach to retaining employment land and premises.

Permission may be granted on land which would not otherwise be appropriate for development for an employment generating use which meets a local business need. Any development must satisfy the following criteria:

Planning Committee
12 July 2021

- It should be appropriate in size and scale to the local area;
- It should be adjacent to the settlement;
- The proposed development and use will not be detrimental to the local environment or local residents.

The use of the site for the siting of containers for a self-storage facility supports rural diversification through expansion and growth of existing local businesses (owned by the Estate / applicant) by generating a use that meets local business need.

The proposal retains employment land and whilst East Walton is a smaller village / hamlet, the size and scale of the use relates adequately to the land on which it sits. It is also considered to be commensurate in size and scale to the settlement as it is mostly catering for local businesses and local residents. The site is within close proximity to the main settlement of East Walton.

In terms of whether or not the use is detrimental to the local environment or local residents will be addressed in more detail in the sections below in this report. But, on balance, there does not appear to be significant harm to the environment due to the fact that firstly, the containers are barely visible from any public domain, specifically Church Lane, the B1153 to the east or Wilson's Drove to the south.

Secondly, the use will create no more traffic than the previous agricultural use would have and as such there would be no material detrimental impact on the environment or on local residents in regards to noise, pollution, congestion or general amenity.

With regards to the use being employment generating, the nature of the use does not directly provide jobs. It necessitates two job roles to manage and organise the leases and such like, but involves people who are already employed by the Estate. Notwithstanding this, the key point in this case is that the use in this location supports local businesses which enables them to provide a service in and around the local community. The use therefore aids in securing and retaining local employment.

The NPPF (2019) also encourages a prosperous rural economy with paragraph 83 stating that Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

Taking each criteria in turn, a) the storage container facility is an expansion of the Estate's business and provides for the local rural community and local entrepreneurs.

In regards to the second point, the containers are not considered to be well-designed new buildings, but their appearance accords with their nature, that is to offer affordable storage

solutions. The containers have mostly been painted in neutral green to be less conspicuous within the landscape, that said, they are not overly visible from any main public vantage points.

- b) The proposed use clearly involves the development and diversification of agricultural and / or other land-based rural businesses.
- c) is not relevant in this case as the proposal does not relate to tourism or leisure.
- d) The proposed use does offer the development of a local service and community facility by way of providing self-storage service which is already used by small local businesses and local householders.

East Walton is classified as a smaller village / hamlet, and such locations are not generally considered to be sustainable in terms of transport.

However, paragraph 84 of the NPPF recognises that sites which meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. It states that 'in these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

From the information provided by the applicant, vehicle numbers accessing the facility would appear to be low in number, which is in line with the general trend that is found across the county for similar sites, according to County Highways. The applicant has the ability to route the associated traffic to a specific junction, to the B1153 to the east to avoid traffic passing through the village, thus circumventing any unacceptable impact on local roads and residential amenity. They also have the ability to improve and upgrade the access at the junction of the B1153 to accord with the adopted standards, which in turn contributes to making the site more sustainable in access terms. The proposal therefore complies with the abovementioned aims and provisions of the NPPF.

The application site is well related to the existing settlement of East Walton and is within close proximity of other commercial / business premises owned by the applicant. The Old Forge is situated just west of the site at the junction of Church Lane and the access track, and is used as office space to let, but is currently vacant. Keeper's Cottage is adjacent to the Old Forge and part of the Abbey Farm tenancy which is let by the farmer as B&B accommodation.

Abbey Farm is situated on the opposite side of Church Lane adjacent to the entrance of the access track leading to the application site. This is a working farm with Liveries and a campsite.

The immediate area is home to a number of established businesses and as such already generate a level of traffic which would not be associated with domestic use. The application site has an agricultural use and was previously used as a quail egg farm which is not considered to generate any less traffic than the proposed use as a long-term self-storage yard.

It is therefore considered that the proposal would not materially affect the number of vehicular movements to and from the site or in and around the area significantly more than is currently experienced or would be if the site were in use for agricultural purposes, in accordance with the NPPF.

Planning History:

Members may recall that a similar application for the siting of 15 self-storage containers (19/00405/F) was refused at Planning Committee on the 2nd December 2019 at Abbey Farm, River Road, West Acre. The current application is in response to that refusal, and involves the relocation of the containers, plus additional units, in order to try and overcome the previous reasons for refusal. Those reasons were as follows:-

1. *The storage containers, by virtue of the number of units, their appearance and nature of their use and degree of permanency, would cause unjustified harm to the setting and significance of the Listed Buildings and the Scheduled Ancient Monuments within the site. There would be no overriding public benefit that would outweigh the resulting harm. Consequently, the application is contrary to the general provisions of the NPPF, and in particular section 16, Core Strategy (2011) Policies CS06, CS08 and CS12 and Policy DM15 of the Site Allocations and Development Management Policies Plan (2016).*
2. *West Acre is a remote rural village / hamlet and as such is considered to be an unsustainable location for a development such as a self-storage container business. The nature of the use will generate additional traffic to the site which should not be encouraged as laid out within Core Strategy Policies CS08 and CS10 and the provisions of the NPPF. This type of business use in an unsustainable rural location is not justified as it is not considered to be sensitive to its surroundings, is not physically well-related to existing settlements and does not exploit any opportunities to make the location more sustainable, contrary to paragraph 84 of the NPPF.*

Reason 1 has mostly been addressed in that the containers are no longer within the curtilage of a listed building or Schedule Ancient Monument (SAM) and as such there would be no direct significant impact upon such heritage assets. However, St Mary's Church is nearby and it came to light that there are two SAMs in the area, both of which will need to be assessed. Consideration is given to the significance of the nearby heritage assets and their setting below in the report under the section 'Heritage Assets'.

In regards to reason 2, as briefly discussed above in this report, East Walton is no more sustainable as a location than West Acre in terms of the fact that they are both classified as a SV&H. East Walton is however within close proximity to Gayton which is a Key Rural Service Centre and is connected by one main direct route, the B1153. Sustainability is still a problem issue to some extent but the traffic issue has been addressed and will be covered in more detail later in the report.

This application is about weighing up the Planning balance and although part of reason 2 is difficult to resolve because of the site's location, the previous application site also had very sensitive issues involving conservation and historic environmental constraints which weighed heavily on the refusal of that application.

Additionally, there are other business uses within the immediate area, which are owned by the applicant so could be considered as being an expansion and growth of an existing rural enterprise on a site which has an existing agricultural use. NCC Highways have raised no objection to the proposal as rerouting the traffic to and from the site via the B1153 will ensure that there is no impact on local roads.

Paragraph 84 (NPP) clearly states that 'sites which meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport'. The site is adjacent to the main settlement and it has been proved to some extent by the fact that the containers are all utilised and from letters of support that the site meets local business and community needs. And

simply given the fact that it is in the countryside is not reason enough to refuse such a use as stated within the Policy, and especially Government guidance in the NPPF.

The containers no longer have a direct adverse impact on the conservation sensitivity of its surroundings as it did at Abbey Farm in West Acre. The site is not overly visible from the public domain and as such has no adverse impact on the landscape or character and appearance of the area.

On the basis of the above, and whilst there are still some issues in terms of locational sustainability, much of reason 2 has also been addressed.

Impact on Landscape / Visual Amenities:

The site lies in the countryside and is in a 2000m buffer area of a SSSI. National and Local Planning Policy states that the countryside should be protected for its intrinsic character and beauty, the diversity of its landscapes and wildlife. Aims and provisions for National Designated Sites concentrate on the protection and enhancement of biodiversity and geodiversity.

Natural England's Standing Advice applies to an application of this nature in SSSI Buffer zones, with regards to protect species, their habitats and landscape features. The SSSI Impact Risk Zones data identifies that the application site has no features that would make it suitable for creation of primary and priority habitats. Therefore, the lack sensitivities and features found on the application site indicates that the development would have no adverse impacts on the designation. Natural England have not raised an objection to the application.

As already stated, the application site has an agricultural use with two existing buildings. The Old Pheasantry is a brick built building with a pitched corrugated roof and the second building is constructed from timber with a pitched tiled roof. There was another 13 substantial sized buildings on the site associated with past uses but these were demolished late 2018 / early 2019. The presence of these buildings on the site and their associated activity would have had a degree of impact on any features of the SSSI Buffer zone, that is to say, if any existed.

The existing buildings can be seen in the distance across the field, used as pasture land, from Church Lane. The containers are sited behind the existing buildings and as such are screened from views from the Church Lane. A hedgerow and vegetation also provides a degree of screening along the western boundary of the pasture field boarding Church Lane.

The containers are sited approximately 215 metres away from Church Lane. Any glimpses of them from the public domain would be obscure and minimal due to distance, screening and their colour, which helps to make them blend into the landscape and trees behind.

The other two main vantage points would be from the B1153 to the east of the application site and Wilson's Drove to the south. Low level hedging and vegetation delineates the eastern boundary of the Old Pheasantry site from the adjacent arable field to the east, which sits in-between the application site and the B1153. The vegetation sits on a small earth bank which runs the length of that boundary. The containers are sited approximately 330 metres east of the main road the B1153 across the adjacent field.

The containers become invisible to the eye when viewed from the B1153 due to the distance across the low lying flat field together with screening from vegetation and the fact that most of them have been painted green, making them blend in with the backdrop of trees and surrounding landscape.

The containers are sited approximately 201 metres from Wilson's Drove to the south of the site. An established hedgerow lines the entire length of the northern side of Wilson's Drove which screens the application site from the road. Furthermore, the application site is bounded by a hedgerow and trees to its southern side which further aids totally obscuring views of the containers from the public domain.

In terms of the visual impact of the proposed development, taking the above into consideration there is limited to no harm to the surrounding character of the countryside as there are no long views of the containers within the landscape.

The site does not lie directly within the SSSI but nevertheless the development / use will have no adverse effect upon it given the lack of priority features and that the site is /was already in use for a rural based business use and has therefore had a level of activity that would affect the quality of biodiversity.

Impact on Heritage Assets:

Members of the February Committee requested that further consideration is given to the impact of the containers on local Heritage Assets, including St Mary's Church; two Scheduled Ancient Monuments (SAMs) in the locality of the application site, namely the ruins of St Andrews Chapel and the Medieval Settlement remains east of Walton Common.

The Church is Grade I Listed and situated on the opposite side of Church Lane to the south-west of the site. The Church is approximately 215 metres from the western boundary of the application site.

The ruins of St Andrews Chapel (SAM), which is north of the church, is approximately 214 metres from the western boundary of the site, and the Medieval Settlement remains east of Walton Common are some 315 metres to the north-west of the site.

None of the abovementioned heritage assets are within close proximity of the application site.

In assessing the Heritage Assets, paragraphs 193 and 194 of the NPPF states that “when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”.

Paragraph 196 explains that “where a development 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, where appropriate, securing its optimum viable use”.

The containers are not sited on land within the curtilage of the listed Church or within the grounds of the two Scheduled Ancient Monuments. However, there are a number of units, some of which are painted bright bold colours and are proposed to be used as a permanent storage business; as such consideration will be given to the sensitivity of the nearby Heritage Assets in line with the above mentioned policies.

As already explained, the application site is set back a significant distance from the highway with a paddock of considerable depth in front, and is accessed via a track off of Church Lane. There are established hedgerows which bound the western edge of the paddock and this together with the distance of the containers from Church Lane means that there are minimal, if any, views of the development from the public domain.

However, although there may be no direct loss of, or impact to the Church or SAMs, consideration has to be given to any harm to the significance of the heritage assets by virtue of development within its setting as stated within the NPPF.

The setting of a heritage asset is defined in the glossary of the NPPF as follows ‘the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral’.

The NPPG states that ‘the extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights of way or an ability to otherwise access or experience that setting. The contribution may vary over time.

When assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset’s significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation’.

The Church is set back within its grounds on the opposite side of the road to the application site and is not overly visible from the highway due to significant screening from mature trees and an established hedgerow to the frontage. There are long views of the top of the church tower from the application site but The Old Vicarage building obscures the majority of the church from public views from the east.

Again, the remains of St Andrews Chapel (SAM) are also not visible from the road as a 3m wall runs the length of the highway between Abbey Farm and St Mary’s Church, thereby screening any views. There are no long views of the SAM from the application site due to the presence of mature trees and other buildings on the western side of Church Lane. The same can be said for the medieval settlement remains (SAM) further to the north west. These are not visible from Church Lane or from the application site due to screening from existing trees and buildings.

In turn, the containers cannot be viewed from the grounds of the church or SAMs by virtue of the trees, hedgerows, high level wall and existing buildings providing screening.

The Council's Conservation Team and Historic England raises no objection to the development stating that "as this is a retrospective application the impact or harm from the storage containers, is already quantifiable. The containers are some distance from the nearby listed buildings, separated by hedgerows and existing agricultural buildings and barely visible. On this basis the harm caused is only minor, therefore no conservation objections".

Historic England confirmed that they have no objections to the location of the containers with regards to the setting of the Scheduled Monuments and the Conservation Officer agrees with their opinion.

The importance of setting of the church and the SAMs is not considered to be materially affected by the development as there is limited, to no, visual or associated / physical relationship between the assets and the application site. Not only are there no views of or from the heritage assets (with the exception of the top of the church tower being visible from the application site), there would be no material impacts on the way in which we experience the assets in their setting, in terms of environmental factors such as noise, dust, smell and vibration from the container site. There is no historic relationship between the assets and the application site.

After due consideration, it is evident that the impact of the development on the setting of the heritage assets is inconsequential and therefore less than substantial harm will be caused to the significance of those assets and their setting. The 'less than substantial harm' is also considered to be outweighed by the economic benefits of bringing the land back into efficient use for business purposes and offering a service to the local community and small businesses.

On the basis of the above, it is considered that the development would accord with the provisions of local Policy CS12 and section 16 of the NPPF.

Highway Safety:

Initially, NCC Highways raised concerns regarding the local adopted road network as it wasn't clear what type of traffic would regularly visit the site and how many vehicles would be anticipated per day / week, and if any limits would be placed on those aspects.

The applicant installed a camera at the entrance of the site off the unmade access track to monitor the number of vehicles coming in and out. The data collected over one week showed the following results: -

- Tues 1 Sept: 1 no. refuse lorry.
- Wed 2nd Sept: 3 no. vans.
- Thurs 3rd Sept: 4 no. vans + 1 no. car.
- Fri 4th Sept: 3 no. vans.
- Sat 5th Sept: 5 no. vans.
- Sun 6th Sept: 2 no. vans.
- Mon 7th Sept: 4 no. vans + 2 no. cars.

The real time traffic data indicates that, for the week, a maximum of 6 vehicles attended the site per day being 12 trips, with an average of 4 vehicles (8 trips per day) per day, for the 32 units that were on the site at that time. At the capacity applied for (38 containers) projecting these figures would give daily access by a maximum of 7 vehicles (14 trips) at a peak.

This information was collected when many people were still in the process of reorganising the containers following the move from Abbey Farm in West Acre. Also some of the containers

were new to the site so some traffic was generated from people loading them for the first time. It is therefore anticipated that the future use of the site / average daily traffic generation will be even less.

As indicated above, the vehicle types are mostly small vans and cars. The largest vehicle would be the refuse lorry which comes once a fortnight to other premises in the immediate vicinity (including properties accessed from the unmade track). It is also indicated that the customers utilising the facility are local, from East Walton and surrounding villages.

It is likely that the traffic generated from the proposed use will be no more than that associated with the previous uses at the site. In fact the last use as a quail farm produced vehicular movements from HGVs and such like, which does not appear to be the case with the proposed use and were not traffic controlled to use the main road as the current site users will be. If the proposed use to site storage containers did not utilise the site, it still falls within an agricultural use class with the associated traffic that such would engender.

The applicant has confirmed that it is stipulated in the user's License Agreements that they are required to use the access route to the east of the site via the B1153 to minimise the disruption to the village.

A condition will be imposed to secure the re-routing of the traffic.

In order to achieve suitable visibility at the junction of the unmade access track onto the B1153, the applicant has removed a small section of sparse hedging and earth from the corner of the field for the mean-time, in anticipation of County Highways condition to create full visibility splays. The applicant also proposes to lay hardcore along the track to increase its height which will aid visibility further. The applicant owns the adjacent fields and the access track and so has full control over them, making it reasonable for the LPA to condition further access improvement works to be carried out. There is also a public right of way that passes over the unmade access track which further protects it from being obstructed and unusable.

In light of this information NCC Highways raise no objection on balance, subject to conditions being imposed in respect of the access improvement works at the junction of the PROW / access track and the B1153 and an a suitably worded condition to secure the access route.

Other Materials Considerations:

Public Right Of Way:

The site access is taken via an unmade track which runs east to west from Church Lane to the B1153. The track is a Public Right of Way known as East Walton Restricted Byway 4 and is used by members of the public walking, cyclists and horse riders.

Initially there were concerns over the use of the PROW by customers of the storage facility given that it is not maintainable at the public expense to a vehicular standard. It was also considered that the increase in vehicle movements may result in a loss of amenity value for the PROW users, as well as causing additional conflict between these users and vehicles resulting in an increase in danger and inconvenience to all highway users.

However, the applicant confirmed that they own the restricted byway and the constraint does not restrict use to only non-motorised users, but ensures that access is never restricted to pedestrians, cyclists, horse riders and such like and the full extent remains open and accessible at all times. As the owner and maintainer of the PROW, the applicant can permit use by any type of vehicle that requires access providing it is not restricted to any non-motorised users. They also have full control over it so have stipulated that they will maintain

and upgrade the surface. This also means that appropriate conditions can be imposed requiring improvement works to the junction.

In light of this information, the PROW Officer removed their holding objection.

Crime and Disorder

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Committee is not considered to have any material impact upon crime and disorder.

CONCLUSION :

The principle of the proposal, that is to site 38 self-storage shipping containers appears to generally accord with the aims and provisions of Local and particularly National Policy, in terms of it being rural diversification, which meets local business and community needs. It could be deemed to aid growth and expansion to the existing businesses in the rural area, with some positive economic benefits.

It has been demonstrated that the traffic generation is low from the real time survey submitted and the applicant is taking steps to try and control the access to and from the site to avoid associated vehicle movements through the village. This will reduce any impact from noise, disturbance, pollution and congestion on local residential amenity.

That said, it is important to remember that the current use of the site is agricultural, and past and future uses would have / can produce a level of traffic which would have no less impact than the long-medium term self-storage yard.

Furthermore, the application enables the LPA to exploit opportunities to make access improvement works and aim to control the re-routing of the associated traffic which makes the site access better and safer.

In regards to visual impact, there is negligible impact. The containers are well screened by the existing buildings on site together with existing hedgerows, other vegetation and trees. Plus they are located such a distance away from any main public vantage point that together with their colour, they are barely visible.

Given the above it is also considered that there will be less than substantial harm caused by the development to the significance of the nearby heritage assets, that are the listed church and the Schedule Ancient Monuments which are located some distance away from the application site. There is no historical or visual relationship between the assets and the application site and the containers cannot be viewed from the grounds of the assets, therefore there will be no material harm to the their setting. Any perceived harm is considered to be outweighed by the economic benefits resulting from the development.

It is your officer's opinion that having weighed up the issues associated with this application, including the previous location of the containers against the current application, the site's current and historic uses, the impact on the local road network (which in turn has the potential to affect local residents); together with visual impact / impact on the landscape **and on local heritage assets and** the positive nature of planning policy to rural diversification, that the economic benefits associated with the proposal taken with the lack of any significant harm to any of these aspects, mean that any negative aspects, including locational sustainability, are outweighed.

In light of Local and National Planning Policy and other material considerations, it is recommended that this application before the Members of the Planning Committee is approved subject to conditions.

RECOMMENDATION:

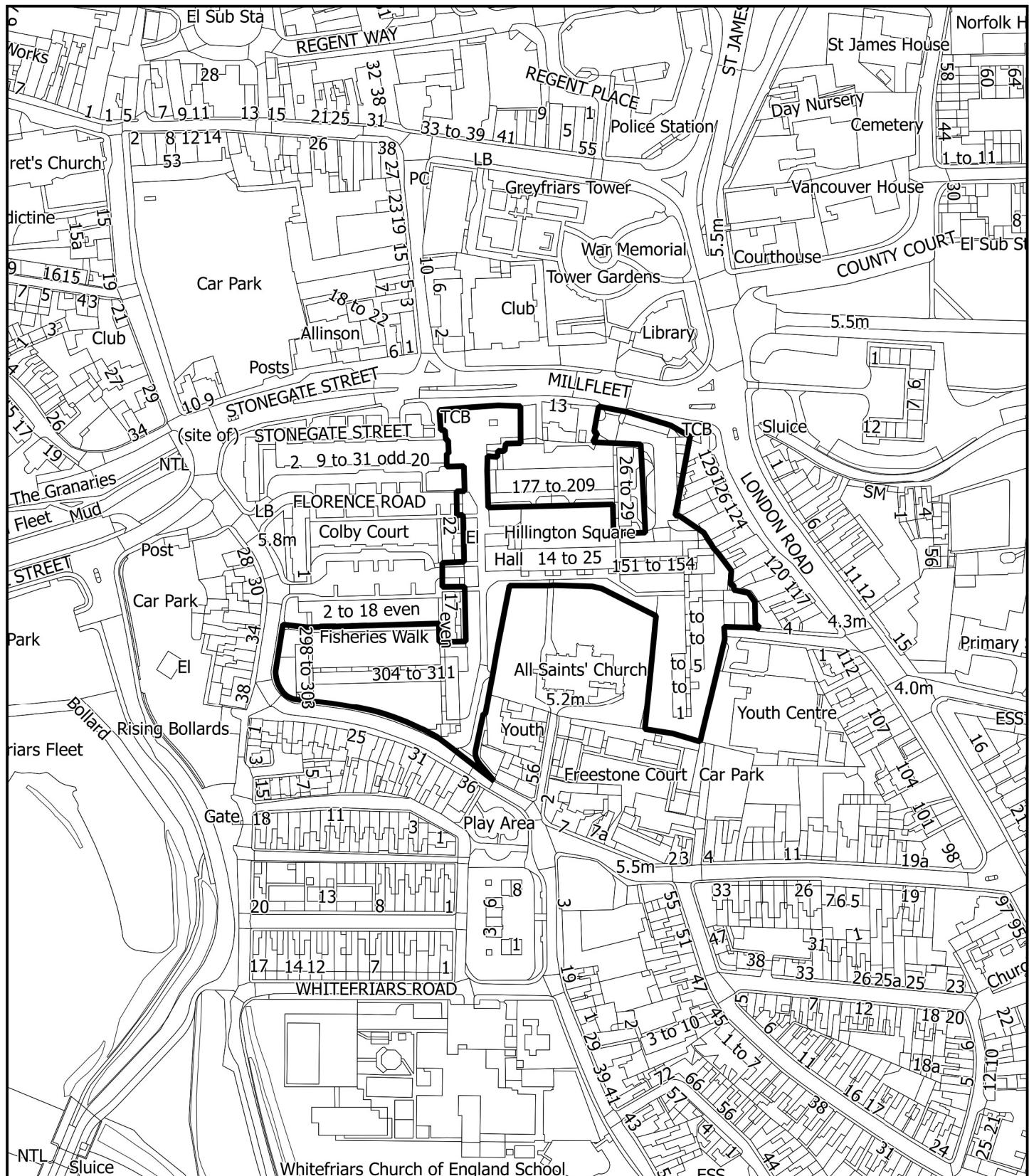
APPROVE subject to the imposition of the following condition(s):

- 1 **Condition:** The development has been determined in accordance with the following approved plans; 'Plan View and Isometric View' and 'Perspective Views'.
- 1 **Reason:** To define the terms of the consent and in the interests of the amenity of the locality.
- 2 **Condition:** Within two months of the date of this decision, a Traffic Management Scheme, including directional signage for the re-routing of associated traffic, shall be submitted and approved in writing by the Local Planning Authority. The agreed details shall be implemented within one month of the date of the approved scheme and retained thereafter in perpetuity.
- 2 **Reason:** In the interests of reducing any impact on the local highway network, in accordance with the provisions of the NPPF.
- 3 **Condition:** Within 4 months of the use hereby permitted, the junction to the east with the B1153 shall be upgraded / widened to a minimum width of 5 metres in accordance with the Norfolk County Council field access construction specification Type 1 for the first 10 metres as measured back from the near channel edge of the adjacent carriageway.
- 3 **Reason:** To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement.
- 4 **Condition:** Within four months of the date of this permission, visibility splays measuring 120m (north) x 2.4 metres x 160 metres (south) shall be provided to each side of the access where it meets the highway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.
- 4 **Reason:** In the interests of highway safety in accordance with the principles of the NPPF.
- 5 **Condition:** There shall be a maximum of 38 shipping containers on the site at any one time.
- 5 **Reason:** In the interests of the amenities of the locality in accordance with the NPPF.
- 6 **Condition:** The containers shall be used for storage purposes only and no other use that would be incompatible with the locality. No display or storage of goods shall take place outside any of the containers on the site.
- 6 **Reason:** In the interests of the amenities of the locality, in accordance with the provisions of the NPPF.

- 7 Condition: The storage use hereby approved shall be operated and managed in full accordance with the clauses set out in the submitted License Agreement.
- 7 Reason: In the interests of the amenities of the locality, in accordance with the provisions of the NPPF.
- 8 Condition: The storage facility hereby approved shall only be visited between the hours of 07:00 (am) and 20:00 (pm) Monday to Saturday and 08:00 (am) and 18:00 (pm) on Sundays, Bank or Public Holidays unless otherwise approved in writing by the Local Planning Authority.
- 8 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.
- 9 Condition: Within two months of the date of this decision, all containers on site shall be painted green and retained as such thereafter.
- 9 Reason: In the interests of visual amenities, in accordance with the provisions of the NPPF.

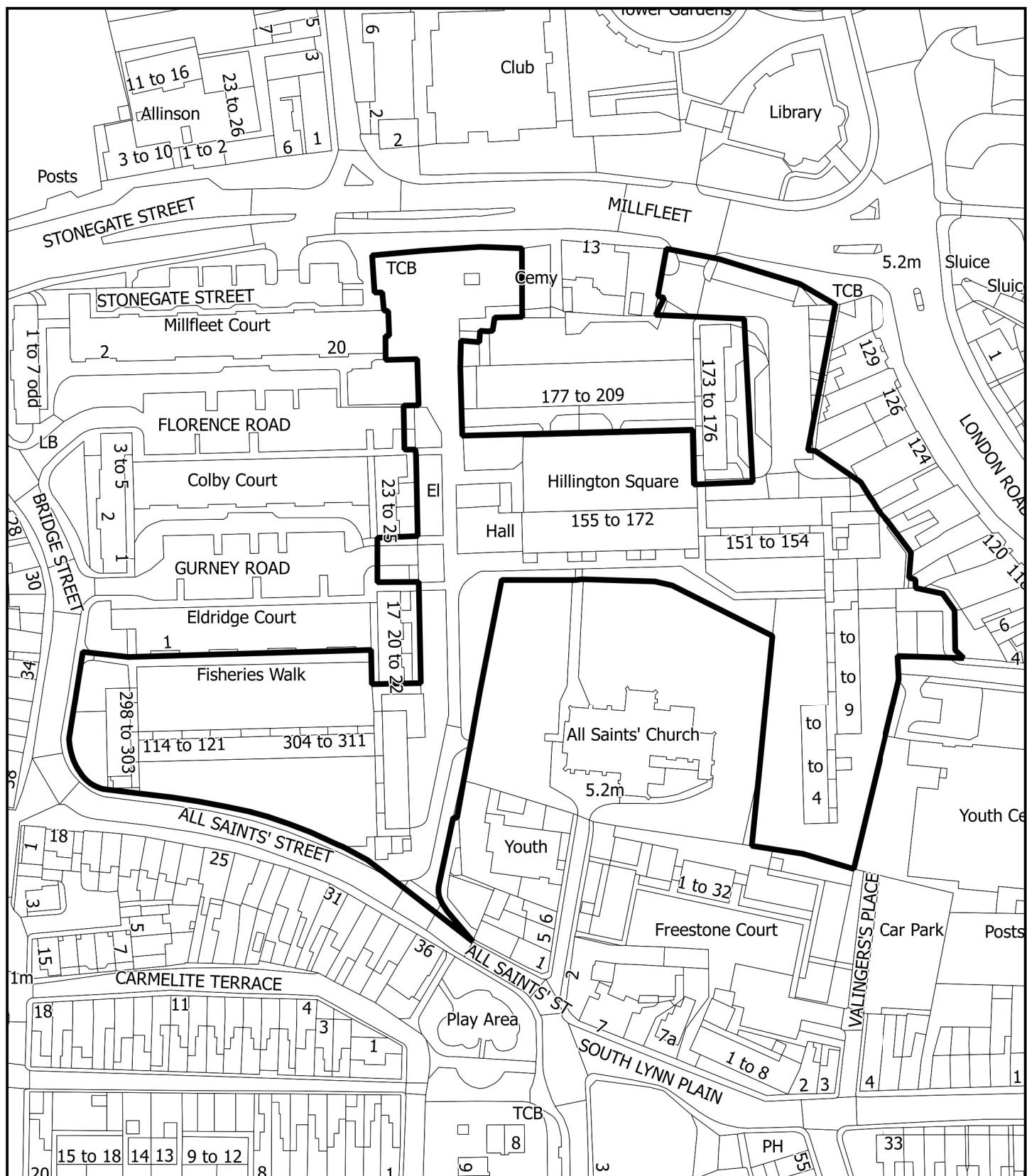
20/01166/FM

Hillington Square.



20/01166/FM

Hillington Square.



| | | |
|----------------------|--|---|
| Parish: | King's Lynn | |
| Proposal: | Demolition of existing residential blocks to provide mixture of new flats with communal space and townhouses, including parking and hard and soft landscaping | |
| Location: | Hillington Square King's Lynn Norfolk | |
| Applicant: | Freebridge Community Housing | |
| Case No: | 20/01166/FM (Full Application - Major Development) | |
| Case Officer: | Mrs K Lawty | Date for Determination: 17 November 2020 Extension of Time Expiry Date: 22 July 2021 |

Reason for Referral to Planning Committee – Referred by the Assistant Director – Environment & Planning

Neighbourhood Plan: No

Case Summary

The application relates to part of Hillington Square, a late 60s/early 70s residential development comprising of a mixture of flats and maisonettes.

The site comprises five existing residential blocks sited around All Saints Church (listed grade II*) and fronting All Saints Street.

The site is bounded to the north by the completed, redeveloped Hillington Square flats (Phases 1-4), a mixture of residential and commercial properties fronting London Road to the east, and predominantly two storey residential properties to the south (All Saints Street) and west (Bridge Street).

This application seeks the demolition of these existing residential blocks and the construction of replacement flats and townhouses to provide a mixed residential scheme with communal space, private gardens, parking and hard and soft landscaping.

In addition to All Saints Church, the site is adjacent to a number of listed buildings including the Grade II listed 25-36 All Saints' Street and the Grade II listed 30-37 Bridge Street.

Planning Committee
12 July 2021

The site is not within a conservation area, but it is part of the settings of three surrounding conservation areas; St Margaret's Conservation Area, The Walks Conservation Area and The Friars Conservation Area.

Key Issues

- Principle of Development;
- Design
- Impact on Heritage Assets;
- Highway Safety
- Neighbour Amenity;
- Flood Risk/Drainage
- Trees; and
- Other material considerations

Recommendation

APPROVE

THE APPLICATION

This application relates to five blocks of residential accommodation at Hillington Square, King's Lynn, which was originally a late '60s/early '70s residential development comprising of 320 residential flats and maisonettes, a community centre, bin stores and parking.

The regeneration of the estate, ongoing since 2012 has to date produced approximately 190 apartments in four refurbished blocks (Phases 1-4).

The site currently benefits from extant planning permission for refurbishment works including some demolition and new build. These works were originally permitted under planning permission 12/00546/FM but have been varied by permission references: 13/01873/FM; 14/01254/F; 15/00252/F; and 16/01832/F. Phases 1-4 of this development are now complete.

This current application seeks a varied approach to the redevelopment of the southern part of Hillington Square for Phases 5, 6 and 7. The residential blocks shown to be demolished are Blocks 1 – 5, namely Farrow House, Vicarage House, Chestnut House, Aitken House and Norris House.

Instead of the replacement flat development previously approved, Farrow House is shown to be replaced with a row of townhouses fronting All Saints Street and turning the corner into Bridge Street (Block 1). Each of these have a private rear garden space and are shown to have a similar scale and design approach as the existing, traditional terraced properties along All Saints Street and Bridge Street.

Vicarage, Chestnut, Aitken and Norris House are proposed to be replaced with new blocks of flats/maisonettes (Blocks 2, 3, 4 and 5), located in a similar position within the site. These new blocks are four and five storeys. Block 3, which is proposed to replace Chestnut House,

does not extend the full length of the current building, and gives opportunity to create an area of public open space.

Currently there are 97 No. 1 – 3 bedroom flats/maisonettes on the site and this proposal would result in 86 No. 1 – 4 bedroom townhouses/flats/maisonettes. i.e., a reduction of 11 units.

The scheme also proposes the loss of a café, but replaced by a new, larger leisure use of double the floor area. This would be a more versatile, multi-functional space giving more options for community uses.

In terms of on-site parking spaces there are currently 39 parking spaces, (including 2 disabled spaces) with no formal parking provision for bicycles. The proposed scheme would result in 2 disabled bays, 59 parking bays and space for 86 cycles. This is an increase of 22 car parking spaces and 86 cycle spaces.

SUPPORTING CASE

This application comprises of the final phases of the regeneration of Hillington Square, providing much needed social housing to a modern standard.

The previous phases having refurbished existing blocks to great success, this application looks to rebuild with new accommodation on the site of the final four blocks in the square, providing a more diverse dwelling mix to current space standards and more holistically deal with thermal performance and servicing in the more sensitive area of the site surrounding All Saints Church and adjacent to the historic streets of All Saints and Bridge Street.

Key views between buildings have been opened to increase the visibility of All Saint's Church and create flow, visibility and high levels of natural surveillance for residents and visitors using the site.

The largest departure from the original apartment block designs is on the Western half of the site, where the four storey apartment blocks have been replaced with more appropriately scaled townhouses, re-establishing the type of dwellings and street layout that would have been found historically, and continues to existing adjacent to the development on All Saints and Bridge Street. Not only does this create something more appropriate in scale and style to the street, it provides some larger family dwellings with gardens - something which is currently not available to the client's social tenants in this area.

Pre-application consultation was carried out with a number of key groups, Historic England, the local Conservation Officer and the All Saints and Bridge Street residents' group. A broader digital public consultation was also carried out to invite comments from current Hillington Square residents and the wider general public in the immediate area - all whilst under Covid-19 restrictions, and views from all interested parties were incorporated into the final design.

Post submission, further comments were received from both statutory bodies, and other local interest groups, and this resulted in two rounds of carefully considered amendments to the scheme - centring mainly around sensitivity to the historic context; the two bordering conservation areas and the Listed All Saints Church. This was despite support for the application from Historic England, and we feel showed a strong willingness to react to feedback and as a result the scale of the scheme was further reduced, particularly in the South Western corner of the site by dropping heights of buildings where possible and in some cases losing a whole storey. Further variety was introduced in material finishes and detailing along All Saints and Bridge Street to better reflect the slightly irregular styles of the buildings opposite

which have all developed over a significant breadth of time periods and styles - all the while looking to maintain the contemporary and distinctive appearance of the new dwellings, which unlike those opposite, will all be built at the same time.

A key element of the scheme is to finish connecting and landscaping key public routes through the site including Coronation Walk, strengthening Hillington Square's connection and relationship with its surroundings. This will include the completion of the public realm to Millfleet adjacent to the Jewish cemetery.

Another key element being to re-establish the boundary of the churchyard, the design of which was developed in close consultation with the church. The aim of this was to allow movement through the churchyard, but at specific key locations so that it is clearer where the Hillington Square development ends and the historic churchyard begins, without cutting off the churchyard from its surroundings.

The scale of the proposed apartment buildings around the central area in the site take lead from the existing massing and it must be kept in mind that the key aim of the scheme is to provide social housing for the King's Lynn community, and therefore the density of the scheme had to be maintained at a level close to what is currently on the site; careful attention was made to balance the new development against not just the historic context, but the existing refurbished Hillington Square development, which will remain in place for many years to come, and the need for social housing provision. The re-built townhouses and apartment blocks have been designed to create a 'step down' in scale and form from the existing Hillington Square apartment blocks, to the more modest scale of the historic streets surrounding the scheme.

This proposal completes the refurbishment of Hillington Square in the spirit of the original planning approval. The design is contemporary but sympathetic to the surrounding context providing holistic regeneration and enhanced social housing provision with particular attention to resident's future living standards and a reduction in fuel poverty.

PLANNING HISTORY

19/00151/F: Application Permitted: 24/12/19 - Variation of conditions 1, 4, 5 and 11 of planning permission 16/01832/F: Variation of condition 1 of planning consent 15/00252/F to allow the drawings to be amended to alter frame configurations to ground floor units, addition of obscure glazing to lower panels and change of pattern of some entrance door styles

17/01768/F: Application Permitted: 22/12/17 - New community cafe to replace the existing one at Hillington Square with 3 new apartments to be located above

17/00087/PREAPP: PreApp -Possible Approval with Amendment: 15/09/17 - PRE-APPLICATION (WITH CONSULTATIONS AND MEETING): Demolition of Aitkin House, Norris House, Farrow House, Ladysmith House and single storey cafe. Refurbishment of existing accommodation in Chestnut House along with 13 new dwellings and new lift and stair cores. Construction of 20 new townhouses, 9 duplex, 13 apartments and new cafe. Associated parking infrastructure and landscaping to support new development

16/01832/F: Application Permitted: 19/12/16 - Variation of condition 1 of planning consent 15/00252/F to allow the drawings to be amended to alter frame configurations to ground floor units, addition of obscure glazing to lower panels and change of pattern of some entrance door styles

15/00252/F: Application Permitted: 14/04/15 - Variation of condition 6 of planning permission 14/01254/F to alter frame configurations to ground floor units, addition of obscure glass to lower panels of windows and change of pattern of some entrance door

15/00252/NMA_1: Application Permitted: 19/09/16 - Non-material amendment to planning permission 15/00252/F: Variation of condition 6 of planning permission 14/01254/F to alter frame configurations to ground floor units, addition of obscure glass to lower panels of windows and change of pattern of some entrance door

14/01254/F: Application Permitted: 22/10/14 - Variation of condition 2 and 7 of planning permission 13/01873/FM

13/01873/F: Application Permitted: 03/03/14 - Variation on conditions 2, 6 and 7 for planning application 12/00546/

13/00274/F: Application Permitted: 13/06/13 - Change of use from community centre to community cafe and community

12/00546/FM: Application Permitted: 03/07/12 - Demolition of existing stair cores, lifts, bin stores, sheds, some walkways and a number of dwellings. Erection of new stair and lift cores, new entrances to bedsits, extension of bedsits, extension to some upper floor units. Refurbishment of garage spaces into storage, bin stores and bicycle stores. Upgrading balconies, walkways and internal spaces. No. 60 to be re-converted to residential. New hard and soft landscaping to communal areas

10/01177/F: Application Withdrawn: 21/10/10 - Reinstate perimeter fencing round the West/North/East boundaries of the church yard

11/00124/PREAPP: INFORMAL - Likely to approve: 09/11/11 - APPLICATION FOR PRE-APPLICATION ADVICE - Refurbishment of existing housing block, including some demolition, new core, new public realm. Proposal of new commercial/work units, housing and community centre

RESPONSE TO CONSULTATION

KLACC Sub-Group: OBJECTION - on the grounds of: Height, mass and density of the scheme; that the proposal would cause harm to the Conservation Area.

Conservation Areas Advisory Panel (CAAP): Amendments- **OBJECTION** – The Panel considered the amended application and they agreed that there was an improvement in the treatment where All Saints Street met Vicarage House. Otherwise, their previous comments remained – that it was a missed opportunity, the scheme was still too high and the detailed design was not good enough.

Original scheme: - **OBJECTION** - Principle of Demolition - The Panel all agreed to the principle of demolition of the blocks from the Conservation Area point of view.

Proposed Redevelopment Area on Bridge Street and All Saints Street - The Panel considered that the principle of having a two-storey terrace along All Saints Street and Bridge Street was supported. The Panel also considered that the development directly on the pavement was acceptable. However, the Panel expressed concerns regarding the monolithic nature of the design of the terrace, and some members of the Panel felt that there should be a varying roofline, but this was not supported by all members. Concern was also raised in relation to the

design of the ‘bookend buildings’ and the impact they had at each end. The Panel considered that the bookend buildings should be two storeys in height.

Impact on All Saints Church / and the development in that vicinity - The Panel considered that this was a missed opportunity to reduce the impact on All Saints Church and to reinstate a more traditional layout, form and scale. The Panel also unanimously agreed that the blocks were too high, certainly by at least one storey and the Panel would prefer it to go back to a more domestic scale of up to two storeys.

Historic England: NO OBJECTION – but made comments: The post-war Hillington Square development is at odds with the rest of the historic centre of King’s Lynn. It is situated just outside the line of the town walls, adjacent to the site of a medieval monastery and embracing the grade II* listed church of All Saints which stands in its churchyard at the centre of the complex. The development effectively severs two parts of the conservation area with the historic London Road and Bridge Street either side of it.

The recent refurbishment and external remodelling of the parts of the complex to the north have been very successful and revitalised the appearance of this part of the town. This proposal takes a more dramatic approach, suggesting the demolition and replacement of part of the complex to the south of this and immediately beside the church along with a new apartment block. We have advised the applicant prior to the submission of this application and are broadly content with the proposals.

The proposed demolition is not of concern and the replacement buildings for Chestnut, Aitken and Norris Houses would be of a scale and form broadly suitable considering the existing buildings on the site. A significant improvement on the current situation is the enlarged space created at the north eastern corner of the churchyard. This would provide an additional ‘breathing space’ between church and buildings and a link to Providence Street and London Road beyond. The pedestrian connection to Millfleet between Chestnut and Aitken Houses would also be a positive way to make the immediate setting of the church more permeable and connected.

A new block would be constructed opposite the existing historic buildings on the south side of All Saints’ Street. These have varied historic character but are predominantly two storey, pitched roof terraced houses.

The new block would also consist of two storey town houses with a taller corner block connecting it to Vicarage House which faces eastward towards the churchyard. These townhouses would be of a suitable form and scale for the setting and with the linking corner block would better define and enclose the street. The use of brick and tile in the townhouses would help them harmonise with existing historic building while having a distinctly contemporary style. We might suggest that slate, rather than ‘dark tile’ is used for the town houses roofs. It would also be appropriate to avoid overly regular, repetitive patterns of fenestration, eaves line or roof form and unified treatment. The existing buildings opposite are relatively varied way and do not form a highly regimented terrace so some variation in the townhouses could be positive. We would also recommend the corner linking block has some fenestration and is not an overly severe presence in the street.

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective in this (paragraphs 7 and 8). The significance of listed buildings and conservation areas can be harmed or lost by alteration to them or development in their setting. The NPPF states that clear and convincing justification should be made for any such harm and that ‘great weight’ should be given to the conservation of

listed buildings and conservation areas irrespective of the level of harm caused (paragraphs 193 and 194).

We have considered this application in terms of this policy and would not object to the proposals in principle although we would suggest some amendments to the design of the proposed new block on All Saints' Street and the corner block connecting it to Vicarage House as well as consideration of roofing materials before the design is finalised.

Recommendation

Historic England has no objection to the application on heritage grounds, although we would suggest some amendments to the design of the proposed new block on All Saints' Street and the corner block connecting it to Vicarage House as well as consideration of roofing materials before the design is finalised.

We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 7, 8, 193, 194 and 196. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

Conservation Officer: NO OBJECTION – agrees with conclusions of Historic England and considers the scheme meets the requirements of the NPPF, in particular paragraph numbers 7, 8, 193, 194 and 196.

King's Lynn Civic Society: NO OBJECTION – but made comments:

1. We think that, as the drawing board has effectively been wiped clean, there is a rather disappointing adherence to the existing site plan – i.e., with large blocks of flats on very similar footprints to the ones to be demolished. There would seem to be an opportunity here to now provide a more optimal scheme for this site and we think that this opportunity is being missed. Stepping the height of development down around the church is an obvious option.
2. On the 'Farrow House' site, we think the proposed street elevation for All Saints Street is rather uninspired given the variety and interest of the buildings opposite. A virtue has been made of pulling the new housing right to the back of the pavement – but actually this means that the opportunity to provide south-facing gardens for the new houses and to soften the always crowded streetscape, has been missed. The dwellings have instead got small north-facing back gardens that are likely to be permanently shaded. Access from the parking area/garden (likely to be the primary entrance for the future residents), will have to be through the french windows/doors in the living room – not ideal. Essentially, we think these proposed dwellings are back to front.
3. We think the large round corner to 'Vicarage House', proposed as it is of four storeys of dark grey brick, will have a severe appearance. The submitted elevations make the material look like engineering brick (which would definitely not suit King's Lynn), but even if the brick is similar to that used on the refurbished flats (which is quite a nice brick, albeit there have evidently been problems with salts and batch matching), we think it will be 'too

much'. We agree some sort of 'feature' corner might be appropriate here – but the position is prominent and lies directly opposite the former school and church and we think more articulation is required to break up the large mass.

4. In general, we think the lack of variety in materials and articulation on all the main blocks will make the scheme look rather austere. The regular choice of 'blank windows' (brick recess, stretcher bond) is unlikely to be a very successful way of softening the extent of some of the larger brickwork elevations. We are not against simple, clean lines for the buildings– but we think the elevations fail to create a domestic scale. (On the existing refurbished blocks we think the capping 'roof' and the smaller proportion of brick on the main elevations make them appear lower and more 'homely')? Real balconies (as opposed to Juliet balconies) also add variety to the existing elevations (and create a usable space for sitting out in the sun or drying washing).
5. The DAS document seems to suggest there will be more detail in the finished scheme (brick types, pattern and metal features) but these do not come across in the elevations. Have they been deleted? We think the overall appearance of the presented elevation drawings suggests an inner-city commercial development from the early 1980s. This setting (albeit greatly compromised), features a Grade II* medieval church (the oldest in an old town), and a great many Grade II listed dwellings (spanning several centuries of development) and we think a great deal more could be done to reflect this heritage setting and create a really distinctive new development that complements and enhances the Conservation Area.
6. Energy Efficiency: There is little detail provided on how these units will reach contemporary energy standards or be heated/cooled. (We think this is relevant as when finalised it may well have an influence on appearance.) The new dwellings will presumably be in place for 50 to 100 years and therefore should really be future-proofed to ensure they do not become obsolete through climate change. Given that many of these homes appear to have large south-, east- and west-facing windows, we imagine one issue is that they could be very hot in summer months. There appears to be no shading.
7. Soft Landscape/Ecology: It is not clear whether the landscape plan has responded in any way to the ecology recommendations and we cannot see any bird or bat boxes on the plans. We think there should be a greater variety of trees. A few large growing trees in prominent positions would have more impact to this scheme than a lot of small birch and cherry. This scale of development needs functional green space and large trees to soften the setting. We would recommend that the tree grills are deleted (generally broken or causing trip hazards after a few years) and that the cost saving is spent on larger trees with more space to grow.
8. Hard Landscape: Do we correctly understand that the 'New public space at the core of the scheme' is in fact a square of resin-bonded gravel with three trees down one side? This is more than a little disappointing. There appears to be no play provision or even communal seating areas? We note that a spear-headed finial has been suggested for the railings on a landscape drawing – but we think for continuity the ball-top railing detail used elsewhere on the estate should probably be continued.

Highways Authority: NO OBJECTION – conditionally re: detailed plans of the roads, footways and cycleways, including a 2.0m wide footway on the site frontage with All Saints Street and Bridge Street; road(s), footway(s) and cycleway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road; the proposed vehicular access to the parking area to the rear of Block 1 shall be maintained in perpetuity at a minimum

width of 4.8 metres; visibility splays; scheme detailing provision for on-site parking for construction workers for the duration of the construction period; No works shall commence on site until such time as a Stopping Up plan has been approved and the Stopping Up Order to remove all highway rights subsisting in the highway land on the approved plan has been granted; No works shall commence on the site until a Traffic Regulation Order for a scheme of waiting restrictions on Bridge Street and All Saints Street has been promoted by the Local Highway Authority.

Environmental Health & Housing - Environmental Quality: NO OBJECTION – conditionally. NPPF states that the planning system should prevent both new and existing development from contributing to or being adversely affected by unacceptable levels of land or air pollution.

Contaminated Land:- The applicant has submitted a Geo-Environmental Report, Delta Simons June 2020 which includes a preliminary risk assessment (PRA) and limited scope supplementary ground investigation. The report refers to several earlier reports.

The land is reported to have been residential since at least 1880s with limited potential sources of contamination. A number of intrusive investigation locations are reported to have been completed. The intrusive locations identified approximately 2-5 m of Made Ground overlying soft clay, sand and organic clay/peat to variable depths to a maximum of approximately 10m below ground level overlying Kimmeridge Clay recorded to a maximum depth of 25 m bgl. Chemical testing of soils for a general suite of contaminants reports analytes below generic assessment criteria for residential land use based on limited exposure pathways (flats without private gardens). Private gardens are included in the current proposal which increases potential exposure pathways to future site users in those areas of the site.

Due to the limited number of sampling locations the report recommends further sampling or clean cover in soft landscaped areas. The report further recommends an appropriate asbestos survey prior to demolition of structures and that all identified ACM and waste should be removed and suitably disposed of by a licensed contractor. This work must comply with the Control of Asbestos Regulations 2012 and should be reported as part of the further site investigation work. Based on the ground gas risk assessment (July 2013) the report recommends that further gas risk assessment or gas protection measures appropriate to CS2/Amber 1.

As further work is recommended in the report, I recommend standard contamination and remediation conditions and informative be imposed.

Air Quality:- The proposal is for the demolition of existing residential blocks to provide mixture of new flats with communal space and townhouses. An additional 22 parking spaces are proposed, bringing the total to 59, with an extra 86 secure cycle spaces also proposed.

With regards to sustainable transport, footways are provided from all parts of the site to the existing footway network; creating a sustainable connection with the surrounding area and town centre. Additionally, bus stop facilities are provided adjacent to the site, with regular services into King's Lynn town centre, Spalding, Long Sutton, Marham and other local villages/towns. The King's Lynn Transport Interchange and Railway Station are also within walking distance.

Given the site's proximity to the London Road Air Quality Management Area, an Air Quality Assessment has been undertaken. Annual mean NO₂ concentrations were not predicted to exceed the air quality objective of 40?g/m³ at any receptor location during the 'With Development' scenario, with the highest concentration predicted at receptor R17 (32A Railway

Road) at 37.8?g/m³, an increase of 0.2 ?g/m³ from the 'Without Development' scenario. Therefore, based on the EPUK/IAQM guidance, the impact of the increased emissions associated with the Proposed Development on annual mean NO₂ concentrations is negligible. Additionally, the annual mean NO₂ concentrations predicted by the model were below 60?g/m³ at all receptor locations within the assessment extents. Therefore, hourly mean NO₂ concentrations are unlikely to cause a breach of the hourly mean AQS objective.

Annual mean PM10 concentrations were predicted to be well below the AQS objective of 40?g/m³ at all sensitive receptor locations. Therefore, based on the EPUK/IAQM guidance, the impact of the increased emissions associated with the Proposed Development on annual mean PM10 concentrations is negligible, and the resulting effect not significant. The same is concluded for the 24-hour PM10 AQS objective. Lastly, the effect of air quality on future occupiers of the Proposed Development is also judged to be not significant.

However, a qualitative assessment of the potential impacts on local air quality from construction activities has been carried out using the IAQM methodology. This identified that there is a high to low risk of dust soiling impacts, and a medium to negligible risk of increases in particulate matter concentrations due to unmitigated construction activities. However, it is stated that, through the implementation of suitable mitigation measures outlined within Section 6 of the AQA, the effect of dust and PM10 releases would be significantly reduced. The residual effects of dust and PM10 generated by construction activities on air quality are therefore considered to be not significant.

I therefore recommend a condition re: Construction Environmental Management Plan

We would also welcome the addition of EV changing points/infrastructure within the development in line with NPPF para. 110 (e) and Measure 19 of the Borough Council's AQAP.

Community Safety & Neighbourhood Nuisance Team (CSNN): NO OBJECTION – but made comments:

If the site is to be issued planning approval, then I strongly recommend that any piling required is kept to a minimum, is done in core weekday times only and is auger technique only. I request that a piling management plan is required by condition to cover these aspects, as well as to identify dust, noise and vibration control measures to be utilised.

The drainage plan in the Flood Risk Statement appears to be in conflict with the various landscaping plans submitted in terms of surfacing – tarmac should be shown as permeable etc. Additionally, the soft landscaping plan no 2504-20 conflicts with the 2500-20 landscaping plan as there appears some confusion between resin bound and resin bonded gravel (the former is permeable; the latter is not). I strongly recommend that landscaping of hard-surfaced areas is clarified and revised plans are submitted which match the proposed surface water and land drainage schemes i.e. removing reference to bonded gravel etc.

Concur with comments from Anglian Water and the LLFA, requesting conditions and informatives re: SW and foul water drainage conditions.

I agree with the BCKLWN EQT that the demolition and construction phases will undoubtedly result in varying levels of dust, and support their request for a CEMP to be conditioned.

The document states ASHPs will be used for the terraced houses. Where are these to be located? What noise levels are they going to generate – as these are likely to impact on surrounding residents as well as future occupiers of the terraced homes. Whilst ASHPs can be conditioned, it is best to consider their noise impact at the earlier planning stages to at least

consider their locations and whether design features can be incorporated to aid noise mitigation. This is particularly important given the small rear gardens and close proximity of these to other gardens and dwellings.

Vicarage House and Farrow have bedrooms backing onto sources of noise i.e. stairs and living rooms. CSNN has received numerous noise complaints regarding 'internal living noise' from new-builds and conversions, despite BC regulations, so this is something we are always keen to design out, either by enhanced sound proofing within the build, or revision of internal layouts. I request that this is addressed, either by revised plans or a sound proofing measures condition.

Please condition a CMP (which could incorporate the piling management plan and CEMP) so we can control site traffic, site hours, delivery/collection hours, noise, site/contractor parking, dust, vibrations, plant/machinery and waste disposal.

I have not requested external lighting is conditioned, as this is identified as mainly bollard and building located. Needless to say, the positioning should be carefully considered and assessed prior to installation of any external lighting, to ensure there are no adverse impacts on existing or new residents.

District Emergency Planning Officer: NO OBJECTION – but made comments:

Because of its location in an area at risk of flooding and in line with best practice in business continuity, I would suggest that if permission is granted then the following conditions are considered:

During the construction phase:

- The developers should sign up to the Environment Agency flood warning system (0345 988 1188 or www.gov.uk/flood)
- Have an appropriate on-site management regime to warn those properties occupied and any contractors on-site
- Have a flood evacuation plan prepared to the satisfaction of the local authority emergency planning department.

This will include:

- Actions to take on receipt of the different warning levels;
- Evacuation procedures e.g. isolating services, securing plant etc;
- Evacuation routes.

Following construction:

- Individual occupiers should sign up to the Environment Agency flood warning system (0345 988 1188 or www.gov.uk/flood).
- A flood evacuation plan should be prepared to the satisfaction of the local authority emergency planning department (A community plan may be satisfactory if there is clear accountability for its maintenance and ongoing promulgation to occupiers).
- This will include actions to take on receipt of the different warning levels.
- Evacuation procedures e.g. isolating services and taking valuables etc
- Evacuation routes

The flood risk assessment provided in section 3.3.9 mentions the local authority have a leaflet that includes a returnable form that can be completed by those who live in a higher flood risk area and feel they need extra help because of infirmity or disability – this is no longer correct

Planning Committee
12 July 2021

and was stopped several years ago. Those that feel they need to should create their own personal flood plan. Details are available at <https://www.gov.uk/government/publications/personal-flood-plan>

Lead Local Flood Authority (LLFA): NO OBJECTION – conditionally. Recommend pre-commencement condition re: Submission of detailed designs of a surface water drainage scheme incorporating details of how all surface water management features will be designed, a maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development and Evidence of Agreement or Agreement in Principle for the surface water discharge from the proposed development into the existing Anglian Water surface water sewer.

Environment Agency: NO OBJECTION - but made comments: National Planning Policy Framework Flood Risk Sequential Test - In accordance with the National Planning Policy Framework (NPPF) paragraph 158, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. It is for the Local Planning Authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. Our flood risk standing advice reminds you of this and provides advice on how to do this.

By consulting us on this planning application we assume that your Authority has applied and deemed the site to have passed the NPPF Sequential Test. Please be aware that our response to the submitted detail should not be taken to mean that we consider the proposal to have passed the Sequential Test.

Review of Flood Risk Assessment (FRA) - We have no objection to the proposed development, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) (ref RLC Ref. 181320) are adhered to. In particular, the FRA states that:

- Finished floor levels will be set no lower than in Phase 5a 4.64mAOD, Phase 5b 4.65mAOD, Phase 6 5.35AOD.
- Flood resistance / resilient measures will be incorporated for the whole ground floor of both Phase 5a and Phase 5b with Phase 6 benefitting from these measures up to 1.3m above finished floor levels.
- There will be no ground floor sleeping accommodation and there will be safe refuge on the first floor in Phase 6.
- There will be no habitable ground floor accommodation in Phase 5a and 5b.
- The close proximity of the site to the flood defences would mean a rapid inundation of water with the velocity at the site at 1.5-2.5m/s in a breach scenario. The FRA also states that the hazard rating for Phase 5a, 5b is 'danger to all' with the rating at Phase 6 being 'danger to most'.

Anglian Water: NO OBJECTION – but made comments:

Assets affected - The development site is within 15 metres of a sewage pumping station. This asset requires access for maintenance and will have sewerage infrastructure leading to it. Anglian Water consider that dwellings located within 15 metres of the pumping station would place them at risk of nuisance in the form of noise, odour or the general disruption from maintenance work caused by the normal operation of the pumping station.

The site layout should take this into account and accommodate this infrastructure type through a necessary cordon sanitaire, through public space or highway infrastructure to ensure that

no development within 15 metres from the boundary of a sewage pumping station if the development is potentially sensitive to noise or other disturbance or to ensure future amenity issues are not created.

Wastewater Treatment - The foul drainage from this development is in the catchment of Kings Lynn Water Recycling Centre that will have available capacity for these flows.

Used Water Network - The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.

Surface Water Disposal - The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is acceptable.

Suggested Planning Condition re: implementation of the surface water strategy.

Water Management Alliance (IDB): NO OBJECTION – but made comments:

The applicant has indicated that they intend to dispose of some surface water via infiltration, however the viability of the proposed drainage strategy has not been evidenced. If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws.

The applicant intends to discharge some surface water to a sewer. It is advisable that this proposal is in line with the drainage hierarchy (as per best practice) and is viable in this location.

The applicant has not indicated how treated foul water from their site will be disposed of. If the applicant wishes to discharge foul water to a watercourse this proposal will require land drainage consent in line with the Board's byelaws.

No riparian owned/maintained watercourses within or adjacent to the site boundary. However, this should be confirmed by the applicant. If the proposals do involve the alteration of a watercourse, consent would be required under the Land Drainage Act 1991 (and Byelaw 4).

Whilst the consenting process as set out under the Land Drainage Act 1991 and the aforementioned Byelaws are separate from planning, the ability to implement a planning permission may be dependent on the granting of these consents.

Arboricultural Officer: NO OBJECTION - subject to the imposition of conditions relating to tree protection.

Housing Development Officer: NO OBJECTION - the application proposes the demolition and replacement of existing dwellings to create 86 dwellings. The demolition and replacement of existing dwellings for substantially the same type of dwelling does not require an affordable housing contribution. Therefore there will be no affordable housing contribution required on this site.

Norfolk Constabulary: NO OBJECTION – (latest comments) - nothing further to add to my colleague's previous comments, only to consider if space allows for some 'defensive space' along the frontages of Block 1 Farrow adjacent All Saints St. An uneven hard surface such as cobbles or angled brick set in concrete (not potential 'missiles' such as gravel) can prevent 'casual contact' with the dining/kitchen windows?

(Earlier comments) Norfolk Police welcome the project and were invited to work with the developers in a pre-app setting to ensure that the development designed out the environmental cues which were conducive to crime and disorder.

These comments related to rear parking areas, gates, permeability, secure mail delivery, cycle storage, Physical Security Requirements for communal entrance door sets, Door entry and access control systems and Security Compartmentalisation of developments incorporating 25 or more flats, apartments, bedsits or bedrooms.

Secured by Design is the official UK Police flagship initiative supporting the principles of 'designing out crime'. SBD aims to achieve a good overall standard of Security for buildings and the immediate environment. It attempts to deter criminal and anti-social behaviour within developments by introducing appropriate design features that enable natural surveillance and create a sense of ownership and responsibility for every part of the development.

It would be of great benefit and reassurance to all parties involved that SBD awards are applied for, as this would ensure the minimum-security standards detailed above are adhered to. I note the applicant has detailed in the DAS their intention to partake in the silver award, which I will be delighted to facilitate.

NCC Norfolk Fire & Rescue Service: NO OBJECTION - providing the proposal meets the necessary requirements of the current Building Regulations 2010 – Approved Document B (volume 2 – 2019 edition) as administered by the Building Control Authority.

NCC Green Infrastructure Officer (Public Rights of Way): NO OBJECTION - We have no objections on Public Rights of Way grounds as although King's Lynn Bridleway 39 and Restricted Byway 24 are in the vicinity, they do not appear to be affected by the proposals.

Cllr Rust: – OBJECTION – no reason given

Cllr Lesley Bambridge: – OBJECTION - I am very disappointed to see that, despite some changes to the original plans, the revised plans do not consider overall the height, mass and density of the development and the harm it will have on the location as well as on the nearby buildings themselves which are built in flimsy foundations or even none at all. Having decided to go away from the refurbishment originally planned for the whole of Hillington Square, this "new" development could have been sympathetic but instead it is utilitarian and unattractive. When are we going to give people something they would be proud to live in? Why don't they deserve some style and something that reflects the heritage we are so proud of in King's Lynn? Why don't we consider the residents who keep up that heritage at their own cost? The refurbishment was carried out because new building would have been more difficult but it seems that situation has changed? Of course, it hasn't but the existing properties have not been maintained and people are living next to run down, pigeon infested properties. Why are those tenants not given the consideration they should be? This is not a good solution to the problem.

(original) At this stage of the development I have to object. This is despite a positive meeting held with two residents representing the residents of both All Saints Street and Bridge Street with a director and chief executive of Freebridge Housing on the 9th September, the outcome of which is a review with architects was promised.

Currently there is an amount of overbearing particularly around All Saints Church and the properties not included in the Estate. The height on the Northern side of the Estate is a concern. This is not going to be higher than the add on the roofs. These are such things as railings and a shed like building which probably houses water tanks. They currently only cover

a very small part of the roof but when this additional height is across the whole of the roof, this will appear much higher and will be overbearing. The buildings around the former pub on Millfleet (now residential) will overbear considerably.

There is no consideration of existing local design. There are 28 listings immediately around the site, with more slightly further afield such as Nelson Street. The area includes mostly Georgian and medieval properties. New properties on All Saints Street fit seamlessly into the vernacular. Allison Court on Stonegate Street won an award for design. It can be done. The buildings around All Saints Church could have been designed to complement the church, thought to be the oldest in King's Lynn.

The design statement includes comments: "ensuring that new development is sympathetic to the special qualities of each conservation area" and "blend in as an interface" but it is difficult to see that this is occurring.

Although this application appears to be offering 11 more parking spaces. This is misleading as the original refurbishment application meant the number of parking spaces on the site was reduced by 69 spaces which has caused problems in the immediate streets and further afield in the Friars area.

I've referred to the number of listings in the surrounding streets. These buildings stand the chance of being damaged during demolition and construction. The refurbishment, had it been carried on, would have meant less opportunity for damage.

I'm also concerned about the small spaces for each home. When the development in the 1960's replaced two up two down properties, there was more living space on the whole. The larger properties were maisonettes and some of those refurbished still exist as maisonettes. I'm always concerned especially when we read in the design statement about the slum clearance, that we are not making some properties too small.

Something needs to be done to replace the run down, pigeon infested empty properties but it has to be a development that we can be proud off. The refurbished properties look good so it would be a pity to over develop. As this is now to become a new build, there is an opportunity to get it right which does include taking into consideration the existing, surrounding buildings and to make the individual units of a reasonable size.

REPRESENTATIONS

To date **78 REPRESENTATIONS** have been received (Including Members of the All Saints Street and Bridge Street Residents' Association and several repeat objections (including 37 letters from a single person), referring to the following:

Design

- design is still distinctly different and out of character
- will result in rather a confused hotchpotch mix of buildings.
- Object to 4 and 5 storey dwellings proposed
- proposals totally fail to sympathetically take into account the context within which the flats sit,
- The "Hemingway" flats show an alternate option is possible; we have gone from Hemingway to 'Anyoldway'
- Design will look disjointed and at odds with the properties on the other side of the street

- The two "turret" structures which are proposed for either end of All Saints Street are particularly concerning as it appears that they will be rather overbearing, ugly and institutional in style.
- The existing renovation of the flats has improved the quality of life and community feeling of our neighbourhood. I am concerned that the proposed plans will cause a barrier between the Square and the streets around it and that there will be a loss of community cohesion.
- Street will be more cramped and claustrophobic
- the design success of any house is not limited to its front façade; It must function as a group of spaces that each perform well in accordance with their designated function.
- No solar panels proposed
- The rear gardens of all terraced houses will have high fencing and be overshadowed
- Internal layout of terraced properties is poor in terms of ergonomics, practicality and health and safety
- internal rooms will not receive appropriate amount of daylight

Impact on heritage assets

- Impact during construction from construction vehicles and general disturbance
- Concern over structural affect this could have on my home
- The proposal commits almost the same crime as the original Hillington Square plans by keeping it hidden unless you are standing in a set position on Bridge Street.
- Impact on All Saints Church
- our property was damaged during the first phase when the building work was much further away
- Any development which dominates All Saints Church or detracts from the sight of it or blocks light inside it should be reconsidered
- If developed properly, this area could add to the historic attractions of the area and increase the tourist in this very important part of King's Lynn

Neighbour Amenity

- Negative impact on amenity
- Overshadowing of property on opposite side of road
- Houses opposite already obscure light
- Loss of light to property opposite right to light (as per the 1832 Prescription Act)
- The positioning of buildings so they are much closer to our homes is inevitably going to mean greater noise disturbance and the creation of further social problems
- noise complaints are considered a statutory nuisance and they would be obliged to investigate them
- concerns regarding the sheltered accommodation / hostel proposed and the effect on crime and anti-social behaviour this would have on the surrounding area / neighbourhood
- loss of outlook and environmental impact for existing buildings in All Saints Street
- At the moment we have some extremely noisy people opposite us, if the new flats are even nearer we will have no peace
- Why build up to the pavement and block light when it is possible not to
- will result in noise, and the demolition will cause vibration to existing structures.
- Townhouses closer to my property; less light and privacy
- Reinstating additional windows will increase overlooking of existing properties
- Will new windows be occluded?
- bin collection day will be very busy and noisy

Parking/highway issues

- Highway safety issues from parked vehicles
- No consideration of the current pressure on parking for residents or the potential further pressure that will be created for residents of All Saints Street and Bridge Street
- Should improve parking situation and introduce cycle route
- Parking and access is already an issue down All Saints Street
- lack of car parking provided currently and in this proposed new development exacerbates this parking problem.
- New parking should be overlooked by occupants
- Proposal appears to include the yellow hashed no parking box which currently provides access to our property.
- Require residents parking in this area
- Bridge Street and All Saints Street will become even more congested than they already are, making the highways less safe and increasing ill-feeling in the area.
- Freebridge should liaise with residents about impact on neighbouring properties/ undertake new condition surveys of neighbouring properties
- Impractical parking layout
- crime implications for the cars being parked out of sight behind tall garden fences

Flooding/drainage

- No consideration of flood risks through reduction in grassed area; impact on drainage system
- Shouldn't build on flood plain
- implications regarding drainage and possible flooding, particularly to All Saints Street.
- the townhouse will be built in flood zone 2, which acts as a soakaway
- Excluding living/sleeping accommodation from the ground floor does not mitigate the risk of damage to property resulting from flooding
- Houses will be hard to insure due to flood risk

Loss of open space/facilities

- object to the removal of a grassed area with trees and plants
- The plans show 4-bedroom house but no thought has been put into where the kids will play
- the focal point of a community cafe is gone, there is no play area for children, and the interchangeable single persons' accommodation does not appear to be disability friendly.
- The new development will eliminate the existing green space, and cut down on light and air significantly
- Object to loss of open space/ village green area/ play area/communal space

Procedure

- this application is out of time and should not be considered
- concern over Breach of Statutory Time Allocation for Amendments to Planning Application

- applicant has failed to provide all the relevant information for review/inspection which must render the current application null and void
- very serious failure to comply with legislation that specifically governs how a planning application must be dealt with within a set time frame

Other

- Refurbishing the existing properties would be more environmentally beneficial than demolition in terms of harmful emissions that demolition and rebuilding, rather than refurbishment, brings about.
- question why the design and access statement correctly identifies Providence Street to the central North-South path as a key walking and cycling movement, but the site plan shows this as obstructed and indirect?
- a public footpath runs right through the centre of this proposal from All Saints Street through to Stonegate Street according to public footpath records; this is a material planning consideration and any changes to the footpath would need to be undertaken in the proper manner (under separate legislation).
- Devaluing of property
- priority should be to the comments made by the local inhabitants to ensure a greater chance of success of this new development
- Compensation for residents during construction period i.e. free parking
- concerns about Hillington Square properties used for [key worker accommodation/nurses' accommodation](#)
- concern over the way tenants have been dealt with by Freebridge throughout the redevelopment scheme
- comments relating to Freebridge service charges

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS03 - King's Lynn Area

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

CS13 - Community and Culture

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM9 - Community Facilities

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM21 - Sites in Areas of Flood Risk

NEIGHBOURHOOD PLAN POLICIES

N/A

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The application raises the following key issues: -

- Principle of Development;
- Design
- Impact on Heritage Assets;
- Highway Safety
- Neighbour Amenity;
- Flood Risk/Drainage
- Trees; and
- Other material considerations.

Principle of development

The site lies within the development boundary of King's Lynn, which is designated as a Sub - Regional Centre for development and change where the strategy is to direct the majority of growth and regeneration.

Of particular relevance, Policy CS01 refers to the need for new development to make appropriate use of the high-quality historic environment in the town through sensitive inclusion in regeneration proposals.

Policy CS03 relates specifically to development in King's Lynn and refers:

'Within the historic and commercial cores of the town, new development will be required to demonstrate a high quality of design which, without stifling innovation, respects and enhances the wider historic surroundings and reinforces a positive visitor experience to the town and consequently supports the local tourism, leisure and culture economies.'

Elsewhere throughout the urban area, schemes of renewal or replacement that positively contribute to the regeneration of the town will be encouraged where there is no detrimental impact upon

- flood-protection strategies set out in CS01and CS08;
- the transportation network
- local services and facilities;
- significant trees, wildlife or historic assets;

- enjoyment of the public realm;
- crime prevention.'

Nationally, the NPPF seeks a high standard of design, and design that takes the opportunity to improve an area. Some of the key objectives referred to in the NPPF are for development to make a positive contribution to local character and distinctiveness which responds to their local context and creates or reinforces local distinctiveness, are visually attractive as a result of good architecture and appropriate landscaping.

Para 124 of the NPPF states that 'The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

Para 127 refers that Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Core Strategy Policies CS01, CS02, CS06, CS08 and CS012 are relevant. CS06 promotes sustainable patterns of development to ensure strong, diverse economic activity whilst maintaining local character and a high quality environment.

SADMP Policies DM1, DM2 and DM15 also apply.

This application site is part of the existing Hillington Square development which has extant planning permission for refurbishment works including some demolition and new build. Phases 1-4 of this re-development are now complete.

The regeneration of the estate, ongoing since 2012 has to date produced approximately 190 apartments in four refurbished blocks (Phase 1-4). Each of these refurbishment phases included demolition of high-level walkways and dwellings to physically open the site and create visibility. The separation of blocks ensures a smaller number of dwellings are each serviced from a secure entrance with the creation of new secure stair cores and the refurbishment of all dwellings including infrastructure. The last phase to be completed was Eldridge House in early 2018.

This current proposal continues to focus on updating and improving the quality of housing on the site by opening up views and routes, improving connectivity and seeking to reduce the overall impact of the development on the heritage context and allowing visibility from surrounding streets.

It seeks to create a new public space at the core of the scheme and provide better pedestrian and cycle routes, more openness around the built form and creating activity at ground level which improves security and encourages interaction between residents for a better sense of community.

It proposes a varied housing mix and built to current energy efficient standards which would be built to modern standards and reflect layouts better suited to modern living.

The principle of the demolition of these outdated flats and the redevelopment with modern, energy efficient dwellings, with improved facilities, reflects local plan policy relating to sustainability and, provided it meets other policy criteria, can be supported.

Design

Para 130 of the NPPF states that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.'

Para 131 of the NPPF refers that 'In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.'

Policies CS08 and DM15 of the development plan require new development to be well designed and to have due regard to the surrounding built form and local environment. This is derived from the NPPF which emphasises the importance of good design as an important aspect of sustainable development. CS08 also promotes the optimising of site potential, whilst protecting and enhancing the historic environment.

The application has been submitted following several rounds of public consultation. The design takes a varied approach to that of the previously approved scheme. The most significant change is the approach to the rebuilding of Farrow House as a row of townhouses instead of a block of apartments.

This approach sees the built form move further south towards the footpath of All Saints Street in a more traditional layout, resonant of the built form on the opposite side of the street. This approach seeks a more holistic link between the existing, traditional residential properties on the opposite side of the road and the more contemporary flats of Hillington Square.

These properties are shown to be 2 storeys in height, and take reference from the mass, scale and proportions of the properties opposite. It is considered this approach reflects a sympathetic scheme and responds sensitively to the local setting and patterns of adjacent streets (Policy DM15).

That said, it is important that attention is given to the detail to ensure that it enhances both streetscenes and does not harm the setting of adjacent listed buildings. Areas that will require

particular attention are the palette of materials and window / door details, all of which need to have regard to both the listed buildings, as well as the completed phases of Hillington Square.

The refurbishment works that have been carried out so far have resulted in significant improvement in terms of impact on the conservation area and adjacent listed buildings. It is therefore vitally important that any new scheme for the remaining phases blends well with the existing refurbished blocks and reads as a cohesive development.

During the application amendments have been made to the treatment and scale of the corner elements at the eastern and western ends of Blocks 1 and 2. These are both prominent corners and visible from longer public views. Amendments to the way the buildings turn the corner have been submitted so that the built form steps up in scale and does not appear overly dominant in the streetscene.

One other feature that has been the subject of third party concern is the additional height to Chestnut House (Block 3), in the centre of the site. This is proposed to have the same number of storeys as it currently has (5 storeys), with communal space at ground floor and residential units above. However, the overall height of the building to the top of the main roof is 15.1m compared to 13.1m presently. That said there is a safety rail around the top of the roof of 1m height and some plant and equipment which brings the highest point as 15.1m.

The additional height comes from the need to introduce modern ceiling heights and insulation between floors in accordance with building regulations. The DAS explains that 'whilst this block has a parapet height which is slightly higher than the existing block it replaces (this is mainly due to modern building standards such as the structure, acoustic separation etc. and to create more comfortable internal spaces with modestly generous ceiling heights), the overall height is comparable to existing when the plant and equipment on the roof of the existing block is taken into account. The proposed block has no equipment on the roof apart from the very low profile photovoltaic panels which are not visible from the ground.'

Accordingly, in order to build the same number of storeys under current regulations the height will need to be increased, although it will be no taller than the tallest part of the existing building.

Whilst the height to the top of the roof will increase, Block 3 has a smaller footprint than the block it seeks to replace so the overall scale and mass covered by the building will appear less. The additional height should not be unduly apparent from ground level immediately adjacent to the building, but it will be visible from longer views. In terms of the overall impact, however, it is considered the increased height of Block 3 is acceptable in context.

The position of the remaining blocks within the site are similar to those in situ and the scheme previously approved. The design of the buildings follows that of the redeveloped flats and is sufficiently in keeping to be supported in policy terms.

The proposed, revised layout will create new walkways and views through the site, and the DAS shows that the key public views into the site looking towards the listed All Saints Church have been respected and improved.

The greater distance between buildings also has benefits in terms of openness and security, creating greater connectivity and better surveillance.

Norfolk Constabulary Community Safety Neighbourhood Policing Team have been consulted about the scheme at pre-application and application stage. They have input Secured by

Design ideas as the scheme evolved and raise no objection to the scheme in terms of the prevention of crime and disorder.

The external materials for the townhouses show the use of soft red brick, which reflects the surrounding context and local vernacular, broken up with cream and terracotta render and sections of a lighter red brick to reflect some of the variety seen in the terraced houses opposite. Pitched roofs will feature on the majority of the town houses, finished with grey slate.

The DAS states that the apartments will use the same soft red brick for the base material. A dark grey brick will also be used to draw emphasis to the entrances and stair cores. Two of the apartment blocks will adopt a lighter red brick to introduce some variety. Both Chestnut and Atkin (blocks three and four) will use metal cladding on aspects of the northern faces, helping the new phase link in with the previously completed phases. Chestnut House (Block 3) will feature vertical metal cladding at fifth floor to lighten the mass.

Given the sensitive nature of the site it is recommended that, notwithstanding the details submitted, samples of the external building materials should be submitted and agreed if planning permission is forthcoming.

Third party comment has been made regarding the poor layout of the internal arrangements of the proposed townhouses and practical concerns for the occupants thereof. Whilst these comments are noted, the local planning authority cannot insist that the design of individual rooms be amended without strong amenity reasons. Location of furniture and kitchen layouts are generally indicative and not something the local planning authority has any control over.

In context the scale and mass of the buildings proposed relate better to their surroundings than the severe block structure of the existing flats on site. In terms of the design approach, officers consider that the proposal helps raise the standard of design more generally in the area and the applicant has demonstrated that it will fit in with the overall form and layout of the surroundings.

The proposal raises no conflict with national or local policy in terms of design.

Impact on Heritage Assets

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective in this (paragraphs 7 and 8). The significance of listed buildings and conservation areas can be harmed or lost by alteration to them or development in their setting. The NPPF states that clear and convincing justification should be made for any such harm and that 'great weight' should be given to the conservation of listed buildings and conservation areas irrespective of the level of harm caused (paragraphs 193 and 194).

The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) also places statutory duties upon Local Planning Authorities. Section 66 refers that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area when determining applications affecting buildings or land within the Conservation Area or its setting.

Furthermore, Policy CS12 of the Core Strategy states that "The historic and built environment play a crucial role in delivering environmental quality and well-being. Therefore the Council will preserve and where appropriate enhance its qualities and characteristics.

The application has been supported by a Heritage Impact Assessment (HIA) to gain an understanding of the effect of the developments and changes on the historic asset, and how the impact of the change might be mitigated.

The findings of the HIA concluded that 'the proposals for the remodelling of the existing Hillington Square Estate will have no direct physical impact on the historic fabric of any heritage asset identified within 1km of the site and will deliver the following key benefits:

- Enhance the setting of surrounding listed buildings and conservation areas by removing intrusive buildings and replacing them with more harmonious ones, sympathetic to the historic character of the area;
- Introduce new views to and from All Saints' Church, improving public connectivity with and appreciation for this important heritage asset;
- Improve public access to, and interpretation of, All Saints' Church and the surrounding conservation areas, including their settings (thereby potentially boosting social and economic viability);
- Create a new neighbourhood centred on connectivity and sustainability, enhancing its relationship to the surrounding historic environment.

All identified impacts of the proposals constitute less than substantial harm, will be indirect and are concerned with the setting of heritage assets and views surrounding the site. The effect of the proposals, on balance, is assessed as moderate beneficial.'

Prior to the submission of the application and during the course of the application Historic England has been consulted, along with the Conservation Areas Advisory Panel (CAAP) and the Conservation Officer.

Historic England has raised no objection to the proposed scheme on heritage grounds.

They confirm that the proposed demolition of these residential blocks is not of concern and the replacement buildings for Chestnut, Aitken and Norris Houses would be of a scale and form broadly suitable considering the existing buildings on the site.

They consider a significant improvement on the current situation is the enlarged space created at the north eastern corner of the churchyard. This would provide an additional 'breathing space' between church and buildings and a link to Providence Street and London Road beyond. The pedestrian connection to Millfleet between Chestnut and Aitken Houses would also be a positive way to make the immediate setting of the church more permeable and connected.

In regard to the proposed townhouses Historic England considers these townhouses would be of a suitable form and scale for the setting and with the linking corner block would better define and enclose the street.

Historic England have made suggestions for improvements to the design of the proposed new block on All Saints' Street and the corner block connecting it to Vicarage House as well as consideration of roofing materials. These suggestions have been taken into account as part of the latest amendments to the proposal.

Overall, however, they consider that the application meets the requirements of the NPPF, in particular paragraph numbers 7, 8, 193, 194 and 196.

Whilst agreeing that the amendments to the scheme have resulted in an improvement in the treatment where All Saints Street meets Vicarage House, the CAAP maintain their original objection to the proposal. They consider the proposal to demolish and rebuild a missed opportunity, that the scheme is still too high and the detailed design is not good enough.

King's Lynn Civic Society have no objection to the proposal, but consider the opportunity has been missed for a new approach to the whole scheme rather than follow the footprint of the existing. During the course of the application, they have made detailed comment about how the scheme might be modified (listed in full above) and some of these elements have been incorporated in the latest amended design.

The views expressed by the Civic Society and the CAAP relating to lost opportunities are noted, but ultimately, this scheme has been through several rounds of public consultation and has incorporated amendments in response to consultation responses. The proposed scheme, as now amended, has assessed the opportunities available to it and is working within the parameters presented by the site constraints. It is for members to decide if the amended proposals are now in accordance with policies contained within the NPPF, Core Strategy and SADMP.

The award-winning refurbishment works that have been carried out so far have resulted in significant improvement in terms of impact on the conservation area and adjacent listed buildings. During the consultation process of this application public comment has been received praising these redevelopment works.

Accordingly, it follows that any new scheme for the remaining phases should also blend well with the existing refurbished blocks as well as the historic setting of All Saints Church and the listed buildings in proximity.

In terms of heritage assets below ground, the application is supported by an Archaeological Desk-Based Assessment. This study identified a high potential for Saxon, medieval and post-medieval remains to be present on the site. These remains have almost certainly been adversely affected by later post medieval and post-World War II development, although more deeply buried (earlier) deposits and deposits in areas between the footprints of the extant buildings may well have survived intact. The site lies adjacent to All Saints Church, the centre of the parish of South Lynn, which probably has late Saxon origins. The site is not included in King's Lynn conservation area but is in proximity to late medieval to post medieval development, especially at Bridge Street and All Saints Street. Although development, erected during the mid 20th century could have a severe adverse impact on buried remains, the potential for the proposed development to disturb further surviving remains is considered high.

The Assessment finds that the likely scale of such disturbance can only be confirmed through a programme of intrusive archaeological investigation such as an evaluation by trial trenching. However, the Assessment considers that the impact of such disturbance could be mitigated through an appropriate programme of evaluation/assessment prior to development and by suitable mitigation measures implemented prior to or during construction.

Paras 189, 192, 193 and 197 of the NPPF refer to the need to consider the impact on designated and non-designated heritage assets, including matters of archaeology. Accordingly, it is recommended that a pre-commencement condition is imposed seeking a Written Scheme of Investigation for a programme of archaeological works to be submitted and

approved prior to any development taking place. The Historic Environment Services have been consulted on the application but at the time of writing their comments have not been received.

Officers are satisfied that, with appropriate planning conditions, the proposal, as amended, will optimise the site potential, whilst protecting and enhancing the historic environment.

During the course of the application third party comments have been raised about the impact during construction from construction vehicles and general disturbance and concern over potential structural damage to surrounding (listed) properties. Comment has been made that damage has already been made to nearby properties through the redevelopment of the earlier schemes.

However, it would be for the developer to ensure that such works were conducted in a manner to prevent harm to neighbouring properties. Usually this takes the form of pre-commencement surveys, but this is a matter outside of planning regulations and is covered by other legislation.

In summary, there are clear public benefits to be had in providing updated housing of modern standards and energy efficiency. In this regard Historic England concluded that the application meets the requirements of the NPPF, in particular paragraph numbers 7, 8, 193, 194 and 196. It is therefore considered overall that the proposed development complies with the provisions of the NPPF and Development Plan (CS12) in terms of design and impact on the historic environment / Heritage Assets.

Highway Safety

The application has been supported by a Transport Note.

This confirms that access to the proposed dwellings would be taken from existing points of access on Millfleet, Providence Street and All Saints Street. A new minor priority T-junction off Bridge Street will provide access to Farrow House and Vicarage House.

All accesses are, or will be, designed to accord with NCC's highway design requirements.

Footways are provided from all parts of the site to provide a sustainable connection with the existing footway network, providing a sustainable connection with the surrounding area and town centre to the north. This provision would enable continuous access for pedestrians from the site to connect with the local school and other facilities/services within King's Lynn.

The current proposals provide for 61 no. car parking spaces, an increase of 14 no. spaces from previously proposed scheme (47no.) and an increase of approximately 22 no. from the estimated current provision. This accords with comments received from the local highway authority (Norfolk County Council) regarding existing parking pressures in the area, hence the additional provision.

Also, a total of 86 no. cycle parking spaces will also be provided for residents and visitors. There is currently no formal cycle parking provision so this is a net gain of 86 spaces.

Existing bus stop facilities are provided on Stonegate Street, Millfleet and London Road adjacent to the site. With the site's close proximity, the services and facilities within King's Lynn town centre means that the site is well located for the uptake of travel by sustainable modes of travel.

Parking for residents has been a key concern following the public consultation exercise. However, this proposal will see an overall increase in car parking spaces for the existing residents within Hillington Square (22 more than currently exist). The proposed development caters for its own needs in terms of parking requirements and accords with local plan policy.

Third party objectors have raised concern about the lack of existing parking facilities in this part of the town, but the developer cannot be expected to resolve issues that already exist beyond the boundary of the application site. The important issue is that the proposed scheme will not exacerbate the existing situation, rather the situation should be improved by the combination of the lower number of residential units being proposed and the increased number of car parking spaces and cycle spaces.

Norfolk County Highways have been consulted on the application and have raised no objection to the proposal provided that suitable planning conditions are imposed. These relate to the details of footways, visibility splays, on-site parking facilities for construction workers and the implementation of a Stopping Up Order for highways rights and a Traffic Regulation Order regarding waiting restrictions on Bridge Street and All Saints Street.

Neighbour Amenity

The relationship between the proposed new development and existing properties has been examined. Attention has been given to overlooking, loss of light, over shadowing and whether or not the proposal is overbearing.

Third party concerns have been raised in relation to the impact of the proposed development on the residential amenity of existing neighbours. Particular concern has been made regarding the proximity of the town houses fronting All Saints Street as they are shown to be closer to the footpath than the blocks they seek to replace. Concern is raised on overlooking, privacy grounds and noise grounds.

The townhouses are closer to the existing properties to the south, but they are still separated by the road and footpaths on either side of All Saints Street. It is a historically narrow road, but the highways authority has requested a 2m wide footpath to the northern side along this stretch, so the distance between the new townhouse and the existing properties will be just over 10m separation distance for most of this section.

The new townhouses will have ground and first floor windows facing the street (south) towards the existing properties which serve habitable rooms. However, given that the proposed development would be situated to the north, and the separation distances between properties is approximately 10m, it is not considered that the proposal would result in any significant loss of amenity to existing occupiers of properties on All Saints Street in terms of either loss of light / overshadowing, overbearing impact or loss of privacy.

The relationship with the properties on Bridge Street has also been examined. In this case the distances between properties is greater at an average of at least 12m separation. The proposed new build is to the east of these existing properties, but the distance is such that overshadowing or overlooking should not result in any significant loss of amenity to existing occupiers of properties on Bridge Street.

A similar exercise has been undertaken for properties on London Road, which back onto the site, and Providence Street. However, given that the replacement blocks are in a similar position to the existing blocks, the impacts are similar and would not be expected to result in any significant loss of amenity to existing occupiers of properties on All Saints Street in terms of either loss of light / overshadowing, overbearing impact or loss of privacy.

Concerns regarding noise from occupants being in closer proximity are noted. However, the proposal would result in a residential use replacing an existing residential use, in a residential area, and this is no grounds to refuse a planning application.

In summary the proposal raises no significant neighbour amenity issues in regard to overlooking, overshadowing, loss of light or general noise and disturbance.

Flood Risk/Drainage

The application has been supported by a site-specific Flood Risk Assessment (FRA). The Environment Agency has raised no objection to the proposal provided that the mitigation measures proposed in the FRA Ref: 171332, prepared by Rossi Long Consulting, dated July 2020 are adhered to.

Clearly this is a proposal to redevelop an existing residential scheme, and results in a net reduction in properties, so in those terms, flood risk will be improved. Nevertheless the exercise of carrying out the relevant tests as set out in the NPPF have been undertaken.

In relation to the sequential test, this is a redevelopment scheme of an existing housing development and there are no other suitable sites within a lower flood zone that would meet the requirements. As a result it is considered that the circumstances of the case meet the sequential test.

In relation to the exception test:

- a) the development provides wider sustainable benefits by utilising brownfield land within an already developed area, and redeveloping an existing residential scheme;
- b) the site area is developable as it is within an existing town development boundary within the local plan area; and
- c) the FRA demonstrates that the development will be safe and will not increase flood risk elsewhere nor detrimentally affect any other property. It will also be designed to modern standards, taking into account issues such as flood risk.

It is therefore considered that the information provided has satisfactorily demonstrated that flood issues have been adequately assessed and accord with the provisions of the NPPF and NPPG.

The site already has a consent for redevelopment in place and the FRA states this latest proposal raises no new flood risk issues. In terms of drainage, it is intended that the same drain runs will be utilised as those for the existing buildings and therefore the proposal raises no new issues in this regard.

No objection has been raised by the LLFA, Anglian Water or Water Management Alliance (IDB), subject to conditions relating to surface water drainage details. The District Emergency Planning Officer has no objection subject to the formation of a flood evacuation plan.

It is recommended that planning conditions are imposed relating to the scheme following the mitigation measures referred to within the FRA, surface water drainage details and information re: flood evacuation plan be added as an informative.

Third party comments about building upon flood plains are noted, but these issues are covered within the FRA which shows the development to be safe and will not increase flood risk elsewhere nor detrimentally affect any other property. Similarly, concerns about building on

grassed areas and surface water drainage issues are noted. However, private garden areas will be created and surfaces will be permeable where appropriate. These details will, however, be secured by way of planning condition.

Trees

There are some significant trees close to or within the application site. The majority of the trees in the area are situated within the grounds of All Saints Church and include a mixture of mature lime, beech, horse chestnut, ash, birch, tree of heaven, whitebeam, maple and sycamore. The remaining trees in the area are predominantly semi-mature street trees and communal garden trees.

The application has been supported by an Arboricultural Impact Assessment (AIA) which includes a Tree Survey, Arboricultural Impact Assessment, Tree Management details and Replanting Proposals.

Four of the trees will need to be removed for development purposes. These include two cherry trees, a birch and a maple. However, the tree losses will be replaced with remedial planting designed to be in keeping with the new development and provide landscape benefits and new wildlife habitats.

All the retained trees will be provided with proper protection as set out in BS5837:2012 during the construction phase. Protection measures will include erecting temporary protective fencing, temporary ground protection, pre-emptive root pruning and the use of No-Dig surfaces as appropriate.

The Arboricultural Officer raises no objection to the proposal and the replacement planting subject to the imposition of conditions relating to tree protection.

Other material considerations

Public consultation - Para 128 of the NPPF states that 'Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.'

In this case the applicant has demonstrated that there has been early, pre-application discussion with a number of key groups, Historic England, the local Conservation Officer and the All Saints and Bridge Street residents' group. A broader digital public consultation was also carried out to invite comments from current Hillington Square residents and the wider general public in the immediate area. It is considered that the comments of these parties have been taken into account as the proposal has evolved.

Contamination - The applicant has submitted a Geo-Environmental Report, Delta Simons June 2020 which includes a preliminary risk assessment (PRA) and limited scope supplementary ground investigation. This concludes that further investigation will be required. The Council's Environmental Health section agrees with this and requests that the necessary work is secured by condition.

Air quality - The application is accompanied by an Air Quality Assessment, which concludes that the proposed development will not result in any significant loss of local residential amenity in terms of air quality. It finds that, with appropriate mitigation measures during the construction phase, the proposed development complies with national and local planning policies and there are no air quality constraints considered to restrict planning consent.

The Council's Environmental Health Team agrees with this and requests that the mitigation works recommended during the construction phases (including measures to suppress dust, control of machinery and construction vehicles and monitoring of the site) should be secured through planning condition through the submission of a Construction Environmental Management Plan.

Noise - The application is accompanied by a Noise Impact Assessment, which concludes that the predicted noise impact at the closest proposed residential dwelling will result in a negligible noise impact. This has been informed by a Background Sound Survey and a Noise Survey of an existing extraction systems in a hot-food takeaway to the east of the site.

The Council's CSNN Team raises no objection to the proposal although does request a planning condition be imposed requesting that a CMP (which could incorporate the piling management plan and CEMP) so there is control over site traffic, site hours, delivery/collection hours, noise, site/contractor parking, dust, vibrations, plant/machinery and waste disposal.

Ecology – The application is supported by an Ecology Assessment. Bat surveys revealed common pipistrelles using a small part of the site but no evidence of roosting bats and it concluded that roosting bats are absent. Generic mitigation is recommended to state that advice should be obtained if bats are encountered during construction and that either works start outside of the nesting bird season or otherwise an inspection is undertaken before works to establish if any nests are present.

Enhancements are suggested for the scheme which include the introduction of plants that are good for pollinators within the landscaping scheme, the introduction of house sparrow nesting boxes, and bee bricks or other measures within landscaping areas to provide nesting tunnels for solitary bees. It is recommended that these measures are secured by way of a planning condition.

Energy Efficiency - The application is supported by an Energy Efficiency Statement which considers the use of renewable energy choices that would be appropriate for the scheme. This confirms that a strategy of using direct electric heating with Solar PV to all apartments and ASHP heating and hot water to all townhouses is appropriate for this scheme. This accords with the provisions of Policy CS08 and it is recommended that details of these energy choices are secured by way of a planning condition prior to their installation

Third party matters raised – Most of the concerns raised have been addressed in the report above. However, comment has been made that this application is out of time and should not be considered. However, the initial 13-week target date for the application is just that, and if negotiation needs to take place to secure a positive outcome the time period can continue with the agreement of the applicant.

Objection has been raised to the way amendments to the proposal have been advertised and the lack of time to make public comment. However, there are no statutory consultation requirements in the case of amendments submitted to an existing proposal. Although under no obligation, in this circumstance the local planning authority chose to re-advertise amendments as it considered there would be public benefit to invite additional comments. In terms of timescales there has been ample opportunity to comment on the application, and the

various amendments. In this case, all comments made in writing and submitted to the LPA will be taken into account and reported to Committee if received by 5.15pm on the 8 July. This allows a minimum of a further 6 days to make comments after the publication of the Agenda.

Other concerns have been expressed about the loss of open space and no play areas for children. The proposed scheme will result in more open space across the site, albeit no potential to increase outdoor play areas facilities. However, more community uses and space will also be available within the buildings for use by residents and the wider community.

Comment has been made that more weight should be given to objections from the closest residents to the scheme. However, each comment is considered in regard to planning policy or material planning considerations. Any specific impacts on a particular property have been considered.

Comment has been made that a public footpath runs right through the centre of this proposal from All Saints Street through to Stonegate Street according to public footpath records. The comment is that this is a material planning consideration and any changes to the footpath would need to be undertaken in the proper manner (under separate legislation).

The NCC Public Rights of Way Officer has been consulted in connection with this application and raises no objection to the scheme. King's Lynn Bridleway 39 and Restricted Byway 24 are in the vicinity of the site but not directly affected by the proposal. There is a footway that runs north south through the site, which will remain as a footway, but this has a different status to a public right of way.

Concern about the devaluing of property is noted, but this is not a material planning consideration and cannot be taken into account as part of the merits of the planning application.

Comments that the proposed town houses will be hard to insure, whether or not the future tenants may be key workers, how Freebridge have treated their tenants, or how Freebridge assess their service charges are not pertinent to the consideration of this planning application and are not valid planning matters. Similarly, comments that Freebridge have failed to provide all the relevant information for review/inspection are not recognised. Any planning questions or necessary information required by the local planning authority in connection with the consideration of this planning application have been provided.

Comment has been made requesting compensation for residents during construction period i.e., free parking. However, this is not a material planning consideration and cannot be considered.

CONCLUSION

The application proposes significant changes in the approach to the redevelopment of this part of Hillington Square. The demolition and replacement of the blocks to the south eastern corner of the site, closest to Bridge Street and All Saints Street, with town houses introduces a different approach than the general improvements to the existing buildings previously followed. This approach aims to better respect the traditional street scene and built form of this part of the conservation area.

The scale and mass of the proposed new town houses reflects that of the existing, historic built form, whilst the more modern fenestration and mix of materials blends the old with the

Planning Committee
12 July 2021

new. Amended plans have improved the visual appearance of the town houses, which turn the corners, stepping from 2 storey to 4 storey blocks as the buildings move away from All Saints Street.

The increased height of Chestnut House (Block 3) to the centre of the site is no greater than the tallest part of the equipment and plant already in place on the building. It is not of such a significant increase to cause visual harm to the wider character of the conservations areas or the listed buildings.

The applicant has demonstrated that the proposed development complies with the provisions of the NPPF and Development Plan (CS12) in terms of design and impact on the historic environment / Heritage Assets. Even if there is considered to be 'less than substantial harm' caused in terms of the NPPF, there are clear public benefits to be had in providing updated housing of modern standards and energy efficiency. Historic England conclude that the application meets the requirements of the NPPF, in particular paragraph numbers 7, 8, 193, 194 and 196.

The proposal will result in an overall reduction in the number of residential units across the site, but an increase in car parking spaces and provision for 86 new cycle storage facilities. Conditionally the proposal raises no highway safety concerns.

The proposal raises no significant neighbour amenity issues in regard to overlooking, overshadowing, loss of light or general noise and disturbance.

Flood risk issues have been adequately assessed and accord with the provisions of the NPPF and NPPG and drainage details will be required to be secured by planning condition.

There is no loss of significant trees and there is scope within the site for new planting.

The demolition of these outdated flats and the redevelopment with modern, energy efficient dwellings, with improved facilities, reflects local plan policy relating to sustainability and can be supported. The aims of the scheme, which include improving the setting of the Grade II* listed All Saints Church, improving the standard of the accommodation and the quality of the external environment and increasing connectivity are supported.

The proposal will optimise the site potential, whilst protecting and enhancing the historic environment. The scheme accords with development plan policies on preservation of the built environment (CS12), flood risk, highways and amenity amongst others, as well as those parts of the National Planning Policy Framework that deal with design, flood risk, housing and heritage assets. Permission may therefore be granted subject to the conditions outlined below.

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:

Planning Committee
12 July 2021

9200-0001-P02 -Site Location Plan
9200-0002A-P01 - Site Plan - Existing + Demolition
9200-FM-01-ZZ-DR-A-0003 P06 - Proposed Site Plan
9200-FM-01-ZZ-DR-A-0004 P03 - Proposed Site Roof Plan
9200-FM-01-ZZ-DR-A-0090 P03 - Proposed Key Site Sections
9200-FM-01-ZZ-DR-A-0091 P03 - Proposed Detail Site Sections
9200-FM-01-ZZ-DR-A-047 P08 - Block 1 Farrow - Proposed Ground Floor Plan
9200-FM-01-ZZ-DR-A-048 P08 - Block 1 Farrow - Proposed First Floor Plan
9200-FM-01-ZZ-DR-A-049 P08 - Block 1 Farrow - Proposed Second Floor Plan
9200-FM-01-ZZ-DR-A-050 P08 - Block 1 Farrow - Proposed Roof Plan
9200-FM-01-ZZ-DR-A-080 P08 - Block 1 Farrow - Proposed North Elevations
9200-FM-01-ZZ-DR-A-081 P08 - Block 1 Farrow - Proposed South, West & East Elevations
9200-FM-01-ZZ-DR-A-082 P07 -Block 2 Vicarage House - Proposed Elevations
9200-FM - 0052-P04 - Block 2 - Vicarage - Roof Plan
9200-051-P02 Block 2 - Vicarage House - Floor Plans
9200-053-P0101 Block 3 - Chestnut House - Ground and First Floor Plans
9200-054-P0101 Block 3 - Chestnut House - Second and Third Floor Plans
9200-0055-P04 - Block 3 - Chestnut House - Fourth Floor Plan & Roof Plan
9200-0057-P04 - Block 4 - Aitken House - Roof Plan
9200-0060-P04 - Block 5 - Norris - Roof Plan
9200-056-P03 Block 4 - Aitken House - Floor Plans
9200-058-P03 Block 5 - Norris - Ground and First Floor Plans
9200-059-P03 Block 5 - Norris - Second and Third Floor Plans
9200-082-P02 Block 2 - Vicarage House - Elevations
9200-083-P0101 Block 3 - Chestnut House - Elevations
9200-084-P03 Block 4 - Aitken House - Elevations
9200-085-P03 Block 5 - Norris - Elevations
200-0104-P01 Proposed Treatment to Substation

- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: No development shall take place on any external surface of the development hereby permitted until samples of the materials to 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.
- 3 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition: No works shall commence on the site until such time as detailed plans of the roads, footways and cycleways, including a 2.0m wide footway on the site frontage with All Saints Street and Bridge Street have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- 4 Reason: This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development.

5 Condition: Before any dwelling is first occupied the road(s), footway(s) and cycleway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.

5 Reason: To ensure satisfactory development of the site.

6 Condition: Notwithstanding the submitted details unless otherwise agreed in writing by the Local Planning Authority the proposed vehicular access to the parking area to the rear of Block 1 shall be maintained in perpetuity at a minimum width of 4.8metres

6 Reason: In the interests of highway safety and traffic movement.

7 Condition: Prior to the first use of the parking area to the rear of Block 1 hereby permitted visibility splays measuring 2.4 metres x 25 metres shall be provided to each side of the access where it meets the highway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

7 Reason: In the interests of highway safety.

8 Condition: Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period

8 Reason: To minimise the potential for on-street parking and thereby safeguard the interest of safety and convenience of road users

9 Condition: No works shall commence on site until such time as a Stopping Up plan has been approved and the Stopping Up Order to remove all highway rights subsisting in the highway land on the approved plan has been granted and all highway rights have been successfully removed.

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

This also needs to be a pre-commencement condition as these fundamental details need to be properly designed at the front end of the process.

10 Condition: No works shall commence on the site until a Traffic Regulation Order for a scheme of waiting restrictions on Bridge Street and All Saints Street has been promoted by the Local Highway Authority.

10 Reason: In the interests of highway safety.

This also needs to be a pre-commencement condition as this issue needs to start to be resolved at an early stage in the process

11 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 the Environment Agency's Land Contamination Risk Management (LCRM).

- 11 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.
- 12 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.
- 12 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.
- 13 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.

- 13 **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.
- 14 **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 (Cond 11), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (Cond 12), 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 (Cond 13).

- 14 **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.
- 15 **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) a Construction Environmental Management Plan to include the measures to be undertaken to control the emission of dust, noise, and vibration from the operation of plant and machinery to be used, a piling management plan listing details of timings and techniques, with details to include the mitigation measures proposed in Section 6.0 of the AQA to protect residents from construction dust;
 - (b) the location of any temporary buildings and compound areas;
 - (c) the location of parking areas for construction and other vehicles;
 - (d) the measures to be used to prevent the deposit of mud and other deleterious material on the public highway; and,
 - (e) a scheme for the management and signage of all construction traffic.

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

- 15 **Reason:** In order that the Local Planning Authority may retain control over the construction activities in the interests of the amenities of the locality in accordance with the NPPF.

This also needs to be a pre-commencement condition as this issue relates to the construction phase of the development.

- 16 **Condition:** Prior to commencement of development, in accordance with the Flood Risk Statement / Drainage Strategy titled Phases 5 & 6 Hillington Square King's Lynn Norfolk

(Rossi Long Consulting Ltd, RLC Ref. 181320 Rev A July 2020)and drawing number RLC-00-XX-DR C-503 Rev: P1(PHASE 6 PROPOSED DRAINAGE PLAN Dated 24th July 2020), and drawing number RLC-00-XX-DR C-501 Rev: P1 (PHASE 5 PROPOSED DRAINAGE PLAN Dated 31st March 2020), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

- I. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
- II. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.
- III. Evidence of Agreement or Agreement in Principle for the surface water discharge from the proposed development into the existing Anglian Water surface water sewer.

- 16 Reason: To prevent flooding in accordance with National Planning Policy Framework paragraph 163,165 and 170 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.
- 17 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 17 Reason: In the interests of the visual amenity of the area.
- 18 Condition: The development shall be carried out in accordance with the Tree Protection Plan (TPP), Arboricultural Method Statement (AMS), Timetable for implementation of Tree Protection Works and the Tree Management and Replanting Proposals set out in the Arboricultural Impact Assessment 2020 by A T Coombes Associates Ltd, that was submitted in conjunction with the planning application hereby approved unless otherwise agreed in writing by the local planning authority.
- 18 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 19 Condition: No development shall take place until a Written Scheme of Investigation for a programme of archaeological works has been submitted to and approved by the local planning authority in writing. The scheme shall include:
1. An assessment of the significance of heritage assets present
 2. The programme and methodology of site investigation and recording
 3. The programme for post investigation assessment of recovered material
 4. Provision to be made for analysis of the site

investigation and recording 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation 6. Provision to be made for archive deposition of the analysis and records of the site investigation 7. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

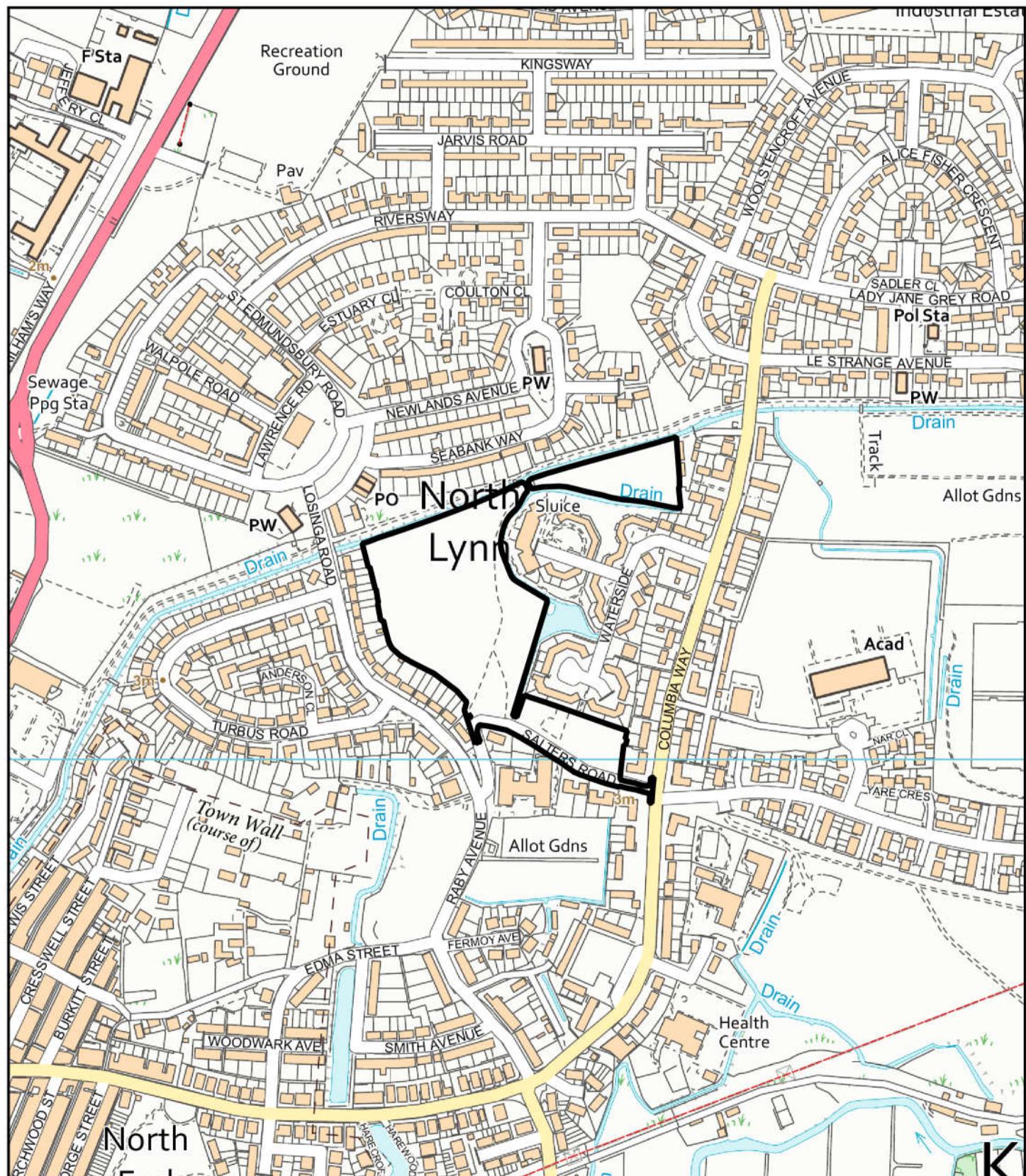
- 19 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 20 Condition: No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 19.
- 20 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 21 Condition: The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 19 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secure.
- 21 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 22 Condition: The development shall be carried out in accordance with the mitigation measures set out in the submitted Flood Risk Assessment (FRA) (ref RLC Ref. 181320). In particular, the FRA states that:
- *Finished floor levels will be set no lower than in Phase 5a 4.64mAOD, Phase 5b 4.65mAOD, Phase 6 5.35AOD.
 - *Flood resistance / resilient measures will be incorporated for the whole ground floor of both Phase 5a and Phase 5b with Phase 6 benefitting from these measures up to 1.3m above finished floor levels.
 - *There will be no ground floor sleeping accommodation and there will be safe refuge on the first floor in Phase 6.
- 22 Reason: In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 23 Condition: Full details of all solar photovoltaic panels and equipment including their design and location shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Installation shall be carried out in accordance with the approved details
- 23 Reason: To ensure that such details are in keeping with the visual amenity of the area in accordance with the principles of the NPPF.
- 24 Condition: Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries with neighbouring dwellings, plus provide details of anti-vibration mounts, and noise

attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.

- 24 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 25 Condition: The development shall be carried out in accordance with the mitigation measures and enhancements set out in paras 9.6 and 9.7 of the Ecology Statement by Hopkins Ecology, dated 21 July 2000, that was submitted in conjunction with the planning application hereby approved. These measures specifically relate to works being conducted outside the nesting bird season or inspection of the site to see if any nests are present, obtaining advice on bats if encountered and the provision of pollinator plants in the landscaped areas, the incorporation of house sparrow nesting boxes and bee bricks.
- 25 Reason: In accordance with the provisions of the NPPF

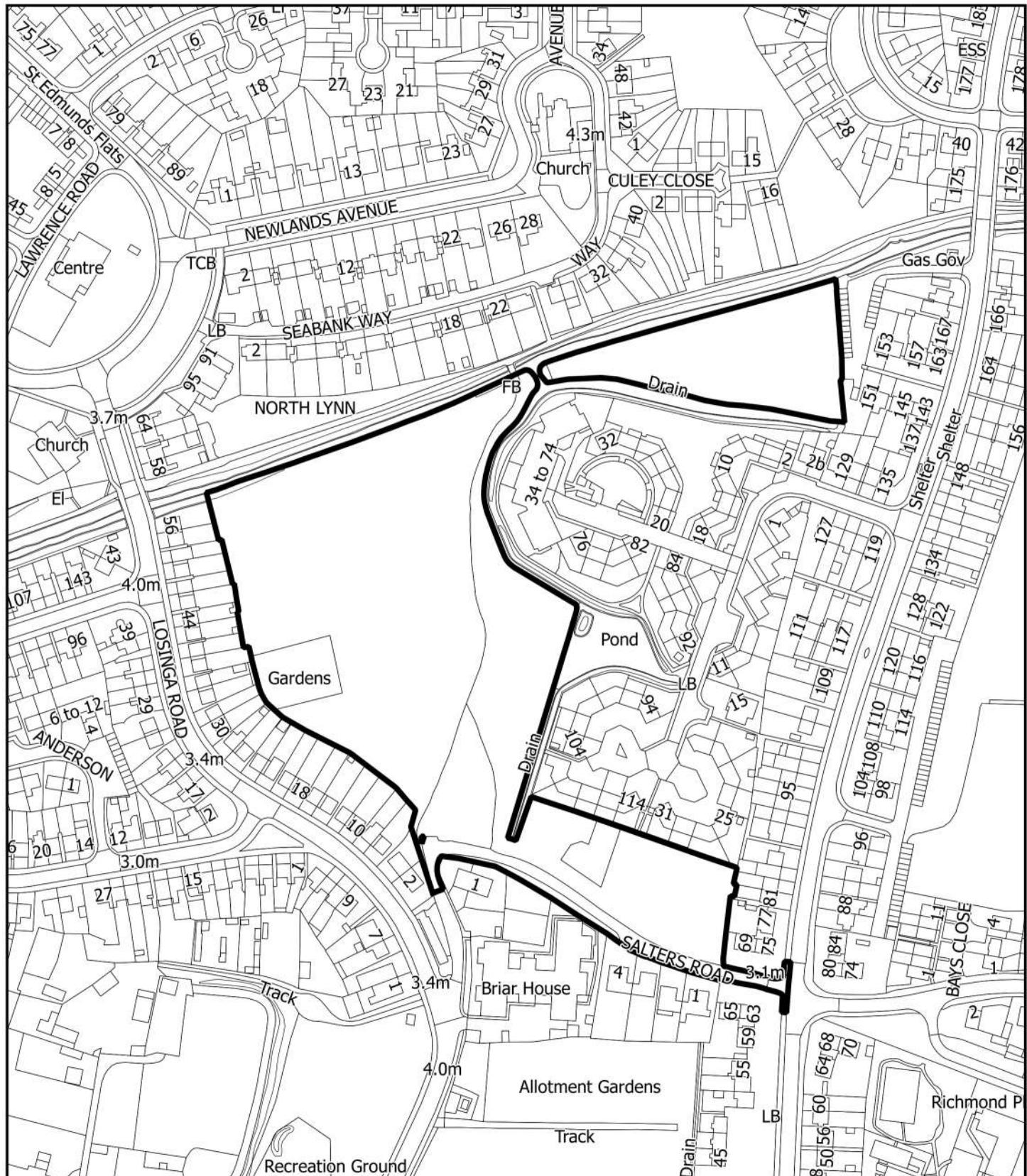
20/01957/FM

Land E of Losinga Road W of Waterside and N of Salters Road



20/01957/FM

**Land E of Losinga Road W of Waterside and N of
Salters Road**



| | | |
|----------------------|--|---|
| Parish: | King's Lynn | |
| Proposal: | Construction of 78 affordable dwellings and associated access, infrastructure and landscaping | |
| Location: | Land E of Losinga Road W of Waterside And N of Salters Road King's Lynn Norfolk | |
| Applicant: | Borough Council of Kings Lynn And West Norfolk | |
| Case No: | 20/01957/FM (Full Application - Major Development) | |
| Case Officer: | Mrs H Morris | Date for Determination: 8 March 2021 EOT Date: 12th November 2021 |

Reason for Referral to Planning Committee – The Borough Council is the applicant and there have been objections to the application.

Neighbourhood Plan: No

Case Summary

The application seeks full planning permission for the construction of 78 no. affordable dwellings and associated access, infrastructure and landscaping for land east of Losinga Road, west of Waterside and north of Salters Road in King's Lynn. Revised plans and information has been submitted during the course of the application process in order to address comments received by consultees and the case officer.

The application site lies within the development boundary of King's Lynn and comprises 3.18ha of land that is allocated for residential development under Policy E1.9 'King's Lynn – Land West of Colombia Way' of the Site Allocations and Development Management Policies Plan (2016) (SADMP).

Key Issues

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

- Principle of development;
- Form and character;
- Residential amenity;
- Flood risk and drainage;
- Highway safety;
- Affordable housing;
- Open space and landscaping;
- Ecology and trees;
- Other considerations; and
- Crime and disorder.

Recommendation

- A. APPROVE** subject to conditions and the satisfactory completion of a S106 Agreement to secure affordable housing and £30,000 financial contribution to secure 3 x pieces of play equipment, fencing, safety surfacing and fifteen years' maintenance – as an extension to the existing equipped play on Peck's Field, within 4 months of the date of this Committee meeting;
- B.** In the event that the S106 Agreement is not completed within 4 months of the date of this Committee meeting, the application shall be **REFUSED** due to the failure to secure affordable housing and a financial contribution towards open space provision.

THE APPLICATION

The application seeks full planning permission for the construction of 78 no. affordable dwellings and associated access, infrastructure and landscaping for land east of Losinga Road, west of Waterside and north of Salters Road in King's Lynn.

The application site comprises two areas of land. The main parcel which is 2.69 hectares is where the residential development is proposed and there is also an additional 'triangular' parcel of land measuring 0.49 hectares situated immediately north of the site, located between the existing housing at Waterside and the Bawsey Drain. This smaller parcel of land will be subject to mitigation work associated with the main site and proposed residential development. The total site area is therefore 3.18 hectares.

The site is situated within the development boundary of King's Lynn, surrounded by existing developed land on all sides, and is located approximately 0.6 miles (1.0 km) northeast of the town centre. The application site, including the triangular parcel of land, forms almost all of the 3.3 hectares residential site allocation under Policy E1.9 'King Lynn – Land West of Colombia Way' of the SADMP.

The site is bounded by the Bawsey Drain to the north, opposite which is an existing residential area at Seabank Way. To the immediate east is another residential area at Waterside, and further existing residential areas are to the immediate south and west, with the site to the rear of the houses on Losinga Road and the Briar House care home.

The site currently comprises rough grassland with areas of scrub vegetation, crossed by a path that runs from Salters Road to the bridge across the Bawsey Drain located immediately adjacent to the site. The land in the area is broadly level with several established trees situated towards and along the edges of the site.

The application red line area includes Salters Road, which is a public right of way – King's Lynn Bridleway No. 4, which joins the public road at both ends, Columbia Way to the east and Salters Road / Losinga Road to the south.

Revised plans and information have been submitted during the course of the application process in order to address comments received by consultees and the case officer.

Out of the 78 dwellings proposed, 15 units are 1-bed houses, 38 are 2-bed houses and 25 are 3-bed houses. All units are 2 storey with ridge heights of between approximately 7.3 and

8.3 metres and are either semi-detached or in small terrace blocks of 3 units. All units are proposed to be affordable dwellings with 21 units being for shared ownership and the remaining 57 units being for affordable rent. However in planning policy terms there is only a requirement for 15% affordable housing on the site.

Vehicular access is proposed via an improved junction with Columbia Way. All 2 and 3-bed dwellings are provided with 2 no. car parking spaces per plot and 1-bedroom dwellings are provided with an average of 1.5 spaces per unit. An additional 4 no. visitor spaces are also to be provided across the site.

SUPPORTING CASE

The site is located within the settlement boundary of King's Lynn and is entirely within the site allocated for residential development referred to as E1.9 in the 2016 local development plan (the "SADMP"). The proposal therefore delivers this residential development required by the plan.

The 78 dwellings proposed comprise 15 no. 1-bed houses, 38 no. 2-bed houses and 25 no. 3-bed houses.

All 78 of the houses would be affordable homes, with the split in tenure between shared ownership and affordable rent to be in accordance with policy. As a 100% affordable housing scheme, it exceeds policy CS09 of the Core Strategy, which requires 15% affordable housing in the King's Lynn built area, as well as the affordable housing requirement under the allocated site policy E1.9 of the SADMP.

A section 106 agreement will secure the delivery of affordable housing. The section 106 agreement will also secure on-site management of green spaces and a financial contribution towards off-site play area provision.

This site will contribute to meeting the Borough Council's housing delivery target of 539 homes per year. It responds directly to the housing need identified in the Borough Council's House Need Assessment of March 2020, by providing an appropriate mix of accommodation types and tenures.

The site is in receipt of Central Government grant funding under the Local Government Accelerated Construction Programme. The funding is designed to provide a tailored package of support to local authorities to develop land in their ownership that otherwise would not be developed. The grant is available to fund site enabling and infrastructure work that unlocks the barriers to development and effectively bridges the viability gap that would otherwise prohibit the site from being delivered. The grant funding contribution provides certainty that the site is deliverable and that all section 106 requirements can be supported.

The scheme includes associated landscaping and infrastructure works, including possible flood storage compensation in the 'triangular' part of the application site, and the formation of a lagoon within the main residential development part of the site, which acts both as a component of the drainage strategy and as a visual amenity feature within the site.

The proposal will enhance pedestrian and cycle links across the site, improving connections within this part of the town including to the existing footbridge over the Bawsey Drain, and therefore assisting in providing existing and new residents with alternative means of travel to the private car. Vehicular access would be by way of an improved junction with Columbia Way.

The site is located within easy walking and cycling distance of schools, shops, services, amenities and public transport of the town and, as such, is considered to be a sustainable location well-suited to housing development of the scale proposed.

Electric Vehicle charging points will be installed as part of the development, to 29 of the 78 dwellings, contributing to the Council's aspirations in this regard. The specific plots and car parking spaces are shown on the proposed parking plan. They have been chosen by virtue of being the most practicable in terms of installing and using wall-mounted 'Mode 2' charging units, which are capable of being upgraded to 'Mode 3'.

Photovoltaic solar panels will be included on all proposed houses with roofs facing suitable orientations.

The site layout and some other details of the scheme have been revised during the application period following advice from planning officers, highways officers, the Police designing out crime officer, the Lead Local Flood Authority, and other consultee and neighbour responses.

PLANNING HISTORY

There is no recent planning history for the site.

RESPONSE TO CONSULTATION

KLACC Planning Sub-group: NO OBJECTION but concerns were raised in relation to the following:

- Traffic and access into the site; and
- Lack of primary education space.

NCC Highways: NO OBJECTION subject to conditions.

NCC PROW: NO OBJECTION We have no objection in principle to the application but would highlight that a Public Right of Way, known as King's Lynn Bridleway 4 is aligned along Salters Road.

NCC Strategic Planning: The following infrastructure will need to be funded through either: CIL; and/or S106:

Education: Mitigation required at Secondary Education levels

Library: Mitigation required at the library serving the development to develop self-service system for local area.

Fire: This development will require 1 fire hydrant per 50 dwellings at a cost of £921 per hydrant, which should be dealt with through condition.

There is spare capacity at Early Education and Primary school levels and therefore no education contributions will be sought for these sectors.

Although the three high schools (Springwood, King's Lynn Academy and KES) are indicating there is spare capacity, this does not reflect the numbers of children already in the primary system (without the influence of housing) which over the next three years will take up these spare places.

The numbers on roll at the three schools will grow over the next 4 years. This will mean that current spare capacity will not exist by September 2022. Therefore, Norfolk County Council will seek Education contributions towards the provision or enhancement of educational facilities required because of the Developments as follows:

Secondary Education 11-16: $10 \times £15,664 = £156,640$

Secondary Education 16-18: $1 \times £15,664 = £15,664$

Total Education Contribution = £172,304

Monitoring Fee: A fee will be sought in line with the County Council's Planning Obligations Standards (March 2020) where any of the infrastructure items sought above are covered through a S106 agreement.

Lead Local Flood Authority: NO OBJECTION We have reviewed the application as submitted and wish to make the following comments. We previously responded to this application (our ref. FW2021_0395) on 24 May 2021, and we were able to remove the objection to this application based on the additional information submitted by the applicant which included an updated Flood Risk Assessment (ref. Richard Jackson Engineering Consultants, Flood Risk Assessment Rev C, 11 May 2021).

A review of the latest documentation submitted by the applicant indicates that only minor layout amendments have been introduced in a small number of plots (Plots 11, 12, 13 and 14) located on Salter's Road which do not impact the drainage strategy. Also, additional details on the precast concrete headwalls have been included in the updated drainage strategy layout (Richard Jackson Engineering Consultants, 49241/C/0001, Rev F, 28 May 2021) specifying these as Althon SFA6A or similar. These changes do not affect the drainage strategy; therefore, we are able to maintain our response. We have no objection to this planning application being approved at this time.

Finished ground floor levels (FFL) of 4.06m AOD (300mm above tidal breach flood depths) should be provided within this development when practical. The applicant has proposed flood resilient measures for those dwellings with FFLs below 4.0 m AOD. The LPA should satisfy themselves that the FFLs proposed by the applicant are sufficient.

Environment Agency: NO OBJECTION subject to condition requiring the development is carried out in accordance with the submitted flood risk assessment.

We have reviewed the updated Flood Risk Assessment (FRA) and note that the proposals comply with the following part of the Kings Lynn and West Norfolk Borough Council's design guidance: Where internal flooding is unavoidable (and deemed acceptable) the following measures need to be taken:

- resilience measures
- provision of safe refuge above the predicted flood depth
- no ground floor sleeping accommodation

None of the proposed dwelling types have ground floor sleeping accommodation and all have a first floor refuge. Flood resilient construction is proposed to a level of 4.06m AOD, which provides 300mm freeboard above the flood level in a breach scenario. However, this would require approximately 860mm of flood resilient construction, which is greater than the recommended maximum of 600mm. The LPA should therefore ensure it is satisfied that the buildings would be able to withstand the water pressure and that no damage would result, as the FRA does not provide assurance of the structural integrity of the buildings.

Therefore if the LPA is satisfied that internal flooding of the property is acceptable and that the buildings would be able to withstand the water pressure, then we are able to withdraw our objection subject to the following condition:

Condition:

The development shall be carried out in accordance with the submitted flood risk assessment (ref Flood Risk Assessment - REV D, Lovell Partnerships Ltd, Project no: 49241, dated January 2021) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 3.2 metres above Ordnance Datum (AOD)
- Flood resilient construction for the dwellings shall be provided up to a level of 4.06m AOD (i.e. the maximum breach level plus 300mm freeboard).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason:

To reduce the risk of flooding to the proposed development and future occupants.

Anglian Water: NO OBJECTION

Water Management Alliance: NO OBJECTION The Board has issued consents for:

- Relaxation of Byelaw 10 (no works within 9m of the edge of drainage/flood risk management infrastructure) on 16/11/2020 (Our Ref: 20_03037_C) for a footpath, outflow pipe, PCC headwall and associated revetment.
- Consent to alter a watercourse on 28/10/2020 (Our Ref: 20_03039_C) for the culverting of 20 metres of a riparian watercourse using a 600mm perforated pipe.
- Consent to discharge surface water to the Boards IDD at a rate of 5l/s, on 17/12/2020 (Our Ref: 20_03038_C), subject to the Board approving the final drainage layout and supporting modelling.

In addition the Board has recently receive an application to discharge pumped groundwater to a watercourse in order to allow construction. This application is being processed under reference: 21_04318_C.

In light of the above, the Board has no additional comments to make.

Natural England: Natural England has no comments to make on this application. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

BCKLWN Public Open Space: NO OBJECTION

- Footpath alongside private driveway fronting plots 32-25 – could be a point of contention with late night users and a temptation to stray onto/take a short cut via the private drive. A feature to divide public/private land may be necessary (i.e. 750mm bow top fencing as surrounds the drainage lagoon), although feature will need to stop short of the bin presentation area; new open space area south of Waterside should

be managed by registered social landlord, as open space is surrounded by/serves these properties;

- New open space and associated pathway should not provide a cut through to Waterside – this is sheltered accommodation with vulnerable people living there;
- Grassed areas should be planted with general/amenity seed mix – i.e. not wildflower or other seed mixes that require collection of arisings or other specialist maintenance;
- It has been agreed that there will not be any on site play, with instead a £30k contribution agreed to secure 3 x pieces of play equipment, fencing, safety surfacing and fifteen years' maintenance – as an extension to the existing equipped play on Peck's Field.

BCKLWN Arboricultural Officer: NO OBJECTION subject to replacement tree planting condition. Replacement trees will need to be of a size and stature to provide instant aesthetic appeal; I think the sizes should be extra heavy standards – 14-16cm girth and a height of around 3.5m.

BCKLWN Housing Strategy & Enabling Officer: NO OBJECTION. The applicant has confirmed plots 9 & 10 (2 bed 4 person units) and plots 69-74 (1 bed 2 person units) will be provided as rented units and plots 61 & 62 (2 bed 4 person units) and 24 & 25 (3 bed 5 person units) as shared ownership. The units meet our space standards (the applicant has confirmed bedroom 2 in the 3 bed units measure 10.2m²) and are pepper-potted adequately throughout the site.

BCKLWN Environmental Health & Housing – CSNN: NO OBJECTION

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

Contaminated Land

We have previously reviewed two site investigation reports for the development which investigated the contamination risk and conceded that remedial activity was required, before the site can be considered suitable for the proposed use.

The applicant has submitted a Remediation Strategy Report, written by 4DGeo Ltd, dated June 2021. The report sets out the methodology and remediation strategy to be implemented for the development at Salters Road. Following discussion with 4DGeo Ltd, we agree that the scheme is sufficiently detailed to meet our requirements and those set out in LCRM.

Based on the information submitted in the application, we recommend conditions in relation to the implementation of the approved remediation scheme and reporting of unexpected contamination.

Air Quality

150 new parking spaces are proposed, with 37 trips approximated in the AM peak and 43 in the PM peak. It is estimated that the development could result in an AADT of 300, which is not deemed a significant increase in line with EPUK and IAQM Planning for Air Quality Guidance.

Additionally, 29 EV charging points will be provided on site. We welcome this addition as it will facilitate the uptake of low emission vehicles, however we would like more EV charging facilities within the site if possible.

Regarding sustainable transport, bus stops are located within 400m of the site centre, with services running on circular routes to King's Lynn town centre on an hourly basis Monday to Saturday. Sunday services run approximately every 2 hours. More frequent bus services to destinations outside of King's Lynn are available within the town centre approximately 1.5km from the site, as is the rail station providing services to Cambridge and London. Moreover, all identified local amenities are within a 2km walking catchment of the site, including a primary school, high school, doctor's surgery, food superstores, library, sports centre and King's Lynn Town Centre. The development proposals also include access to the pedestrian infrastructure on Raby Avenue and to the existing cycle/footway to the north of the site via a new footpath.

Background concentration of nitrogen dioxide ($13.27\mu\text{g}/\text{m}^3$) and particulate matter ($15.79\mu\text{g}/\text{m}^3$) are well below the annual mean objective of $40\mu\text{g}/\text{m}^3$. Regarding construction traffic, it is estimated that HGV vehicle movements will average approximately 27 per week, with a maximum of 20 per day for short periods. This is not deemed significant in line with EPUK and IAQM Planning for Air Quality Guidance. We therefore have no objection regarding air quality.

We would however welcome the submission of a Construction Environmental Management Plan detailing how dust emissions from construction and HGV movements will be mitigated prior to construction.

BCKLWN Waste & Recycling: NO OBJECTION.

BCKLWN Emergency Planner: NO OBJECTION.

Norfolk Constabulary: NO OBJECTION to revised plans.

Thank you for inviting comments on the amended plans. I am now aware of the boundary treatment intended for the amenity strip to the rear of units 16 – 35 and have no further concerns.

Norfolk Fire & Rescue: NO OBJECTION.

King's Lynn Civic Society (KLCS): The comments made can be summarised as follows:

This site was included in the BCKLWN Allocations Plan as E1.9 Land West of Columbia Way. As we understand it, the land has formerly been used as allotments and smallholdings and these had mainly fallen derelict over the last 30 years, although we are not entirely clear why. Much of the area had seceded to scrub woodland until a few years ago, when it was cleared – presumably by the Borough Council.

During SADMP consultation in 2013 and 2015, KLCS raised concerns about the various North Lynn housing infill projects resulting in the loss of green space and natural assets such as mature trees and ecologically beneficial scrub. We stressed the importance of developing a strategic plan to replace and mitigate these losses. We are not aware that such a plan has yet been prepared.

The SADMP (2016) states eight planning requirements for this site including: provision of recreation space; ecological mitigation; and integration of the drainage system to provide amenity and biodiversity benefits.

General notes on the presented scheme:

- The site was suggested for 100 dwellings in the Allocations Plan and the current scheme is for 78. However, approximately 0.5Ha of land at the north-east corner is excluded from the development. Some notes suggest this area will be used as 'flood plain', but no proposals are shown to indicate exactly what this means. How will this area be utilised?
- It is disappointing that some trees will be lost – but encouraging that the proposed attenuation basin has been designed to allow retention of T16/T17. However, we note that to meet flood planning requirements, the site will need to be raised – although it is not clear by exactly how much. Will tree retention be compatible with land raising? We hope that this has been fully considered.
- It is very good to see the scheme linking directly to the existing Bawsey Drain cycleway. This will offer direct access to the cycle network – hopefully offsetting the fact that this is a car-orientated scheme that will add traffic to the already busy Columbia Way – notably at the very busy intersection with Greenpark Avenue.
- We are pleased to see the IDB easements next to Bawsey Drain and the eastern ditch and that these are shown as meadow for ecological benefit. However, as we understand it they will actually not be available for public access? They will be fenced out and access appears to be restricted to maintenance. Whereas some wildlife may prefer that people are excluded (!), it does seem a missed opportunity.
- Additionally, we realise that the proposed attenuation basin adjacent Bawsey Drain is also fenced out. The 'Boundary Treatments Plan' indicates it will be enclosed with 1100mm bow-top fencing, although the Greenspace Officer has indicated a palisade fence will be required. Either way, although there will potentially be some ecological and amenity backdrop benefit from this pond – this is not public space!
- The only public space offered therefore appears to be 125sqm in an awkward corner adjacent the main access road on Salters Road. Notes suggest that this was originally proposed as a LAP, then a little garden enclosed with a hedge – and following recent comments from the Greenspace Officer, now a bit of grass with a bench. The only other public space we can identify is the pathway to the Bawsey Drain bridge.
- Therefore, we doubt that the claim in the Design and Access and Planning Statements, that this scheme will provide 2801sqm of 'Open Space', can really be substantiated. The scheme therefore fails to comply with the SADMP policy to provide additional 'recreation space'. The nearest recreation space will be Kingsway playing field (itself an area somewhat lacking in character or facilities), or Lynnsport. Both areas appear to be more than 800m from this development and are separated by busy roads – therefore not meeting best practice recreation provision guidelines.
- No clear statement about future management of the IDB corridors or the attenuation basin appears to be provided. It would be good if additional tree and shrub planting could be provided in these corridors and we think a good case could be made for this in terms of infiltration and flood management benefit, in spite of the general preference to simply maintain these easements as uninspiring mown grass.
- Street Trees are proposed on Salters Lane, which is very encouraging. Our concern is that there are main drains adjacent and notes suggest these trees are not agreed with statutory undertakers. No species are indicated. A note states that the tree officer will specify them. We would hope that medium or larger growing species can be provided as these are likely to offer the best amenity and ecosystem benefits over time. Tree planting around the attenuation basin is also welcomed. However, we doubt that much of the other tree planting indicated on the Saunders Boston Landscape Strategy will be possible or sustainable, due to the very close proximity of the proposed planting to the new dwellings.

Notes on the dwellings

- The architectural elevations appear to depict quite attractive small houses and the masterplan appears to give the majority of them a reasonable aspect. All dwellings appear to have at least some private garden space with reasonable orientation.
- We assume the principal heating will be from heat pumps, although this is not stated. We would hope that this can be provided through underfloor heating – especially as in small rooms the absence of radiators can create a lot of space.
- It is good to see PV panels proposed on some rooftops, although apparently not all. We would think that all the dwellings would have some rooftop that is suitable for panels. Can this be reviewed? That said, we are not clear whether PV panels are presently the most cost-effective way to increase the environmental sustainability of new housing.
- It is interesting to see charging points included, although apparently not to all dwellings. It remains to be seen whether the majority of householders will be able to afford an electric car any time soon – or indeed whether a mass transition from petrol to electric cars could ultimately provide necessary environmental benefits.
- Whilst the use of traditional building materials has not yet been widely questioned in the UK, bricks, tiles and concrete have high embodied energy and a large carbon footprint. We understand that to achieve carbon neutral goals, the building industry will increasingly have to adopt low carbon materials such as new timber products. The use of UPVC windows is disappointing.

Summary

- We disagree that this scheme complies with the Local Plan as it fails to provide new recreation space. We note the request to fund play equipment elsewhere, but as far as we can tell, this will not be within a reasonable distance of the new housing and therefore younger children will be disadvantaged. We accept that each dwelling has some private garden space.
- We think that there is some potential for the scheme to mitigate some ecological impacts, but it is unlikely that the loss of nearly 3 hectares of former allotment and paddock can be fully compensated. Much of the potential ecological benefit will depend on future management practice. There is no management plan provided.
- We are concerned that much of the proposed tree planting may not be implementable or sustainable.
- It is a fact that King's Lynn is low-lying and flood risk management needs to be addressed. Attenuation basins and other SUDs infrastructure can and should be integrated into publicly accessible space. It just needs more space, so that the banks are gentle and safety concerns can be mitigated. In our view, a steep-sided pit surrounded by fencing and 'keep out' notices detracts from a setting and represents a massive missed opportunity.
- To assist in ensuring the best outcome for this affordable housing scheme, we feel that the 0.5Ha triangle of 'flood plain' should be presented as part of the scheme and that it should be developed as a wildlife area. 'Wet carr' woodland would be ideal and would enable flooding in severe rain events. A small triangle of land (250sqm) north of the Bawsey Drain at the back of Seabank Way might also be considered for new tree planting. A scruffy parking area on Raby Avenue opposite Briar House could also be enhanced and have some new tree planting. We suspect that all three pockets of land are owned by BCKLWN – but if not, there would seem to be scope to work with landowners to achieve the best overall outcome for this area and to offset the impacts of this new housing.
- It is good to see features such as PV panels and EV charging points being considered in new housing – but overall, there is a lack of clarity about how this development will meet carbon neutral housing goals going forward. We doubt that

these two innovations will be as beneficial as, say, including an above-standard insulation specification, and/or confirming the use of air source heat pumps with underfloor heating.

REPRESENTATIONS

1 letter of **OBJECTION** has been received in relation to the latest amended drawings which can be summarised as follows:

- This is a flood plain no consultation made with local drainage board.
- Wildlife haven for a number of species.
- Affordable housing means it will be sold to private investors and rented for high rental costs. It is social housing we need.
- The sheer scale of the development is too large for the area. When other areas have already been approved for this. We still need to retain green areas.
- The area is at the back of a lot of properties which will be overlooked by this development including my own which will mean my private garden will no longer be private.

10 letters of **OBJECTION** and **5 NEUTRAL** representations have been received from local residents in relation to the previously submitted scheme / original plans. The comments made can be summarised as follows:

- As the existing bridleway & pedestrian access of Salters Road is currently used by all vehicles, often at excessive speed, would it be possible to prevent it from becoming a right of way for all traffic from Raby Avenue, & various traffic from the rest of North Lynn? Salters Road is at present used as short cut to Greenpark Avenue for Lynnsport, often causing hazard crossing Columbia Way, & dangerous when it then becomes a crossroads once Salters Rd becomes a proper road. I have often witnessed in the several years as a resident, near accidents when vehicles try to cross, especially as numerous vehicles are parked all along Columbia Way adjacent to the entrance to Salters Road.
- My concern with these current plans would be the affect on legal parking once these dwellings start to be build and are subsequently completed. I live down Columbia way, the corner leading to Salters road and a lot of the time myself, my visitors and neighbours have to park down salters road to avoid parking illegally on double yellows, or obstructing a neighbours drive as we have no other option. These plans would currently take all that available space that there is for parking legally close to our home and it will become a huge issue and concern.
- Due to the already new builds at Green Park /Lynnsport, & new school in this area I object to this new application going ahead due to the already busy traffic along Columbia way. Columbia way is a race track for many people & once the school is up & running there is going to be more traffic with no speed bumps or traffic light crossing a accident waiting to happen.
- My concern is over the area 80 metres coming in from Columbia Way. This portion of land is already a number of feet higher than Salters Road itself and sits between the properties of Waterside and Salters Road which are all single story dwellings - any property built on this section should therefore also be single story only.
- This might also be an opportunity to sort out the ongoing problem of deliveries to Salters Road properties. The confusion over the bungalows numbered 1,2,3, &4 and the flats also numbered 1.2.3 &4 is a regular problem for delivery drivers and there has even been problems between the two Salters Roads (despite different postcodes).
- Just had a closer look at aerial view 3 which seems to suggest no vehicular access to Losinga Road. This would mean ALL traffic from the new properties would have to

exit via Colombia Way which would cause a massive overload to this already dangerous junction!

- The traffic along Columbia way is already to much the parking along the road is deadly. With a school already on the opposite side of the road due to open soon somebody is gonna get hurt. Also I would question the fact that the new houses would see into my garden.
- The drawings are not detailed enough for me to gauge what the effect of this new development will be.
- This proposal has some good elements, such as surfacing and bollarding Salters Road, but falls short and discriminates against disabled people by not removing the steps to the northern footbridge to the Bawsey Drain Path.
- Also, a foot/cycle bridge should be provided from the northwestern edge of the development to the Bawsey Drain Path to provide the shortest possible access to the local shops as well as the retail park and town centre beyond, in line with Borough Core Strategy Policy CS11 on Transport and Local Transport Plan Policies on Travel Choice and Access to Town Centre.
- Waterside is sheltered accommodation, within this scheme there are a mixture of residents that are either elderly, disabled or have chronic illness where they need extra support. The proposed development site is also located near a care home where there are many vulnerable residents living and this proposed work could lead to stress for residents living there. Many residents within Waterside have conditions that could result in deterioration of their current illnesses such as Alzheimer's, Dementia and chronic illness where if any major changes are made can cause further confusion or health issues for them.
- There are also concerns for current wildlife living within the immediate area such as hedgehogs, birds and the native muntjac deer which although they are classes as vermin could soon face extinction with their habitats being constantly taken away.
- The concerns do not just apply to the native animal species as flora also need to be taken into consideration as if we are constantly cutting down trees or removing native species which would reduce the number of available spaces for birds to build nests and to have young. The effects of the work are not just affecting the wildlife but also our household pets which we have seen genuinely concerning changes in their behaviour.
- Firstly Salters Road is used by the block of flats at the start of the road for parking, as there is already limited parking along Columbia Way and it also allows their vehicles to be close to their homes whilst parking legally. I feel like this will take this availability away from them which is a major issue & concern.
- The parking along Columbia Way is already awful and deadly. This will then force more cars to be parked along an already busy road where I have witnessed people speed down and hit the parked cars and nearly people! Also pulling out of Salters Road is already dangerous enough due to blind spots from cars being parked along Columbia Way and people speeding along the road.
- With Salters Road being proposed as the access road to the new builds this will mean all traffic will be coming out of Salters Road onto Columbia way making it even more dangerous. If anything they need to think of another alternative road to access these new houses and keep Salters Road a separate road with no access to the new builds.
- I strongly object to this awful development you are completely destroying all the open spaces and green area's especially on the waste land which is popular with dog walkers and has wildlife on the site. There used to be plenty of wildlife until the council decided to remove all the vegetation and trees which was criminal so please stop destroying everything and turning everything into a concrete jungles.
- There will be too much noise and dust if this goes ahead. I'm behind the apparent project and I will end up being woken up early with drilling and digging and dust and fumes during the week and weekend when the summer comes round. I do not fancy

having people staring in my house or garden when these go up either. They will increase traffic outside and people parking outside as people will fight over parking spots on Losinga Road. I for one will be disturbed as I'm literally situated behind the intending building work.

- I feel as many have already commented that the increase in traffic footfall and parking issues regarding Columbia Way, caused by the construction of these new additional properties will be a nightmare for existing residents.
- As for Waterside, nearly all residents are elderly and disabled like myself and the noise and disturbance to a very quiet and peaceful area will be appalling and very distressing especially to those who are nearing the end of their lives to have put up with months of construction of this size on your doorstep is thoughtless and disgraceful.
- This should not be allowed to go ahead near sheltered accommodation for older vulnerable disabled people these properties will be directly in front of our lounge and kitchen windows impacting on our privacy and security you are adding stress and worry to people's lives who already have to deal with poor health.

1 letter of **SUPPORT** has been received which makes the following comments:

- I have spoken to many residents in the area and the general consensus is... Not on my door step... But this view is uneducated. I relocated to this area under 2 years ago fleeing with my daughter to safety from domestic abuse. I will forever be grateful to Kings Lynn council for placing us in homeless accommodation. With people being educated in regards to the fact that a person becoming homeless doesn't have to mean they have drug and alcohol problems I feel they will welcome this application as on the whole many are parents with children who fear the risks of needles and drug taking increase.... Like myself I was thoroughly vetted and checked upon arrival to be cleared of any drug /alcohol issues. And because of the Borough Council taking us in we are safe... With refuges full and underfunded this housing is vital for people fleeing from abuse I hope Kings Lynn Council take this into consideration and vett the proposed occupants and this could be a blessing to the area as all domestic abuse survivors want is a fresh start to rebuild their life without fear.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS03 - King's Lynn Area

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

CS12 - Environmental Assets

CS14 - Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

DM17 - Parking Provision in New Development

DM19 - Green Infrastructure/Habitats Monitoring & Mitigation

DM21 - Sites in Areas of Flood Risk

Policy E1.9 - King's Lynn Land west of Columbia Way

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

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

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

National Design Guide 2019

PLANNING CONSIDERATIONS

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

- Principle of development;
- Form and character;
- Residential amenity;
- Flood risk and drainage;
- Highway safety;
- Affordable housing;
- Open space and landscaping;
- Ecology and trees;
- Other considerations; and
- Crime and disorder

Principle of Development

The application site lies within the development boundary of King's Lynn and is allocated for residential development under Policy E1.9 (King's Lynn - Land west of Columbia Way) of the Site Allocations and Development Management Policies Plan (SADMP). This policy allocates land amounting to 3.3 hectares for residential development of at least 100 dwellings, provided it complies with the following:

1. Provision of a link to the existing cycleway network in the vicinity of the site;
2. Submission of a site specific Flood Risk Assessment;
3. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the SUDS should be included with the submission;

4. Informal recreation provision on, or in the vicinity of, the allocated site to limit the likelihood of additional recreational pressure (particularly in relation to the exercising of dogs) on Roydon Common Special Area of Conservation. This provision may consist of some combination of:
 - Informal open space (new and/or existing);
 - Pedestrian and cycle routes (new and/or existing) which provide a variety of terrain, routes and links to greenspace and/or the wider footpath and cycle network;
 - A contribution to greenspace provision or management in the wider area within which the site is located;
5. In judging the amount of on-site open space appropriate under Policy DM16 (Provision of Recreational Open Space) regard will be given to the proximity of the development to existing safeguarded facilities (such as those at Lynnsport to the east of the site). The Borough Council will consider flexibility of open space provision requirements where this would result in qualitative and quantitative benefits to the community and where the following habitats requirements are met;
6. Submission of an Ecological Study that establishes that either:
 - i) there would be no negative impact on flora and fauna;
 - ii) or, if any negative impacts are identified, establishes that these could be suitably mitigated;
7. Financial contributions towards the provision of infrastructure including additional primary and secondary school places; and
8. Provision of affordable housing in line with the current standards.

Given the site allocation, the principle of residential development on the land has already been established as acceptable, provided it complies with all the requirements of Policy E1.9 along with all other relevant planning policies.

Although the site is allocated for ‘at least 100 dwellings’ under Policy E1.9 and this application seeks approval for a scheme of only 78 no. dwellings, it is important to note the residential development currently proposed does not seek to develop the entire 3.3 hectares as allocated in the SADMP. When the site was allocated it did not consider flood risk in detail and given the easement strip required for the Internal Drainage Board (IDB) coupled with fluvial flood risk, the developable area has had to be reduced and has affected the proposed location of the dwellings. Taking this into account it is considered that the proposal for 78 houses on the smaller site area proposed by this application (2.69 hectares) can be regarded as meeting the policy requirement. At least 100 dwellings on a 3.3ha site would result in a minimum density of 30 dwellings per hectare (dph) compared to the development proposed resulting in a density of approximately 29dph.

Form and Character

The application site is surrounded by existing residential development on all sides. To the north the site is bounded by the Bawsey Drain, opposite which is an existing residential area at Seabank Way. To the immediate east is another residential area at Waterside, and further existing residential areas are to the immediate south and west, with the site to the rear of the houses on Losinga Road and the Briar House care home.

The existing housing within the vicinity of the site comprises a mix of semi-detached and terraced bungalows and two-storey dwellings with some three-storey blocks providing residential accommodation above the shops on Losinga Road.

The majority of the units comprise either red / brown brick, pebble dash or render and roofing materials predominantly comprise concrete tiles with hipped roofs being prevalent

but gables also clearly visible. Overall the style and design of existing properties in the area is fairly simple and uniform in appearance and the proposed development would reflect this approach by utilising similar materials and mainly semi-detached properties and small rows of terrace units.

Upon entering the site from Colombia Way the proposed properties are sited on the northern side of Salters Road and are set back with dedicated parking and landscaping on their frontages. Their positioning here also avoids the easement zone associated with the existing sewer. Where other easements are required a green buffer is proposed between the residential properties and the existing drains running along the northernmost boundary and between the eastern boundary of the site between properties on Waterside.

A small area of open space has been positioned at the end of Salters Road in front of Plots 16-17 so that it occupies a prominent position on the site. Once the road turns the corner into the main body of the proposed development the houses are generally arranged on either side of the highway, with the exception of the short private drives next to the public open space and lagoon.

The road layout in the central part of the site has been arranged in a large loop system with the houses in the centre all facing outwards with gardens to the rear. Houses proposed on the eastern and western boundaries are arranged to front onto the new loop with their rear gardens backing onto the site boundaries and existing neighbouring residential properties.

Parking for properties has predominantly been positioned to the sides of houses where possible in order to avoid dominating the street scene. However, it has been necessary to incorporate some front of plot parking, in particular for the 1-bedroom houses situated within the loop.

The main area of public open space and the proposed lagoon have been positioned close to the northern boundary of the site adjoining the Bawsey Drain. Proposed properties in enclose this area on three sides in order to create a sense of place and natural surveillance. New trees and landscaping will also be incorporated around this area to create a high quality space for both new and existing residents in the area.

Overall it is considered that the simple, contemporary approach that has been taken for the design of the dwelling will integrate well with the existing surrounding area. The density of the proposed development at approximately 29 dwellings per hectare is considered appropriate for the site and accords with Policy E1.9 of the SADMP.

Residential Amenity

The proposed development has been considered in relation to the existing residential properties on Salters Road, Colombia Way, Losinga Road and Waterside in terms of overshadowing / loss of light, overlooking / loss of privacy and any overbearing impact. All proposed new dwellings would be sufficiently separated to prevent any significant harm to the residential amenity of neighbouring occupiers by ensuring back to back distances of a minimum of 21 metres. The only exception to this is on Plot 15 where the back to back separation distance between the rear elevation windows of No.108 Waterside falls just below 21 metres. However, in order to improve the relationship with this neighbouring bungalow, the nearest first floor window on the rear gable end has been omitted. Taking this into account coupled with the design of the neighbouring property having a more generous rear garden area than the majority of other properties on this stretch of Waterside, it is considered on balance to achieve an acceptable level of amenity for the occupiers.

In addition to the relationship with existing residential properties surrounding the site, the relationships between units within the proposed development itself has been considered. All dwellings are to be provided with sufficient private amenity space for the size of unit proposed and where properties have a direct back-to-back relationship with each other there would again be a minimum separation distance of approximately 21 metres which would provide a good quality living environment for future occupiers.

Furthermore, the dwellings in close proximity to the open space proposed at the end of Salters Road have been designed with windows to the gables to increase surveillance, with plots 16 and 17 fronting directly onto this area.

Flood Risk and Drainage

The site is located within Flood Zone 3, covered by flood defences, but with residual risk of flooding from a breach of the flood defences of the tidal River Great Ouse.

In accordance with requirement 2 of Policy E1.9 of the SADMP a site specific Flood Risk Assessment (FRA) prepared by Richard Jackson Engineering Consultants was submitted in support of the proposed development and has been revised during the course of the application with the latest version being revision D dated January 2021. This also incorporates a full surface water drainage strategy for the site as required by point 3 of Policy E1.9.

The design and layout of the houses and site have taken into account the findings of the flood risk and drainage assessments, including with regards to finished floor levels, the potential for compensatory works at the 'triangular' part of the application site and the formation of the lagoon.

None of the proposed dwelling types will have ground floor sleeping accommodation and all properties have a first floor refuge. Flood resilient construction is also proposed to a level of 4.06m AOD, which provides 300mm freeboard above the flood level in a breach scenario. This would require approximately 860mm of flood resilient construction, which is greater than the recommended maximum of 600mm. Therefore the Environment Agency have recommended that the local planning authority satisfies itself that the buildings would be able to withstand the water pressure and that no damage would result.

The submitted FRA advises that the indicated flood level of 3.76m would result in the water level being a maximum of 830mm above the finished floor level of the lowest property on the site. This head of water is beyond what the walls of the house would typically be expected to resist and as such all the walls will need to be individually designed and strengthened as required to resist the applied lateral pressure.

The FRA continues by advising that given the likely variation of house and external levels across the site, it is not expected that all the properties would be expected to resist this applied pressure. Once the house levels are determined, the walls to the houses will be individually designed and checked for the lateral water pressure in the flood situation and measures such as additional buttress walls, bed joint reinforcing and wind posts utilized as required to increase the lateral capacity of the walls. Alternative measures could include incorporation of a plinth brick, subject to architectural overview, to facilitate both the tanking detail and increasing the lateral capacity of the walls. Taking this into account, Officers are satisfied that suitable measures to withstand water pressure can be achieved and will be secured by a condition requiring flood resilient construction.

In order to maximise the potential of the site some raising of ground levels will be required within the flood plain for the Bawsey Drain which is within the triangle of land to the north east of the site.

Highway Safety

A Transport Statement by Richard Jackson Engineering Consultants has been submitted in support of the application. In summary, it concludes that the development will benefit from good pedestrian and cycle connections to a range of services / facilities, and also with public transport. It further concludes that the development is considered unlikely to have a disproportionate impact on local highway safety and that given the low expected trip generation it is unlikely to have a significant impact on the local highway network.

Vehicular access to the site is proposed via an improved junction with Columbia Way. In order to restrict the existing access at the other end of Salters Road onto Losinga Road / Raby Avenue to emergency vehicular access only, removable / droppable bollards are to be installed at the site boundary which would still allow continued access to Raby Avenue for pedestrians and cyclists. Access improvements would also be provided at the Raby Avenue junction as shown on drawing no. 49241/PP/SK01 rev E 'Preliminary Access Design'.

Parking numbers accord with NCC adopted parking standards with all 2 and 3-bed dwellings to be provided with 2 no. car parking spaces per plot and 1-bedroom dwellings to be provided with an average of 1.5 spaces per unit. An additional 4 no. visitor spaces are also to be provided across the site and all houses include provision of secure cycle storage within the plot. Furthermore, electric vehicle ('EV') charging points will be installed as part of the development to 29 of the 78 dwellings.

Norfolk County Highways have raised no objection to the proposal on highway safety grounds subject to the imposition of conditions relating to the construction of the roads, footways, foul and surface water drainage, visibility splays and off-site highway improvements.

Requirement 1 of Policy E1.9 of the SADMP requires the provision of a link to the existing cycleway network in the vicinity of the site. Further, requirement 4 of the policy requires "pedestrian and cycle routes (new and/or existing) which provide a variety of terrain, routes and links to greenspace and/or the wider footpath and cycle network". The existing informal route across the site will be re-established and the link to the pedestrian bridge across the Bawsey Drain on the west of the site will be retained. From the site, pedestrians and cyclists will also be able to continue to access Raby Avenue and Losinga Road to the south. As a result it is considered the proposal accords with the requirements 1 and 4 of Policy E1.9.

The extent of the public right of way – the King's Lynn Bridleway No. 4 – will not be encroached upon by the development, and users will be able to use this way as at present.

Affordable Housing

The site area and number of dwellings proposed trigger the thresholds of the Council's affordable housing policy CS09 of the Council's adopted Core Strategy. At present a 15% provision is required on sites capable of accommodating 10 or more dwellings and/or 0.33ha in King's Lynn. The affordable housing provision is then further split into 70% of the affordable homes being made available for rent and the other 30% for shared ownership or any other intermediate product that meets the intermediate definition within the NPPF, meets an identified need in the Borough and is agreed by the Council.

In this instance 12 units would be required, 8 for affordable rent and 4 for shared ownership. Although all plots proposed are to be affordable dwellings it is only the policy requirement of 12 no. units that need to be secured by S106 legal agreement should planning permission be granted. As a result, the applicant has submitted a housing tenure plan showing only the

policy requirement which confirms plots 9 & 10 (2 bed 4 person units) and plots 69-74 (1 bed 2 person units) will be provided as affordable rented units and plots 61 & 62 (2 bed 4 person units) and 24 & 25 (3 bed 5 person units) as shared ownership properties. Although the remainder of the houses will also be affordable it has been agreed that their tenure can be kept ‘flexible’ at this juncture.

Furthermore, the Council’s Housing Development Officer has confirmed the specified affordable units meet their space standards (the applicant has confirmed bedroom 2 in the 3 bed units measure 10.2m²) and are pepper-potted adequately throughout the site but again this is not strictly relevant given the intention for all units to be affordable homes.

Open Space and Landscaping

Requirements 4 and 5 of Policy E1.9 of the SADMP respectively state that:

4. “Informal recreation provision on, or in the vicinity of, the allocated site to limit the likelihood of additional recreational pressure (particularly in relation to the exercising of dogs) on Roydon Common Special Area of Conservation. This provision may consist of some combination of:

- Informal open space (new and/or existing);
- Pedestrian and cycle routes (new and/or existing) which provide a variety of terrain, routes and links to greenspace and/or the wider footpath and cycle network;
- A contribution to greenspace provision or management in the wider area within which the site is located;”

5. “In judging the amount of on-site open space appropriate under Policy DM16 (Provision of Recreational Open Space) regard will be given to the proximity of the development to existing safeguarded facilities (such as those at Lynnsport to the east of the site).

The Borough Council will consider flexibility of open space provision requirements where this would result in qualitative and quantitative benefits to the community and where the following habitats requirements are met.”

In relation to requirement 4 of Policy E1.9, the application proposal includes pedestrian access throughout the site which will link into existing footpaths. The existing informal route across the site will be re-established and the link to the pedestrian bridge across the Bawsey Drain on the west of the site will be retained. From the site, pedestrians and cyclists will also be able to continue to access Raby Avenue and Losinga Road to the south and a link through to Waterside will also be provided in the south eastern part of the site. The greenspaces around the site linking into the wider footpath and cycle network will provide easy access for dog walkers and will offer connections to nearby facilities. Furthermore, in accordance with Policy DM19 of the SADMP the required Habitats Mitigation Fee per unit has already been paid.

In accordance with requirement 5, areas of on-site public open space are to be provided as part of the proposed development. This includes a green buffer along the northern and eastern boundaries of the site, an area around the proposed lagoon and a small additional area to be provided with a bench adjacent to Plot 78 at the southern end of the site.

Following discussions with relevant officers at the Borough Council it was agreed that off-site contributions to nearby children’s play space, such as improvement or expansion of existing space, would be preferable to the provision of on-site equipped play space in this location. It has since been agreed that a £30,000 financial contribution to secure 3 x pieces of play equipment, fencing, safety surfacing and fifteen years’ maintenance – as an extension to the

existing equipped play on Peck's Field will be provided. A section 106 agreement will secure the on-site management and off-site contributions.

Overall it is intended that the proposed public open space will be maintained by the Borough Council and a Landscape Management Plan is secured by condition.

Ecology and Trees

The application is supported by a detailed Arboricultural Impact Assessment and Preliminary Method Statement along with accompanying tree protection plans. An Ecological Assessment Report has also been submitted. All reports were prepared by Wild Frontier Ecology.

According to the submitted reports a total of 23 individual trees and 7 groups of trees were recorded on and immediately adjacent to the site. The most notable trees from a visual amenity perspective are considered to include mature willows found along the drainage ditch on the eastern boundary and three oaks in the north western corner of the site.

Whilst regrettable, due to the extent of development proposed, some loss of trees is inevitable. The proposal will therefore require the removal of 12 individual trees and 3 groups of trees which includes one of the three notable oak trees which was assessed as a Category A (high quality) individual. The majority of the white willows on the eastern boundary will be retained, although two mature willows will need to be pollarded to reduce overhang and shading into proposed back gardens.

Three currently offsite trees and one group of approximately 18 Leyland cypress trees will also need to be removed to facilitate improvements to Salters Road and its junction with Columbia Way.

Although it would always be preferable to prevent the loss of any trees, most of the tree losses will have a limited negative impact on the landscape except for those trees being removed at the junction of Salters Road and Columbia Way and the oak in the north east corner site, both of which are more prominent from public viewpoints. However, given these removals are entirely necessary the Council's tree officer has raised no objection to the proposed development but this is on the basis of a detailed replacement tree planting scheme being secured by condition which will ensure replacement trees of a size and stature to provide instant aesthetic appeal.

With specific reference to the comments made by King's Lynn Civic Society in relation to trees, the agent has advised that it had been considered whether there would be any impact on the trees caused by the necessary ground raising involved in the proposed development, and a note from Wild Frontier Ecology has been submitted which provides further information and clarification regarding this. In summary, the levels will be graded down to the root protection areas.

With regard to the relationship between the street trees and drainage, this is another matter the project team are aware of and will liaise with the Council's tree officer with respect to any preference of species.

In relation to protected species, the submitted Ecological Assessment Report advises that no signs of badger activity were noted on the site and the mature trees and areas of scrub hold some habitat for common breeding bird species. Signs of water vole were found in the surveyed wet ditches along Bawsey Drain at the northern perimeter of the site and several of the mature trees on site hold the potential to support roosting bats. As a result any of the

proposed trees to be felled will require further survey work for roosting bats which can be secured by condition.

Overall the submitted ecology report considers the proposed development has scope to incorporate a number of ecological enhancements such as installation of bird nest boxes and bat roost boxes on the buildings, planting of native species of trees and shrubs across the site and wildlife-porous site boundaries. It is therefore considered appropriate for details of ecological enhancement measures to be secured by condition in order to ensure the proposal will have an overall position impact on a number of valued ecological receptors in the long-term.

In relation to protected sites, there are a number of designated nature conservation sites within 2km of the proposed development. However, none are expected to be impacted due to separation distance and baseline levels of disturbance. Furthermore, Natural England were consulted on the application and have confirmed they have no comments to make as they consider the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. In light of this Officer's are satisfied the proposal does not require a Habitats Regulations Assessment.

Other Considerations

Contamination - The applicant has submitted a Remediation Strategy Report, written by 4DGeo Ltd, dated June 2021. The report sets out the methodology and remediation strategy to be implemented for the proposed development. Following discussion with 4DGeo Ltd the Council's Environmental Quality team have agreed the scheme is sufficiently detailed to meet their requirements. As a result full contamination conditions are not required in this case, just a condition securing the proposed remediation and our standard unexpected contamination condition.

Education - NCC Strategic Planning advised in their consultation response that mitigation was only required at the Secondary Education Sector for 11 places which would need to be funded through either CIL and / or S106 agreement. In this case, NCC would need to bid for funding from the overall CIL pot. There is spare capacity at Early Education and Primary school levels and therefore NCC have confirmed no education contributions will be sought for these sectors.

In relation to additional comments raised by King' Lynn Civic Society:

With regards to the 'triangular piece of land' - This area of land, though forming part of the application site, is not accessible from the remainder of the site (the housing development). It is instead accessible by way of third party land. The intended operations on this land, as part of the proposed scheme, are ground works and landscaping relating to flood/drainage mitigation. The land is not maintained, for example by the Internal Drainage Board, and due to lack of proper access it will not be readily accessible for any regular maintenance likely required by a public use. It is therefore not envisaged that this area of land will be available or suitable as recreational or open space which is open to the public. It is considered the resulting ecological value of this land, once the necessary ground works and landscaping has been achieved, will more likely prosper this way.

With regards to the 'lagoon' - Safety has to take priority and therefore the lagoon feature cannot be changed to an open space. Unlike the Bawsey Drain, this will be a new artificial water feature, and the developer and owner of the lagoon could be liable. The lagoon feature, with its surrounding trees (two retained and twelve planted as part of the scheme) will however contribute well in terms of visual amenity. The proposed fencing around the lagoon will be in accordance with necessary guidance but will also preserve visual amenity.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a local finance consideration as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by a Minister of the Crown. This includes New Homes Bonus and Community Infrastructure Levy (CIL). Given the adoption of CIL in February 2017 by the Council, the site is now CIL liable. However, the site lies in the unparished area of King's Lynn within the £0 rated CIL Zone. As a result no CIL payment will be required. However, the site is in receipt of Central Government grant funding under the Local Government Accelerated Construction Programme (ACP) which would ensure its implementation. It is for Members to decide how much weight is given to this material consideration when determining this application.

There are no other material considerations relevant to this application.

Crime and Disorder

There are no crime and disorder issues raised by this proposal. The project team have worked to address comments raised by the Designing Out Crime Officer from Norfolk Constabulary. In light of the changes made Norfolk Constabulary have no objection to the proposals.

CONCLUSION

This application proposes the construction of 78 affordable dwellings and associated access, infrastructure and landscaping on land allocated for residential development of at least 100 dwellings under Policy E1.9 of the SADMP. The principle of residential development on the land is therefore considered to be acceptable and the application would deliver good quality, and much needed, affordable housing in a sustainable location.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and all policies in the current development plan are considered up to date for the purposes of paragraph 11 of the NPPF. As a result, compliance with the development plan remains the legal starting point for the decision on this application. The weight to be given to development plan policies alongside other material considerations will therefore need to be assessed by Members.

The proposal would result in additional affordable housing in excess of the usual policy requirement of 15% which, in light of national policy to significantly boost the supply, this is a significant benefit of the application proposal. Furthermore, the homes will help to deliver the Council's strategic spatial strategy, that focuses on the expansion of King's Lynn and identifies areas of growth to fulfil that requirement. This again is considered a significant benefit of the scheme, which will assist in meeting an identified need.

The application proposal would also deliver economic benefits in terms of the direct and indirect economic expenditure from jobs and future spending power. It would also deliver new and improved open space for informal recreation which would not only be of benefit to future occupiers of the site but also existing residents in addition to providing additional equipment for Peck's Field via financial contribution. Furthermore, there would be links into existing walking and cycling routes and an improved junction provided off Colombia Way in order to provide access into the site.

Although some trees will need to be lost as part of the development proposals, Officer's are satisfied overall that by providing suitable replacement tree planting that provides instant aesthetic appeal together with the provision of other ecological enhancements across the site, there will be an overall positive impact as a result of the proposed development.

In light of the above, it is considered the proposed development would be appropriate for the site and its surroundings, and the benefits of the scheme outweigh any harm identified. On this basis, the development is considered to comply with the provisions of the NPPF and NPPG, Policies CS01, CS03, CS08, CS09, CS11 and CS12 of the Core Strategy 2011 and Policies E1.9, DM1, DM2, DM15, DM16, DM17, DM21 and DM22 of the Site Allocations and Development Management Policies Plan (2016).

It is therefore recommended that planning approval be granted subject to conditions set out below and the completion of a S106 legal agreement to secure the necessary planning obligations.

RECOMMENDATION:

- A. **APPROVE** subject to conditions and the satisfactory completion of a S106 Agreement to secure affordable housing and £30,000 financial contribution to secure 3 x pieces of play equipment, fencing, safety surfacing and fifteen years' maintenance – as an extension to the existing equipped play on Peck's Field, within 4 months of the date of this Committee meeting;
- 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 Plans:

- 1812-SBA-XX-ZZ-DR-A-0501 Revision J - Site Plan - Proposed
- 1812-SBA-XX-ZZ-DR-A-0502 Revision H - Site Plan - Proposed Roof Plan
- 1812-SBA-XX-ZZ-DR-A-0503 Revision F - Waste Management Strategy
- 1812-SBA-XX-ZZ-DR-A-0504 Revision G - Boundary Treatments Plan
- 1812-SBA-XX-ZZ-DR-A-0505 Revision F - Parking Plan
- 1812-SBA-XX-ZZ-DR-A-0506 Revision F - Materials Plan
- 1812-SBA-XX-ZZ-DR-A-0507 Revision J - Proposed Landscape Strategy
- 1812-SBA-XX-ZZ-DR-A-0512 Revision B - Site Plan - Tenure Plan to Policy

Street elevations:

- 1812-SBA-XX-ZZ-DR-A-0200 Revision E - Site Elevations - Sheet 01
- 1812-SBA-XX-ZZ-DR-A-0201 Revision D - Site Elevations - Sheet 02

House types - elevations and floor plans:

- 1812-SBA-XX-ZZ-DR-A-0050 Revision E - House Type 1B - Terrace
- 1812-SBA-XX-ZZ-DR-A-0051 Revision E - House Type 2B - Semi-detached
- 1812-SBA-XX-ZZ-DR-A-0052 Revision E - House Type 2B - Terrace
- 1812-SBA-XX-ZZ-DR-A-0053 Revision D - House Type 2B and 3B - Terrace
- 1812-SBA-XX-ZZ-DR-A-0054 Revision D - House Type 2B and 3B - Semi-detached
- 1812-SBA-XX-ZZ-DR-A-0055 Revision D - House Type 3B - Semi-detached

1812-SBA-XX-ZZ-DR-A-0056 Revision A - House Type 2B - Semi-detached
1812-SBA-XX-ZZ-DR-A-0057 Revision A - House Type 2B - Semi-detached
1812-SBA-XX-ZZ-DR-A-0058 Revision A - House Type 2B - Terrace
1812-SBA-XX-ZZ-DR-A-0059 Revision A - House Type 2B and 3B - Semi-detached
1812-SBA-XX-ZZ-DR-A-0060 Revision B - House Type 3B - Semi-detached
1812-SBA-XX-ZZ-DR-A-0061 Revision A - House Type 2B and 3B - Semi-detached

Engineering plans (incl. proposed drainage):

49241/C/0001 Revision F - Preliminary Levels and Drainage Strategy (within Appendix H - Surface Water Drainage Strategy of the submitted Flood Risk Assessment - Rev D)
49241/C/0002 Revision A - External Works - General Arrangement Sheet 1 of 2
49241/C/0003 Revision A - External Works - General Arrangement Sheet 2 of 2

Highway improvements:

49241/PP/SK01 Revision E - Preliminary Access Design

- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 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.

- 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: 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, and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing by 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.

- 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.
- 5 Condition: The development shall be carried out in accordance with the submitted flood risk assessment (ref Flood Risk Assessment - REV D, Lovell Partnerships Ltd,

Project no: 49241, dated January 2021) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 3.2 metres above Ordnance Datum (AOD)
- Flood resilient construction for the dwellings shall be provided up to a level of 4.06m AOD (i.e. the maximum breach level plus 300mm freeboard).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

- 5 Reason: To reduce the risk of flooding to the proposed development and future occupants.
- 6 Condition: The recommendations, mitigation and enhancement measures identified in the submitted Ecological Assessment Report dated September 2020 prepared by Wild Frontier Ecology, shall be implemented in accordance with the approved details. This shall include:
 1. the carrying out of bat roost surveys of any mature trees proposed to be felled as part of the development proposals, the results of which shall be submitted to and approved in writing by the local planning authority prior to any felling of trees; and
 2. the submission and approval of full details of ecological enhancements to be incorporated into the development, including provision of bat and bird boxes on buildings, prior to first occupation of any dwelling.
- 6 Reason: In the interests of protected species and to accord with the provisions of the NPPF and NPPG.
- 7 Condition: No existing trees, shrubs or hedges within the site that are shown as being retained on the approved plans shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees, shrubs or hedges removed without such approval or that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.
- 7 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 8 Condition: All works on site shall take place in complete accordance with the approved Arboricultural Impact Assessment and Preliminary Method Statement Rev 1. August 2020 prepared by Wild Frontier Ecology and Tree Protection Plans 1 of 2 and 2 of 2. No other operations shall commence on site in connection with the development hereby approved until the tree protection works have been carried out and all tree protection barriers are in place as indicated on the approved Tree Protection Plans.

The approved protective fencing shall be retained in a good and effective condition for the duration of the development and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior written approval of the local planning authority has first been sought and obtained. Within the root protection areas as shown on the approved plans, no changes in existing ground level are to be

permitted, no storage of materials or machinery, deposit of soil or rubble, lighting of fires, disposal of liquids or mixing of cement or concrete is to take place and the areas are to be left undisturbed for the duration of the development, unless the prior written approval of the local planning authority has first been sought and obtained.

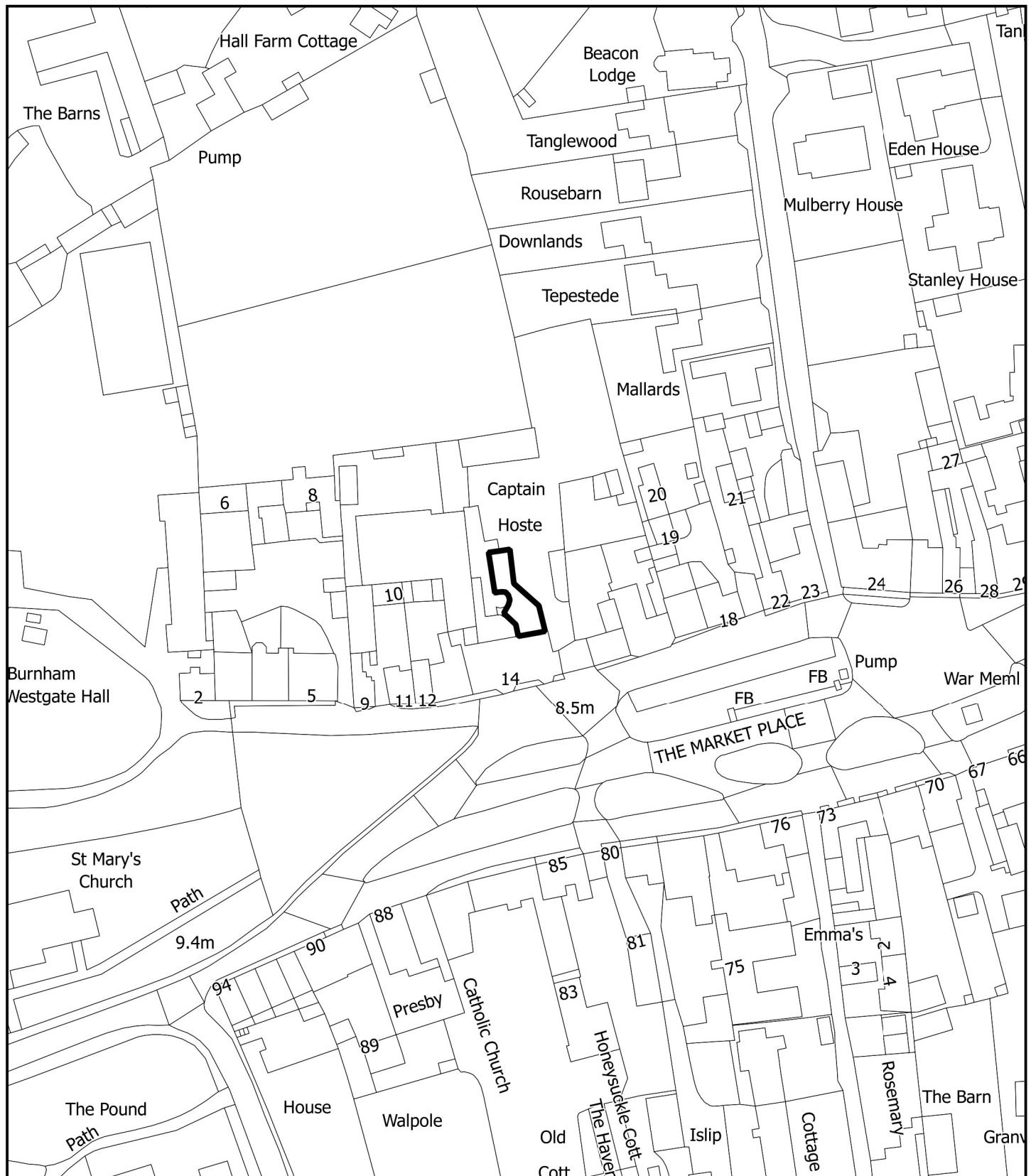
- 8 **Reason:** To ensure that existing trees are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.
- 9 **Condition:** Notwithstanding the submitted 'proposed landscape strategy', prior to the first occupation of the development hereby permitted, full details of a scheme for replacement tree planting shall have been submitted to and approved in writing by the Local Planning Authority. Replacement trees shall be of a size and stature to provide instant aesthetic appeal and should therefore be extra heavy standards - 14-16cm girth and a height of approx 3.5m.
- 9 **Reason:** To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 10 **Condition:** All hard and soft landscape works and replacement tree planting shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 10 **Reason:** To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 11 **Condition:** Prior to the first occupation of the development hereby permitted a landscape management plan including long-term design objectives, management responsibilities, management and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority. The landscape management plan shall be carried out as approved.
- 11 **Reason:** To ensure that the landscaping is properly managed and maintained in accordance with the NPPF.
- 12 **Condition:** Notwithstanding the details indicated on the submitted drawings no construction work shall commence on any proposed road, footway, cycleway, driveway, parking/turning area, or foul and surface water drainage on the site until such time as detailed plans of the roads, footways, cycleways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- 12 **Reason:** In the interests of highways safety and to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest stages in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development.

- 13 Condition: Prior to the occupation of the final dwelling all works shall be carried out on roads, footways, cycleways, foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority.
- 13 Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
- 14 Condition: Before any dwelling is first occupied the road(s), footway(s) and cycleway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- 14 Reason: To ensure satisfactory development of the site.
- 15 Condition: Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4m x 33m shall be provided to each side of the junction between plots 42 & 75 and the adjacent footway widened as necessary. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway
- 15 Reason: In the interests of highway safety and traffic movement.
- 16 Condition: Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- 16 Reason: In the interests of maintaining highway efficiency and safety. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.
- 17 Condition: Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works as indicated on Drawing 49241/PP/SK01 rev E has been submitted to and approved in writing by the Local Planning Authority.
- 17 Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.
- 18 Condition: Prior to the first occupation of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in condition 13 shall be completed to the written satisfaction of the Local Planning Authority.
- 18 Reason: To ensure that the highway network is adequate to cater for the development proposed.
- 19 Condition: The development hereby permitted shall be carried out in strict accordance with the submitted 'Project Management Plan' prepared by Lovell dated May 2020 and the 'Salters Road King's Lynn Construction Traffic Management Plan' version 2 prepared by Lovell dated December 2020, unless otherwise agreed in writing by the local planning authority.

- 19 Reason: In the interests of the amenities of the locality in accordance with the NPPF.
- 20 Condition: The development hereby permitted shall not be brought into use until a scheme for the provision of fire hydrants within the development has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.
- 20 Reason: In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 21 Condition: Prior to first occupation/use of each dwelling hereby permitted the boundary treatment relating to that property shall be completed in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.
- 21 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- B. In the event that the S106 Agreement is not completed within 4 months of the date of this Committee meeting, the application shall be **REFUSED** due to the failure to secure affordable housing and a financial contribution towards open space provision.

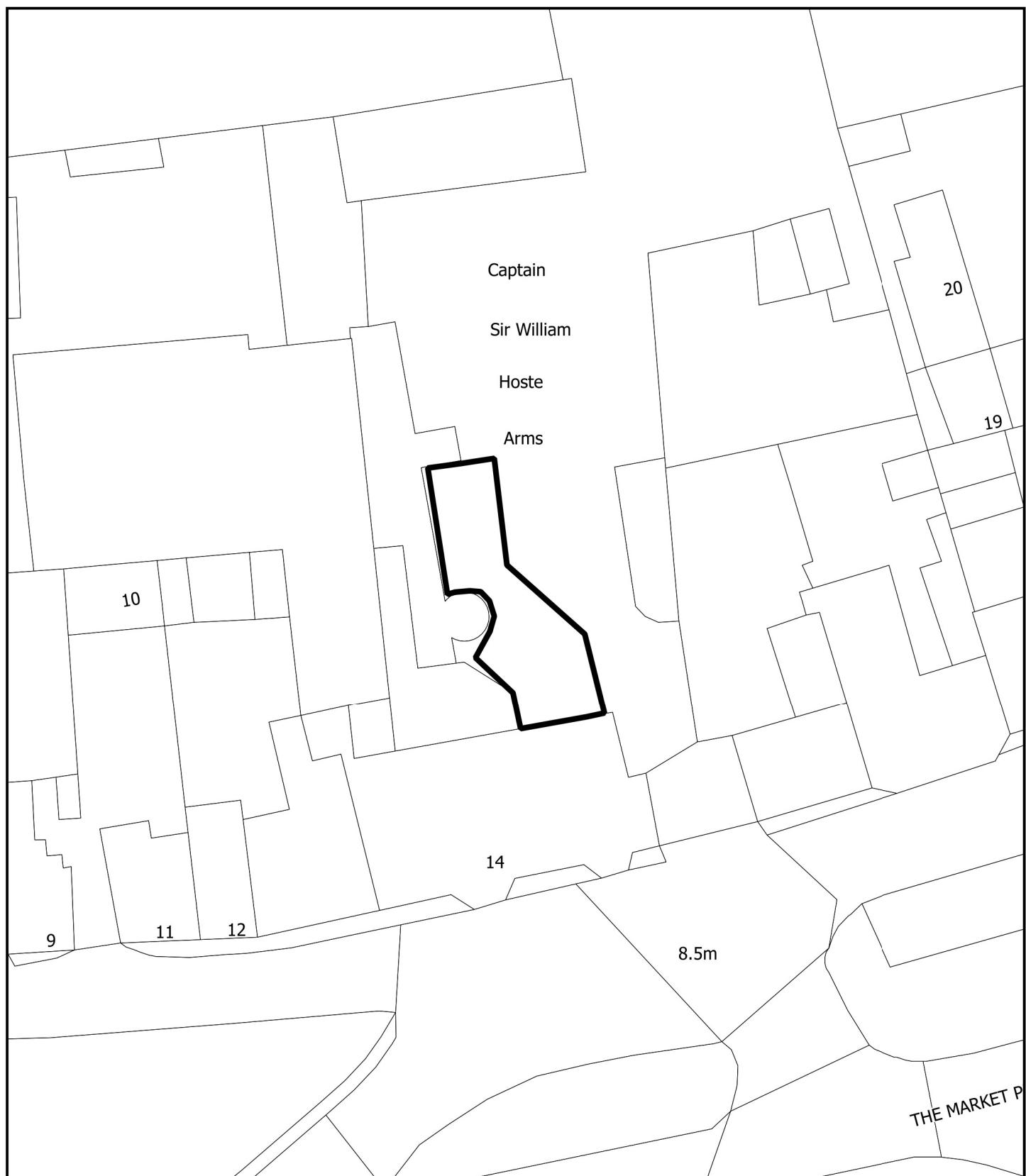
21/00369/F

The Hoste Arms, 14 Market Place.



21/00369/F

The Hoste Arms, 14 Market Place.



| | | |
|----------------------|--|---|
| Parish: | Burnham Market | |
| Proposal: | Creation of outdoor seating area with new walling and canopies. | |
| Location: | The Hoste Arms 14 Market Place Burnham Market Norfolk | |
| Applicant: | City Pub Group | |
| Case No: | 21/00369/F (Full Application) | |
| Case Officer: | Mrs K Lawty | Date for Determination: 3 May 2021 |

Reason for Referral to Planning Committee – Parish Council objection contrary to officer recommendation

Neighbourhood Plan: No

Case Summary

The site comprises The Hoste, a Grade II listed building currently used as a hotel, inn, restaurant and bar, along with associated land around the building. The site is bounded to the north, east and west by other dwellings. To the south is Market Place, the centre of Burnham Market where there is a mixture of residential and retail uses.

This application seeks the creation of a new outdoor seating area within the existing enclosed courtyard at The Hoste, comprising some new low walling and canopies. The proposed seating area is sited where there are currently six parking spaces in the existing internal courtyard.

An application for listed building consent was submitted to accompany this planning application (ref 21/00370/LB), but it has been determined that the proposed freestanding works do not require listed building consent in this case.

Key Issues

- . Principle of development;
- . Impact upon the AONB;
- . Design, character and appearance;
- . Impact on Heritage Assets;
- . Economic issues;
- . Highway Issues;
- . Impact upon Residential Amenity;
- . Other Material Considerations.

Recommendation

APPROVE

THE APPLICATION

The site comprises a Grade II listed building currently used as a hotel, inn, restaurant and bar area. The site also includes land within and around the building used for outdoor seating, function area and car parking. The site is bounded to the north, east and west by other dwellings. To the south is Market Place, the centre of Burnham Market where there is a mixture of residential and retail uses.

This application seeks the creation of a new outdoor seating area within the existing enclosed courtyard at The Hoste, comprising some new low walling and retractable canopies.

The proposed external works are as follows:

- Creation of paved area
- Installation of low brick wall with integrated planter
- Installation of fixed, retractable canopy across part of the seating area

Materials to be used are brick for the walling, metal frame to hold the canopy and fabric for the canopy roof.

The seating area to be created would be for the use of guests of The Hoste and would accommodate a maximum of 61 seats. The location of the seating area is within an existing enclosed courtyard where there are currently 6 parking spaces.

An application for listed building consent was submitted to accompany this planning application (ref 21/00370/LB), but it has been determined that the proposed works do not require listed building consent in this case, given that the canopies would be a freestanding structure.

SUPPORTING CASE

I write on behalf of my client City Pub Group with regards to the application under consideration.

The application proposes to create a simple but well designed outdoor space, with awnings, that would be developed using materials which would be sympathetic to the existing buildings and provide a high quality dining area for guests/customers. The Council's Conservation Officers have confirmed that the proposal is acceptable in relation to impacts on heritage assets.

The development has been proposed to help the management of The Hoste accommodate Covid 19 restrictions which as you can appreciate are subject to change. The application would result in the loss of parking spaces which have been deemed by the owners to be dangerous for pedestrians and this has been confirmed by the Highway Authority, who have no objection to the proposals. It should also be noted that Burnham Market benefits from a large public car park within a short distance of the site.

The use of the outdoor seating area would be controlled by management to ensure that there is no disturbance to residential amenity, it is in the interests of the applicant to ensure that their own guests are not unduly disturbed by the proposal. The Council have suggested conditions regarding times of use, lighting and capacity; which we have agreed to.

The development would help to ensure that The Hoste remains capable of accommodating sufficient trade to maintain its current levels of employment and the development could potentially generate further employment opportunities, both in the short and long term.

The application is being presented to the Planning Committee due to an objection from the PC, we have listened to those comments and worked with the Council and their consultees to address these matters. We would respectfully request your support on this proposal to help a local business continue to provide a high quality level of hospitality for tourists and residents and also aid its financial recovery from the past 18 months of lockdown restrictions.

PLANNING HISTORY

The site has a lengthy planning history and these are the most recent (within the last decade): -

21/00370/LB: Consent Not Required: 15/04/21 - Listed Building Application: Creation of outdoor seating area with new walling and canopies.

16/00974/F: Application Withdrawn: 25/10/17 - Two storey rear extension following demolition of existing enclosed courtyard and external staircase.

13/01140/LB: Application Permitted: 18/09/13 - Listed building application to change the colour of the masonry to the front and gable of the building.

13/01404/LB: Application Permitted: 20/11/13 - Retention of flag pole on front elevation of

13/01403/LB: Application Permitted: 20/11/13 - Change to wording on gable end wall, replacement of wooden car park sign to sign written. Change of lighting

12/01548/F: Application Permitted: 16/11/12 - Variation of condition number 9 attached to planning permission 12/00746/F

12/00747/LB: Application Permitted: 30/07/12 - Listed Building Application: Alterations to rear wing to form new functions room with bedrooms over. Removal of garden outbuildings and erection of private dining rooms to courtyard

12/00746/F: Application Permitted: 30/07/12 - Alterations to rear wing to form new function room with bedrooms over. Removal of garden outbuildings and erection of private dining rooms to courtyard.

12/01593/LB: Application Permitted: 26/11/12 - Variation of condition number 2, attached to planning permission 12/00747/LB. To allow the removal of the cat slide dormer windows and modifications to roof to create additional headroom to new bedrooms. Minor alterations to reposition exit/entrance door to front, slightly extend attached single storey store to rear gable and provide cellar to dining and functions room bar.

11/00935/LB: Application Permitted: 16/09/11 - Listed Building Application: Signwriting on gable end wall.

11/01094/LB: Application Permitted: 22/08/11 - Listed Building Consent: Construction of single storey extension to create toilet accommodation.

11/01093/F: Application Permitted: 22/08/11 - Construction of single storey extension to create new toilet accommodation.

RESPONSE TO CONSULTATION

Parish Council: OBJECT – loss of necessary car parking spaces and increased noise and disturbance

Highways Authority: NO OBJECTION

Conservation Officer: NO OBJECTION – conditionally re: materials

Norfolk Coast Partnership: NO OBJECTION – conditionally re: external lighting

Community Safety & Neighbourhood Nuisance Team NO OBJECTION – conditionally re: seating area to be vacated by no later than 22.00 hours; a scheme to protect surrounding residents from all noise associated with the use of the outdoor seating area be agreed and no external music shall be played in the outdoor seating area at any time.

Historic England: No comments

Natural England: No comments

REPRESENTATIONS

No third party comments received.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

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

NEIGHBOURHOOD PLAN POLICIES

n/a

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

OTHER GUIDANCE

None

PLANNING CONSIDERATIONS

The key principle issues to be addressed in this instance are: -

- . Principle of development;
- . Impact upon the AONB;
- . Design, character and appearance;
- . Impact on Heritage Assets;
- . Economic issues;
- . Highway Issues;
- . Impact upon Residential Amenity;
- . Other Material Considerations.

Principle of Development

The site is an existing hotel enterprise with provision of 46 bedrooms and capacity for up to approximately 150 diners. There is currently on-site parking available for 37 vehicles. The Hoste already has outdoor seating areas to the front of the building, overlooking the Green and also within the enclosed rear courtyard garden area.

This application proposes additional outdoor seating in the existing courtyard parking area, with a capacity of up to 61 people on the site of 6 existing parking spaces. This will reduce the overall number of available parking spaces to 31.

The site is located within the settlement of Burnham Market, which is a Key Rural Service Centres where limited growth of a scale and nature appropriate to secure the sustainability of each settlement will be supported within the Development Limits of the Key Rural Service Centre, in accordance with Policy CS06.

The Hoste is a Grade II listed building within the Conservation Area and the AONB. There are a number of policy statements relevant to this application and the key aspects are summarised below.

Nationally, the NPPF supports economic development, with paragraph 80 stating that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Para 83 also states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

Core Strategy Policies CS01, CS02, CS06, CS10 and CS12 are relevant. CS06 promotes sustainable patterns of development to ensure strong, diverse economic activity whilst maintaining local character and a high quality environment.

CS10 states that the Council will promote opportunities to improve and enhance the visitor economy by supporting tourism opportunities through the borough providing these are in sustainable locations and are not detrimental to the valuable natural environment.

The principle of development is therefore generally supported.

Impact upon the AONB

AONB's have the highest status of protection in relation to landscape and scenic beauty. In this case the application site is within the heart of the village and surrounded by existing built form.

The proposed works are sited within an existing courtyard area bounded by existing built form. As the proposed works are of a modest nature and are sited between existing buildings, the proposed development will not be visible beyond the site and will not have a detrimental impact upon the natural beauty of the landscape in this designated area.

Norfolk Coastal Partnership raise no objection to the proposal, although recommend details of the external lighting be submitted as a planning condition. This is included below.

Design, character and appearance

The proposal is for some low walling to contain a newly paved, sandstone seating area with canopies above to provide some weather protection to part of this outdoor area. The walling is shown to have an outer finish of red brick and will include an integrated planter to incorporate some soft landscaping. The canopy is proposed to have an aluminium frame with a fabric finish to the canopy.

This courtyard area is enclosed by other parts of the hotel use immediately to the north, east and west. A mixture of retail and residential units are to the south east, facing The Green. Public views of the walling and canopies will therefore be restricted by existing built form.

It is considered that the proposal relates adequately in terms of scale and mass to the existing building and proposes materials that match or complement the existing listed building. The proposal is considered acceptable and accords with the provisions of the NPPF, SADMP DM15 and Core Strategy Policy CS02.

Impact on Heritage Assets

The Hoste is a Grade II listed building and the whole site is within the conservation area, but as the proposed works are to the inner courtyard of the existing building they will only be visible from within the site itself or from views from private properties. The works will not be seen from Market Place or The Green, other than possible glimpses.

The Conservation Officer considers that the dwarf wall proposed to shield the seating area from the car park will provide a buffer space between the building and the rather harsh car park. The canopy sits in front of a modern single story extension to the Hoste and will cause only negligible harm to the setting of the building in that location, only obscuring a modern lead roof. The Conservation Officer recommends that details of the canopy, including colour, should be conditioned.

Accordingly, the proposed works will not have a harmful impact upon the historic form or fabric of the listed building, and negligible harm on its setting. There is no conflict with the development in terms of the impact on the overall character and appearance of the conservation area. Consequently, it is considered the proposed works are in accordance with the provisions of the NPPF, SADMP Policy DM15 and Core Strategy Policy CS12.

Economic issues

The NPPF encourages a strong rural economy and supports the sustainable growth and expansion of all types of business and enterprise in rural areas. It also states that sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors and which respect the character of the countryside should be supported. This includes supporting the expansion of tourist and visitor facilities in appropriate locations including villages.

This echoes Core Strategy Policies CS06 and CS10 which promote sustainable patterns of development to ensure strong, diverse economic activity whilst maintaining local character and a high quality environment and the promotion of schemes which improve and enhance the visitor economy by supporting tourism opportunities where these are in sustainable locations and are not detrimental to the valuable natural environment.

The Hoste is a popular and successful enterprise and is an important component of the vibrancy of the village. The proposed works will aid the successful progression out of Covid-19 lockdown restrictions and help to secure the future growth of the business. The approved alterations to the building accord with policies CS06 and CS10 in this regard.

Highway Issues

The Highways Authority notes the loss of 6 parking spaces. However, the village has a large public car park and the highways authority has no sustainable reason to object to the proposal given the parking restrictions in place around The Green and the capacity of the car park nearby. In this case there is no conflict in terms of Policy DM17 and parking standards.

Initial comments made by the highways authority suggested a different layout to secure a more user friendly passage between the buildings, by possibly widening the narrow section through moving the proposed wall to a different position. However, this would be a suggestion to improve the way the site functions and is not in response to highway safety concerns.

The changes to the layout referred to by the highways authority have been discussed with the applicant, but they are keen to retain the layout proposed in the submitted scheme.

In summary, the proposed development raises no highway safety issues and there is no conflict with local or national policy in this regard.

Impact upon Residential Amenity

The proposed development would result in an additional maximum of 61 seats in this internal courtyard area. This courtyard area is surrounded by buildings associated with the Hoste to the north, east and west. These buildings incorporate hotel bedrooms and the beauty spa.

To the south east are retail units with some private residential accommodation and there are many residential properties facing Market Place and The Green, close to the Hoste.

Concern has been raised by the Parish Council about potential disamenity to residential occupants of nearby properties from noise. Discussion has taken place between the applicant and the CSNN Team about the management of this area and the hours it would be intended to be used.

The proposed development could result in an excess of 61 people using the area at any one time. This could occur on many occasions throughout the peak season. The CSNN Team

has commented that even with this number of people all holding normal conversations, laughing etc, this will still result in a cumulative increase in existing noise levels associated with the site. The proposal would bring about an increase in customer capacity in a location where this was not previously experienced, close to residents.

Various discussions have been had between the CSNN Team and the applicant about limiting the impact in terms of noise, including reducing the number of outdoor seats available.

The Hoste currently has outdoor seating areas to the front of the building on Market Place and also in an existing enclosed courtyard surrounded by hotel bedrooms. There are 6 tables to the front of The Hoste seating 6-8 (so max capacity 48). To the rear there is a 50 seat terrace but this is a function space and not open to general members of the public. Given that the Hoste has 46 bedrooms (with a minimum of 90 guests when full), this additional seating area would help meet the demand that already exists for outdoor seating for guests, in addition to the demand from local tourism and visitors.

The Hoste already manages the existing outdoor seating area and states that the escalation of noise and disturbance is not in the interests of the hotel or the residents staying on site. Accordingly they already control the use and opening times of the existing outdoor seating area and this would be no different. They are, however, willing to agree to a hours of use condition and a Noise Management Scheme so that the management of the area is clear for all.

The CSNN Team now welcome confirmation that any rowdy, noisy or otherwise inappropriate behaviour by users of this area will be controlled by staff and that the applicant is willing to accept an hours of use condition and the conditioning of a Noise Management Scheme (to include patron signage). CSNN also recommend a planning condition to ensure that no external music is played in this location, and this is recommended below.

In summary, the relationship between the development as proposed and existing dwellings has been examined and, subject to the proposed conditions being imposed, there will not likely be a significantly detrimental impact upon the amenity of the occupants of neighbouring properties in terms of general noise and disturbance.

Other material considerations

Crime and Disorder Act 1998

Section 17 of the above act requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. This application will not have a material impact upon crime and disorder.

This application raises no flood risk issues.

CONCLUSION

The proposed variations are considered to be sufficiently in harmony with the building characteristics of the building and the area. The proposed amendments will not materially harm the historic form or fabric of the listed building or its setting or detract from the character and appearance of the conservation area. The applicant has incorporated traditionally used local materials to give the design a context. Whilst this may be deemed to be less than substantial harm in terms of the NPPF, the benefits of the proposal are considered to far outweigh any potential harm.

The proposal will result in a loss of 6 parking spaces, but this raises no highway safety issues. The village has a large public car and the highways authority raises no objection to less parking on this site given the car parking capacity in the locality.

Subject to appropriately worded conditions, issues of noise and disturbance can be controlled. It is considered these adequately overcome the concerns of the Parish Council.

Finally, there are no outstanding crime and disorder or flood risk issues.

The proposed development is considered to comply with, Core Strategy Policies CS01, CS02, CS06, CS10 and CS12, SADMP Policies DM1, DM15 and DM17 and advice within the NPPF. Accordingly, it is recommended that the proposed development be approved.

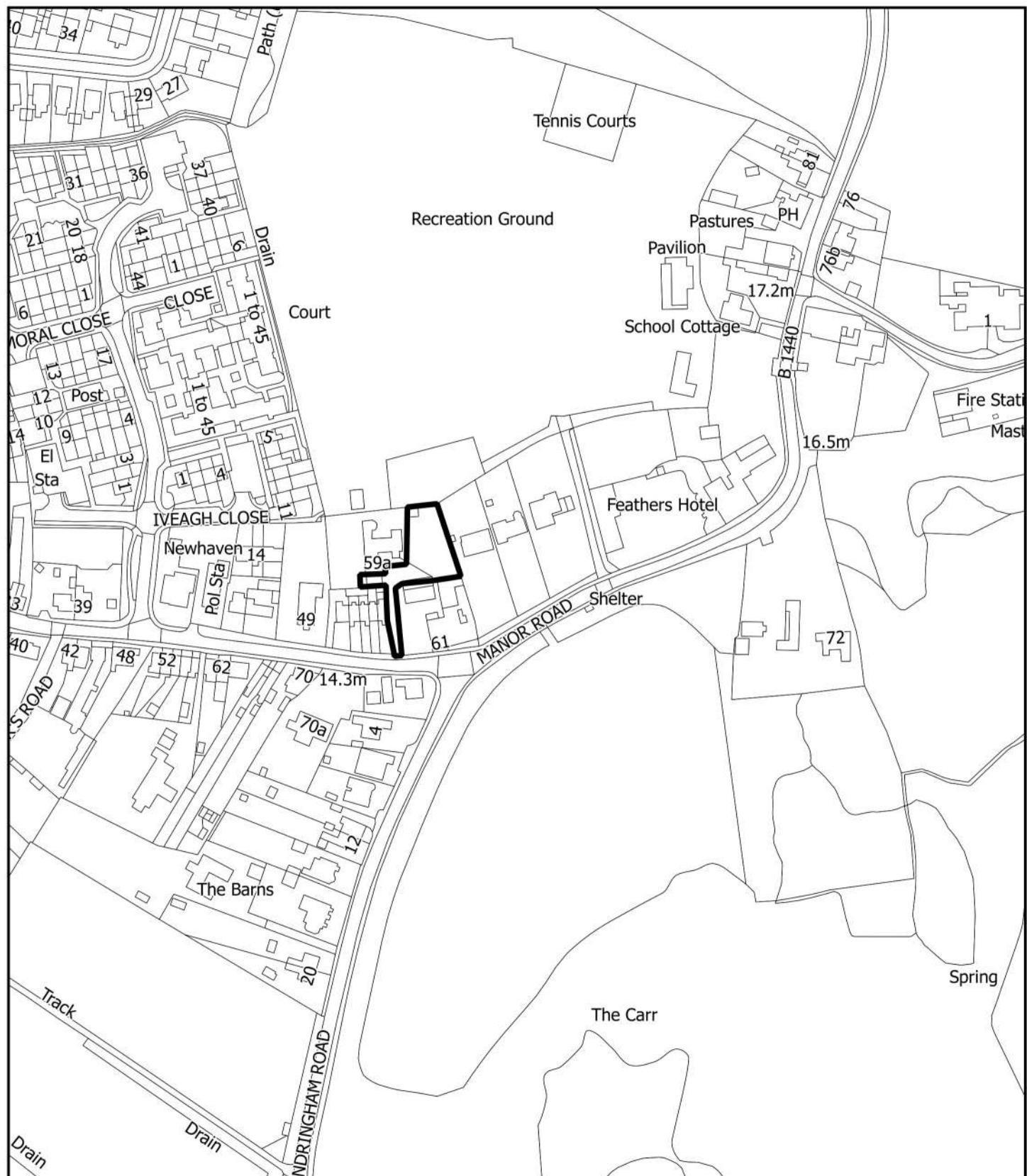
RECOMMENDATION:

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

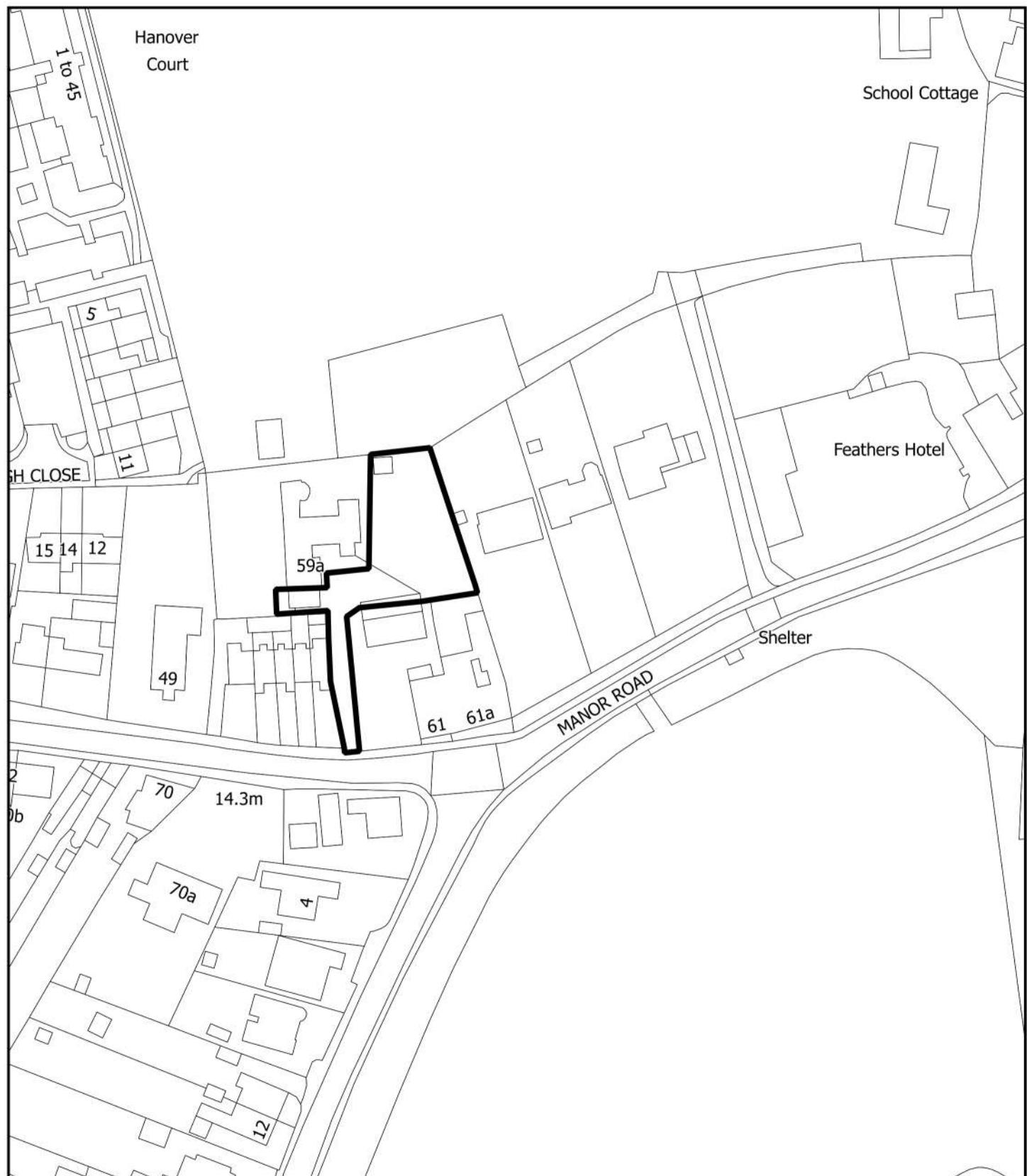
- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out using only the following approved plans:
 - Drawing No. 2648A 00 01 Rev - , Location Plan
 - Drawing No. 2648A 00 02 Rev -, Existing Site Plan
 - Drawing No. 2648A 20 100 Rev -, Hoste Pub Elevations
 - Drawing No. 2648A 10 10 Rev B, Hoste Pub Terrace
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on any external surface of the development until the type, colour and texture of all materials to be used for 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.
- 3 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition: Prior to the use of the development hereby permitted, details of the external lighting for the outdoor seating area shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaires and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 4 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.

- 5 Condition: Use of the outdoor seating area hereby approved shall cease at 22:00 hours each day with no persons/customers permitted to remain after this time.
- 5 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 6 Condition: Prior to the use of the development hereby permitted, a scheme to protect surrounding residents from all noise associated with the use of the outdoor seating area (to include patron signage) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use.
- 6 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 7 Condition: No external music shall be played in the outdoor seating area at any time.
- 7 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.

21/00081/F
59A Manor Road



21/00081/F
59A Manor Road



| | | |
|----------------------|--|---|
| Parish: | Dersingham | |
| Proposal: | Proposed new Dwelling | |
| Location: | 59A Manor Road Dersingham King's Lynn Norfolk | |
| Applicant: | Bespoke Norfolk Group | |
| Case No: | 21/00081/F (Full Application) | |
| Case Officer: | Mrs Jade Calton | Date for Determination: 2 April 2021 Extension of Time Expiry Date: 19 July 2021 |

Reason for Referral to Planning Committee – Called-in by Councillor Collingham

Neighbourhood Plan: No

Case Summary

The application site comprises a parcel of land measuring approximately 996 square metres and was previously used as garden land to no. 59A Manor Road. It is situated on the northern side of Manor Road, Dersingham and is accessed via an access track between No. 59 and No. 61 (Petals Tea Room). The site lies behind Petals Tea Room and No. 61a.

The site lies within Dersingham's Conservation Area.

Dersingham is classified as a Key Rural Service Centre within the Core Strategy's Settlement Hierarchy.

The application seeks full planning permission for the construction of a bungalow to the east of No. 59a Manor Road.

Key Issues

- * Principle of Development;
- * Impact on Form and Character;
- * Impact on the Conservation Area / Heritage Assets;
- * Impact on Neighbour Amenities;
- * Impact on Highway Safety; and
- * Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site comprises a parcel of land measuring approximately 996 square metres and was previously used as garden land to no. 59A Manor Road. It is situated on the northern side of Manor Road, Dersingham and is accessed via an access track between No. 59 and No. 61 (Petals Tea Room). The site lies behind Petals Tea Room and No. 61a.

The site lies within Dersingham's Conservation Area.

The application seeks full planning permission for the construction of a bungalow to the east of No. 59a Manor Road.

SUPPORTING CASE

The Applicant's Agent has submitted a Planning Statement to support the application, stating the following: -

"The area identified within the redline is directly adjacent to a number of residential properties within the rural village settlement of Dersingham and currently the site has a two-storey chalet style dwelling (no. 59A) adjacent that would remain as existing, but with the provision of new boundaries placed to allow the development to proceed.

The site is located within the Dersingham Conservation Area.

The closest Listed Building is St Nicholas Church, some 450m to the north of the site, and this is not considered to be affected by the proposal.

The site is within the settlement boundary of the rural village of Dersingham, which is located approximately 8 miles north-east of King's Lynn and is a small village settlement as evidenced by the LPA's combined proposals map (extract adjacent). Dersingham contained some 2,110 households in the 2011 census.

Planning law requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise.

The building has been positioned to reflect the scale and massing of the outbuildings to the rear of no61 and 61a, almost as a continuation of the outbuildings. The form of the building continues the reduction in scale from the taller roadside former shop with gables reducing in size and scale to the rear. The proposal contains a return wing which has a slightly taller roof pitch to the main core of the construction, and this adds to the impression of randomness and variety of extensions over time which are apparent in no 61a.

The narrow gables have panels of rough-coursed carrstone which will be matched to the carrstone apparent on no61 and other adjacent buildings, to reinforce the impression of 'fitting-in' to the locality.

Where openings are proposed, these are grouped together in storey-height screens to suggest the infilling of larger openings, and these large openings are spanned by suitable timber lintels in traditional manner. Dark-stained timber door and window frames are proposed.

Utilitarian bathrooms and kitchen are arranged along the eastern boundary wall, and these are provided with daylight by rooflights arranged in pairs where possible, along the roof slope

and above eye-level to avoid overlooking. Flush eaves are proposed, with modest eaves brick detailing, and utilising black cast gutters and downpipes.

A shared driveway access with number 59a (existing) provides parking to both properties to accord with Norfolk County Council Standards. The proposed property is provided with amenity space to the north of the plot, screened by hedge planting from the access, and where many of the existing ornamental trees are retained.

In summary, the proposed dwelling has been designed to:

- reflect the scale and massing of the existing adjacent residential dwellings surrounding the site,
- provide privacy from overlooking of adjacent properties,
- avoid overcrowding/developing the existing residential setting, and
- enhance and complement the existing street scene.
- utilise materials and provide a form, scale and massing in keeping with the local vernacular and local distinctiveness.

Conclusion

The proposed development:

1. Is located within the settlement boundary,
2. Is an appropriate infill within a previously-developed location, and is sympathetic to the special qualities and character of the Conservation Area,
3. Is located within a residential setting whilst protecting the setting of the Conservation Area,
4. Is in a sustainable location benefitting from excellent transport links, amenities, and very low flood risk".

PLANNING HISTORY

20/01420/F: Application Withdrawn: 16/11/20 - Proposed new dwelling - 59A Manor Road, Dersingham

13/00115/PREAPP: INFORMAL - Likely to refuse: 30/08/13 - Pre-application enquiry: Construction of dwelling with demolition of existing workshop and partial change of use - Adjacent To 59A, Manor Road, Dersingham

RESPONSE TO CONSULTATION

Parish Council: OBJECT –

The Parish Council feels that the application is over development of the site and it is not in keeping being in a dedicated Conservation Area. There will be a loss of open view and loss of trees, which are important but especially in a Conservation Area. The Council feels that even moving to a four-meter gap the roots of the trees especially with the work eg Kitchen/Bathroom in the area the tree roots will be affected.

The Council also have concerns regarding access in an area this is densely populated with cars with neighbouring businesses, especially during the build process if permission was granted.

Highways Authority: NO OBJECTION conditionally.

As parts of the new dwelling are more than 45 metres from the highway it will require consultation with Norfolk Fire and Rescue.

Conservation Team: NO CONSERVATION OBJECTIONS - please condition materials including sample panel and joinery.

Natural England: NO COMMENTS TO MAKE.

Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to conditions and an informative as there could be some unexpected contamination or asbestos materials present.

Arboricultural Officer: NO OBJECTION subject to tree retention condition.

Water management Alliance: NO COMMENTS TO MAKE.

REPRESENTATIONS

TWO representations received from local residents **OBJECTING** to the AMENDED plans, on the following grounds: -

- Contrary to local and national policies;
- Impact on Conservation Area;
- 1990 Planning (Listed Buildings & Conservation Areas) Act;
- Increase in housing density;
- Cramped;
- Overdevelopment;
- Negative impact on views from and into Conservation Area;
- Loss of mature garden trees;
- Overshadowing;
- Loss of light;
- Loss of amenity;
- Overbearing;
- Loss of privacy;
- Important unlisted buildings;
- The proposal brings no benefits to the conservation Area;
- Affect sense of openness from Manor Road;
- Dwelling will be clearly visible from the road;
- No screening;
- Affect character and appearance;
- * Impact on tree roots on adjoining land;
- Position of trees are incorrectly placed on the Arboricultural assessment;
- Noise and disturbance;
- Uncertainty over how drainage is going to be dealt with;
- Inaccurate and unclear information within application;
- Inappropriate development in residential gardens;
- Highway safety;
- Limited width and visibility;
- Little off-road parking for residents;
- Risk to pedestrians;
- Amendments do not overcome issues;

- Dominate and enclose garden to No.61a;
- Only green area remaining in the area;
- 5ft fence panels not 6ft to southern boundary of the site;
- Overlooks small garden;
- Request for a site visit to be carried out.

NINETEEN letters of **OBJECTION** in total (various submissions from the same neighbouring residents) received prior to the final amendments raising the issues as listed above.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NEIGHBOURHOOD PLAN POLICIES

N/A

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

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

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

National Design Guide 2019

OTHER GUIDANCE

Dersingham Conservation Area Character Statement

PLANNING CONSIDERATIONS

The main considerations in the determination of this application are as follows: -

- Principle of Development;

- Impact on Form and Character;
- Impact on the Conservation Area and Heritage Assets;
- Impact on Neighbour Amenities;
- Impact on Highway Safety; and
- Other Material Considerations

Principle of Development:

The application site lies within the development boundary of Dersingham, which is classified as a Key Rural Service Centre within the Core Strategy's Settlement Hierarchy. Limited growth of a scale and nature appropriate to secure the sustainability of each settlement, will be supported in such centres.

The principle of development in this location is therefore acceptable subject to other relevant local and national planning policies and material considerations.

Form and Character:

The built form and character in this part of Manor Road is mixed, there are detached, semi-detached and terraced properties fronting the road with small front gardens, No.61 and 61a abuts the footpath and adjacent to the east are large detached properties which are set back within their plots. No. 59a, the donor property (which is a chalet style bungalow) is set behind the road frontage development. The proposal seeks to continue this pattern of development and construct a new dwelling behind Nos. 61 and 61a.

The proposed dwelling will therefore be in line with the donor property and the adjacent development to the east.

Given the established layout and pattern of development in the vicinity, it is considered that the proposed development responds to the context and character, in terms of scale, layout and access and will cause no harm to the quality of the local environment.

Concerns have been raised with regards to the proposal resulting in overdevelopment of the site and appearing cramped in the area. As explained above, the locality is very mixed in character, in terms of form and layout, plot sizes and dwelling types.

The terraced dwellings to the south-west of the site have very small, narrow plots, whereas No.49 (to the west) and from No.63 eastwards, have large, deeper plots. The donor dwelling, No.59a has an uncommonly wide plot which spans across the back of the terraced properties and Nos. 61 and 61a. It is therefore considered that the overall size of No.59a is capable of being subdivided to create two plots (No.59a and the application site) that are comparable to the mixed form and layout of the area without appearing cramped.

Furthermore, the depth of the rear amenity space within the application site measures approximately 19m and the depth of the resulting private amenity space to No.59a measures approximately 34m. Whilst we do not have a local policy covering space standards, these are considered to be adequately sized private gardens.

Conservation Area and Heritage Assets:

The site lies within the Dersingham Conservation Area and immediately behind buildings that have been identified as making a positive contribution to the significance of the conservation area.

The Dersingham Conservation Area Character Statement describes the surrounding buildings as 'varying in age but are predominantly 19th and 20th Century, with the older buildings being constructed predominantly of brick and carrstone and often pantiles. Heights of buildings are generally two storey, with a few single-storey buildings such as barns and bungalows'...

It describes the 'row of five small 18th Century cottages (Nos. 51-59 Manor Road) set back behind small front gardens. They are of coursed rubble with nice brick arches to the ground floor and brick dressings to the first floor windows. Next is a white painted post war bungalow (donor dwelling) set back from the road and with garages in front.

The space between this and No. 61 is shingled and (formerly) occupied by a garden shed company in a temporary wooden building (now demolished). The building line finishes with Nos. 61 & 61a, probably early 19th and 18th Century respectively but much altered on the façades. No. 61 is a striking three storey building with stuck-on timbers on the gable, but its sides and rear are of un-coursed carrstone with brick decoration. It has a good shopfront in timber with large decorative brackets and narrow iron pillars. The rear has been used as a warehouse and has a loading platform on modern square brick pillars.

No. 61a is lower, two stories and three bays with two bay windows inserted. Behind is an attached wing, projecting north of carrstone and pantile'.

The Applicant's Planning Statement has analysed the impact of the proposed development on the Conservation Area and on important unlisted buildings surrounding the site, in line with section 16 of the NPPF.

The proposal has been designed to draw on the contribution made by the historic buildings, particularly the rear projection of No.61a (historically outbuildings), in terms of its scale, proportions, appearance and use of local vernacular materials, such as carrstone.

It has also been set as low level as possible and carefully positioned within the site so not to project beyond the side (west) elevation of the Tea Room (No.61) to minimise any views of the dwelling from the public domain, and in turn avoid causing harm to the character and appearance of the Conservation Area.

It is therefore considered that the new development will sustain and conserve the character and local distinctiveness of the Conservation Area and surrounding important buildings, in accordance with local Policy CS12 and paragraph 192 of the NPPF.

The proposed development will cause only less than substantial harm to the significance of the heritage assets (in terms of the NPPF), and any perceived impact is considered to be outweighed by the public benefit of providing an additional dwelling to the local community, in accordance with section 16 of the NPPF.

The Conservation Officer raises no objection to the proposal and believes that it is an improvement from the previously withdrawn scheme.

Neighbour Amenities:

No. 61 is a Team Room and therefore will not be affected by the proposal in terms of residential amenity.

No.61a to the south and No. 63 to the east are the most directly affected neighbouring properties to the application site. However, the proposed dwelling is single storey and has no windows to the southern gable projection nor to the eastern elevation.

There are windows proposed to the eastern elevation which runs parallel with the shared boundary to the south. The existing 1.5m close boarded fence will provide a level of screening but will not completely prevent overlooking or loss of privacy to the residents of No. 61a. Therefore a condition will be imposed requesting details of the boundary treatment to the southern boundary of the site, such as trellis on top of the existing fence, to ensure that the privacy of the neighbouring residents is properly protected.

There are also rooflights proposed on the eastern roofslope but as the new dwelling is only single storey these will be high level to provide light internally and so will cause no overlooking or loss of privacy to the residents of No.63.

Windows are proposed on the western elevation which will face the donor dwelling but they will serve an entrance hall. Furthermore, the proposed car parking is located between this elevation and the donor property so it is unlikely that there will be any disamenity issues.

Given that the proposed dwelling is single storey and the immediate neighbouring properties are located to the south and east, there will be no material overshadowing or overbearing impact to those residents.

Concerns have been raised regarding the impact of the proposed southern gable-end being within close proximity of the shared boundary with No.61a. Whilst the gable abuts the shared boundary, this elevation is relatively low level, measuring approximately 2.2 – 2.8m to the eaves (slightly asymmetric roof) and 4.6m to the ridge. The width of the gable is also relatively narrow, measuring approx. 4.7m. A 1.5 – 1.8m close boarded timber fence forms the southern boundary of the site.

Permitted development Rights allow for householders to build within 2m of a boundary and up to 2.5m in height. This has to be taken into account in weighing up the impact of the proposal. Whilst the height of the ridge is clearly taller than PD allows, it is only a small proportion of that elevation, the apex, which is over and above the limitations.

This together with the depth of the garden of No.61a, measuring approximately 13m, means that it is considered that there is sufficient private amenity space for the neighbouring occupants to enjoy without any significant harm to their residential amenity or to the detriment of their living conditions.

As explained above, there are no windows to the southern gable elevation and its small scale together with the direction of the sun means that no overshadowing or overbearing impact will occur.

Following the submission of amended plans, the proposed dwelling has been moved approximately 4m away from the eastern boundary, which together with its small scale, it is considered that there will be no material impact on the amenities of the occupants of No.63.

It is therefore considered that the proposed development has regard for neighbour amenities, in accordance with local Policy DM15 and paragraph 127 of the NPPF.

Third party representations raised concerns regarding noise and disturbance. In regards to noise during construction, this will be a temporary situation and given that only one dwelling is proposed, the construction phase will be a relatively short period of time. As such this would not warrant refusal of the application.

In terms of additional noise from the occupants of the new property, this would not be considered to be material to the detriment of neighbouring living conditions, given that the proposal includes only one additional dwelling within an established residential area.

Additional vehicular movements along the access track to the application site beside No. 59 is not considered to cause a material impact on the amenities of neighbouring residents given that the proposal is for only one additional dwelling and the increase from the current use is negligible.

Highway Safety:

The site is accessed via an existing driveway / track from Manor Road which currently serves No.59a. It is proposed to provide three parking spaces on site for the new dwelling and three spaces for the donor dwelling.

The Local Highway Authority (LHA) has raised no objection to the proposed development subject to conditions being imposed.

The Highway officer stated that there is improved and adequate visibility onto Manor Road in both directions and there is adequate space for both dwellings to have parking and turning provision to enable a vehicle to exit the site in a forward gear.

The site access has had a dropped kerb constructed to Manor Road to improve access, but the site access road is made of loose gravel that can spill out onto the highway. It is therefore recommended that a short section is replaced with a solution that is permeable for at least 5 metres back from the highway of gravel in plastic grid or paving. It could be beneficial for the residents if the entire length of the site access road and the parking/turning area was treated in the same way to make it more resilient to vehicular use and ease of dragging bins to the kerbside.

This is not a reasonable request, therefore a condition will be imposed to improve the access for the first 5 metres only.

In regards to the LHA's request for consultation with Norfolk Fire and Rescue as parts of the new dwelling are more than 45 metres from the highway, this is not standard procedure. The scale of the proposal, for only one new dwelling, does not meet the threshold for such bodies to be consulted. Furthermore, access for fire appliances is covered by Building Regulations 2010 (amended 2019) under requirement B5: Access and facilities for the fire service.

The LHA raises no concerns over the proposed development with regards to highway safety, pedestrian safety, additional traffic or potential on-street parking.

Other Material Considerations:

Trees:

The site layout has been carefully designed so not to cause any harm to the established trees and their root protection zones that are located towards the north of the application site and to the east on third party land. These trees offer amenity value to the vicinity and are protected by virtue of being located within a Conservation Area. No trees are proposed to be removed to enable the development.

During the course of the application, the dwelling has been moved away from the eastern boundary so not to put pressure on the mature trees which are outside the control of the applicant.

The Council's Arboricultural officer has raised no objections to the amended scheme subject to a condition retaining the trees and for their protection during construction.

Parish Council and Third Party Comments:

Most of the concerns raised by the Parish Council and Third Parties have been addressed above in the report. Other issues raised will be considered as follows: -

With regards to noise and disturbance, given the scale of the proposed development, for one additional dwelling only, this is not considered to hold weight to warrant refusal of the application. In terms of noise and disturbance during the construction phase, this will be a temporary issue and for a relatively short period of time.

In respect of noise and disturbance from the occupiers of the new dwelling, again given that the proposal involves only one additional dwelling, in an existing residential area, it is not considered that any material harm will be caused to the amenities of neighbouring residents.

Regarding drainage, the agent has suggested that the proposed dwelling is likely to be connected to mains drains for sewage treatment and there is sufficient space on site for soakaways to for surface water drainage. A condition will be imposed requesting specific details in order to control the drainage at the site.

The agent has agreed the pre-commencement drainage condition.

It was requested that a site visit is made; the case officer carried out a site visit early on in the application process and fully assessed the proposal and its impact on its surroundings and residential amenity.

Crime and Disorder:

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Committee will not have a material impact upon crime and disorder.

CONCLUSION

The application site lies within the development boundary of Dersingham and so the principle of development is acceptable.

The key issues for consideration by members of the Committee are the impact of the proposed development on the form and character of the area; the Conservation Area and other Heritage Assets such as the important buildings in front of the site, lining Manor Road; and the impact of the proposal upon the amenities of the adjoining neighbours.

When considering the issues set out in the report above, it is your officer's opinion that the subdivision of the site is acceptable, creating an adequately sized plot which can accommodate a dwelling, appropriate private amenity space and on-site parking and turning that is comparable to its surroundings. Furthermore, the proposal continues the established development to the rear which is evident adjacent to the site. As such, it is considered that the proposed development will cause no harm to the form and character of the area.

The dwelling has been designed to reflect the local vernacular by using materials such as carrstone and pantile, and the height has been kept to a minimum in order to minimise any potential impacts on the character and appearance of the Conservation Area when viewed from the public domain. The design and proportions have also been carefully considered to be in keeping with the important historic buildings to the south and south-west.

It is your officer's opinion that the scale of the proposed dwelling, being a relatively small single storey building, will cause no material harm to the amenities of any neighbouring residents.

In light of local and national planning policy and other material considerations, it is recommended that the application is approved subject to conditions.

RECOMMENDATION:

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

- 1 **Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 **Reason:** To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 **Condition:** The development hereby permitted shall be carried out using only the following approved plans, as amended; 1086.02 Rev. C.
- 2 **Reason:** For the avoidance of doubt and in the interests of proper planning.
- 3 **Condition:** No development shall take place on any external surface of the development hereby permitted until details of the type, colour and texture of all materials to be used for 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.
- 3 **Reason:** To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 **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.
- 4 **Reason:** To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 5 **Condition:** Prior to the installation of any doors or windows within the development hereby approved, full details of the doors and windows shall be submitted to and approved in writing by the Local Planning Authority. The details shall include 1:20 drawings, showing joinery details, cross-sections and the opening arrangements. The development shall be implemented and retained in accordance with the approved details.
- 5 **Reason:** In order to protect the character and appearance of the Conservation Area in accordance with the provisions of the NPPF.
- 6 **Condition:** Prior to the first use of the development hereby permitted, the vehicular access shall be upgraded with a permeable surface (other than loose gravel) for the first

5 metres as measured back from the near channel edge of the adjacent carriageway/constructed in accordance with details to be agreed in writing by the Local Planning Authority. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

- 6 **Reason:** To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement.
- 7 **Condition:** Prior to the first occupation of the development hereby permitted, the visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway by lowering of walls.
- 7 **Reason:** In the interests of highway safety in accordance with the principles of the NPPF.
- 8 **Condition:** Prior to the first occupation of the development hereby permitted, the proposed access/on-site car parking/turning/waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 8 **Reason:** To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 9 **Condition:** No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 9 **Reason:** To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

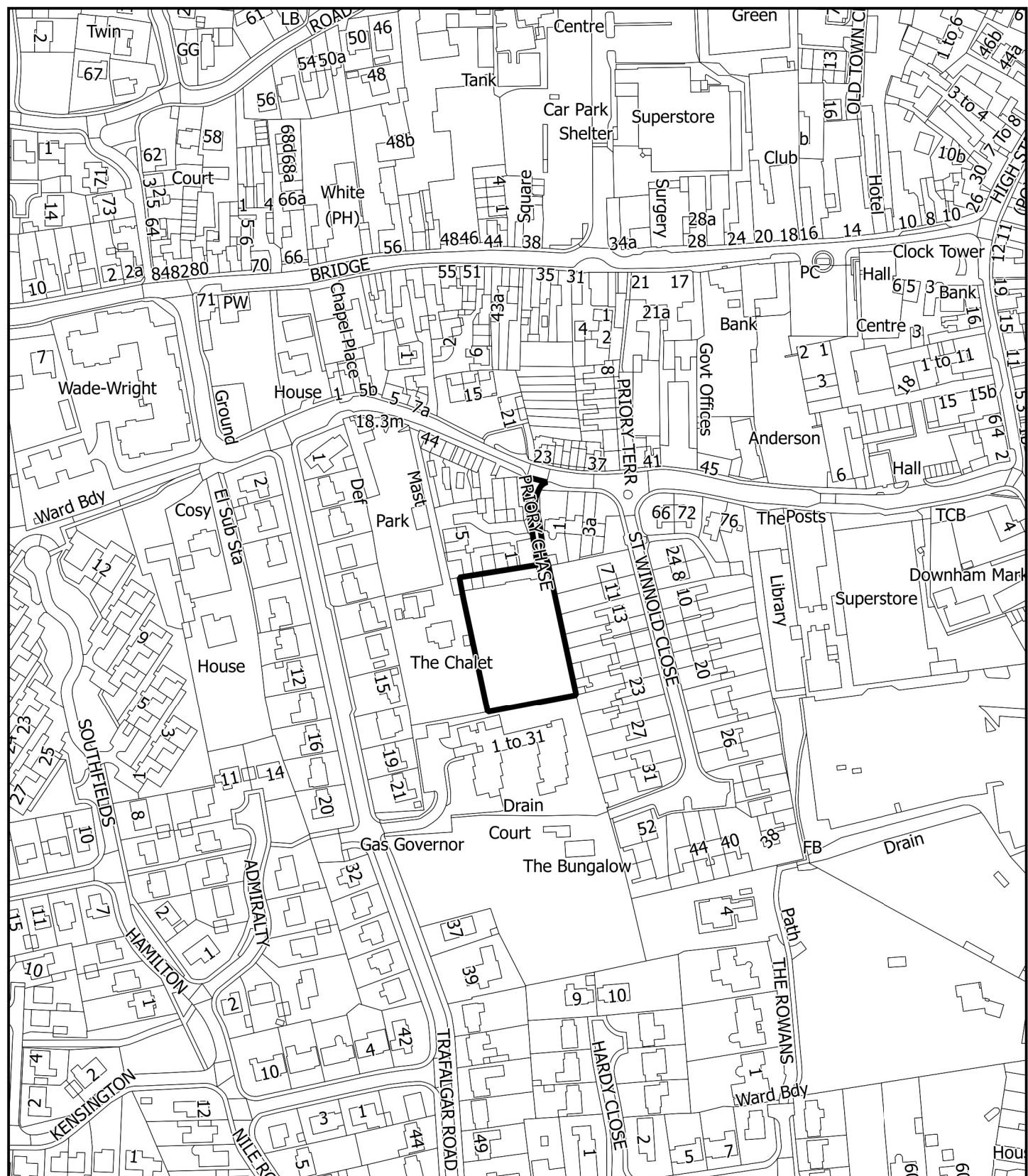
- 10 **Condition:** All trees on site and shown on the approved plan shall be retained and protected prior to the commencement of development, in full accordance with BS:5837. The protective fencing shall be erected to safeguard the retained trees before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the BS:5837. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 10 **Reason:** To ensure that existing trees are properly protected in accordance with the NPPF.
- 11 **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 current best practice, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in

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

- 11 Reason: In the interests of protecting the environment and the future occupants of the development in accordance with the NPPF.
- 12 Condition: Prior to first occupation of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected to the southern boundary of the site. The boundary treatment shall be completed before the first occupation of the dwelling hereby permitted or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with the approved details.
- 12 Reason: To ensure that the development causes no harm to the amenities of the neighbouring residents, in accordance with the NPPF.

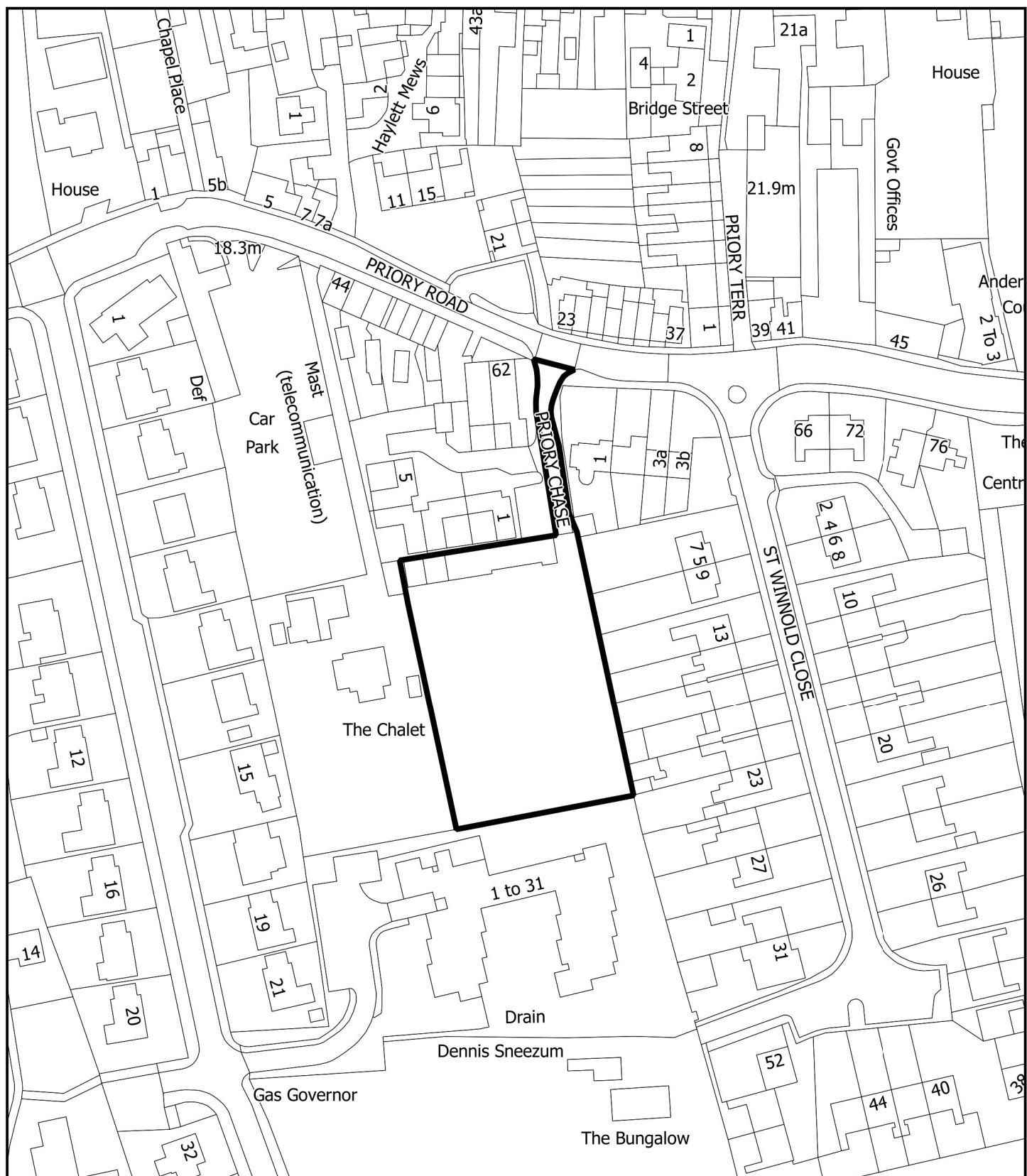
20/01792/F

East of the Chalet, Priory Chase.



20/01792/F

East of the Chalet, Priory Chase.



| | | |
|----------------------|---|---|
| Parish: | Downham Market | |
| Proposal: | Construction of five dwellings and garages | |
| Location: | East of The Chalet Priory Chase Downham Market Norfolk | |
| Applicant: | PCD Builders Ltd | |
| Case No: | 20/01792/F (Full Application) | |
| Case Officer: | Lucy Smith | Date for Determination: 8 January 2021 |

Reason for Referral to Planning Committee – Officer recommendation is contrary to the views of the Parish Council & referred to Planning Committee by Sifting Panel.

Neighbourhood Plan: No

Case Summary

The proposal is for the construction of 5 houses on land to the south of Priory Chase, a private drive which adjoins Priory Road, Downham Market. The application seeks consent for the construction of 3 detached and 2 semi-detached dwellings with associated private access road

The application site is within the development boundary shown on inset map F1 of the SADMPP and is directly adjacent to the Downham Market Conservation Area.

Key Issues

- Principle of development
- Highway safety and access
- Design and impact on the Conservation Area
- Impact on Neighbours
- Other material considerations

Recommendation

APPROVE

THE APPLICATION

The proposal is for the construction of 5 houses on land to the south of Priory Chase, a private drive which adjoins Priory Road, Downham Market. The application seeks consent for the construction of 3 detached and 2 semi-detached dwellings with associated private access road

Planning Committee
12 July 2021

20/01792/F

The application site is within the development boundary shown on inset map F1 of the SADMPP and is directly adjacent to the Downham Market Conservation Area.

SUPPORTING CASE

The application site is located within the town's development boundary and is surrounded by residential properties on all sides including sheltered accommodation to the north and south. The site is accessed via an existing established paved entrance off Priory Road which is part of the one-way highway around the town centre. The site is within walking distance of all the town facilities including the train station to the east.

The proposed development is for five dwellings comprising a pair of three bedroom semidetached properties, a moderate sized four bedroom detached dwelling and two larger four bedroom detached properties. The scheme is designed as town house style properties with sliding sash windows to the frontages and stone sills typical of the town centre area.

Amendments have made to the scheme to overcome the planning officers concerns with regard to overlooking and planting replacement together with the addition of chimney stacks. Overall the scheme is considered to provide a mix of good quality housing in keeping with the surroundings on an unused parcel of land in the central town area.

The proposal is considered to be compliant with material planning policy at both local and national level.

The site is suitable and available to deliver a quality family home without harm to policy, landscape or amenity.

It is therefore requested that planning permission be granted.

PLANNING HISTORY

RESPONSE TO CONSULTATION

Town Council: OBJECTION based on the following grounds:

1. This development has access proposed through a privately owned estate road .
2. It fails to take in the type of dwellings adjacent to the site.
3. It overshadows adjacent dwellings.
4. There is no replacement plan for removed trees.
5. It represents overdevelopment of a site with no access.

Highways Authority: NO OBJECTION subject to conditions, stating the following comments:

Priory Chase is a private drive which has an access with the public highway that accords with standard. I also observe from the submitted plans that the parking and turning for the proposed dwellings would afford a parking level to agree with the adopted standard. In addition I observe that a type 3 turning head has been identified so that larger vehicles could access and egress in a forward gear. I am therefore of the view that in terms of highway safety only the proposals would be considered as being safe.

However, the adopted standards recommend that private drives should serve a maximum of 9 dwellings only, for which this application would exceed. Should your authority seek to approve the application in its present form I would suggest that a Maintenance agreement should be secured through a S106 legal agreement.

Recommended condition relating to laying out of parking/turning area.

Note: Following additional discussions with the Local Highway Authority regarding the ownership of a section of the Private Drive, the following additional comments were provided:

A Maintenance Agreement would be desirable so that long term there is not a dispute over who would be responsible for the maintenance of this private drive. However it is a suggested condition and therefore should your authority not feel that such is achievable or justified then we would not recommend an objection on the basis that one is not provided. The LPA may wish to consider the social and domestic issues associated with the ability or right to maintain the shared access way. As a private drive NCC would not maintain it.

Conservation Officer: NO OBJECTION stating the following comments:

The application will cause little harm to the conservation area. Although the the conservation area boundary comes right up to the application site, the immediate buildings included are all modern and almost act as a buffer within the conservation area itself. The site is contained and the impact of views in and out of the conservation area will not be harmed.

CAAP Raised concern over layout and number of dwellings, stating the following comments:

The Panel felt that some form of development would be appropriate in terms of the impact that it would have on Downham Market Conservation Area but not the number of dwellings that had been proposed. The Panel felt that fewer houses laid out in a way which allowed more green space with them

Historic England: NO OBJECTION

Environmental Health & Housing - Environmental Quality: NO COMMENT

Arboricultural Officer: NO OBJECTION subject to Arb. Report conditions

Housing Development Officer: NO OBJECTION As this application proposes 5 units in Downham Market and the site area is under 0.5ha an affordable housing contribution will not be sought.

REPRESENTATIONS

11 Letters of OBJECTION raising the following issues and concerns (summarised):

- *Access route and potential to cater for access during both construction and subsequent occupation of 5 dwellings
- *No footpath for pedestrians
- *Overlooking and loss of privacy of adjoining bungalows
- *Overshadowing of bungalows to the north
- *Noise pollution
- *Impact of increase in use of private road on air quality

- *Impact on existing car parking for bungalows to the north of the site
- *Overdevelopment of site
- *Loss of green space/open land
- *Existing access route to Priory Chase insufficient for emergency vehicles

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

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)

National Design Guide 2019

PLANNING CONSIDERATIONS

The Key Issues are:

Principle of development

Design and impact on the Conservation Area

Impact on Neighbours

Highway safety and access

Other material considerations

Principle of development

The application site is located within the development boundary for Downham Market shown on inset map F1 of the Site Allocation and Development Management Policies Plan (2016). Residential development on the site is therefore considered acceptable and complies with Policy DM2 of the SADMPP (2016).

Design and impact on the Conservation Area

The proposed plans indicate the construction of 5 No. two-storey dwellings, with two semi-detached and 3 detached properties.

Plots 1 and 2 are modest three bedroom semi-detached properties, with a detached garage serving plot 1 and attached garage serving plot 2. These dwellings are smaller scale than the other dwellings proposed on site and maintain traditional proportions. Detailing includes a central chimney stack, small porch overhangs and contrasting lintel detailing above windows on the front elevation.

Plots 3 and 4 are larger detached dwellings located to the south of the proposed private drive with rear elevation facing Dennis Sneezum Court. Both dwellings have four bedrooms and attached garages. Each dwelling also has brick and lintel detailing and porch overhang.

Plot 5 is proposed as a two-storey four bedroom detached property with an asymmetrical roof line with reduced eaves and dormers at the rear. An integral garage is proposed within a single storey side element and the dwelling is positioned to allow parking spaces and a turning area in front of the dwelling.

The surrounding street scene comprises a broad mix of dwellings, including bungalows to the immediate north of the site and semi-detached and terraced properties to the east. A larger detached dwelling is to the west of the site.

The boundary to the Downham Market Conservation Area runs along the north boundary of the site. With modern development bordering the application site to both the north and east, limited views are available from the wider street scene into the development site itself and the proposal is considered unlikely to lead to any harm to the setting of the Conservation Area or any listed buildings fronting Priory Road.

Overall, the proposed dwellings are considered to accord with the typical vernacular in the wider vicinity. Sufficient spacing is provided between properties to limit any adverse impact on the street scene and the proposed dwellings are considered unlikely to lead to any harm to the setting of the Downham Market Conservation Area or any of the Listed Buildings around Priory Road.

Conditions are recommended to ensure that suitable materials and hard and soft landscaping details are incorporated into the design.

Overall, the design is therefore considered to comply with policies CS08 and DM15 of the Local Plan.

Impact on Neighbours

The application site is located to the rear of a group of bungalows around Priory Chase and shares an access to the highway with these properties. The rear gardens of a row of semi-detached and terraced properties forms the east boundary, and an existing detached dwelling known as The Chalet is to the west of the site. Dennis Sneezum Court is to the south of the site. Existing close boarded fencing and brick walls form the north and south boundaries of the site, with existing sheds along the north indicated to be demolished as part of this proposal.

The private access driveway joins Priory Chase at an existing access gate in the north east corner of the site. Side elevations of the adjoining bungalows are directly adjacent to this access track and there are existing windows fronting the access towards the junction with

Priory Road. Whilst the construction of 5 additional dwellings will lead to an intensification of the use of this access track, given the existing use of this private track for access, the layout of the adjoining bungalows, and the proximity to Priory Road, the intensification of the use of this private road is considered unlikely to lead to a significant impact in terms of noise and disturbance of the surrounding properties.

Plots 1, 2 and 5 include rear elevations facing towards the existing bungalows at the north of the site. Three bungalows directly adjoining the north boundary have existing courtyard gardens facing south with existing brick walls and fencing along this shared boundary. Blank gable ends are directly adjoining the north boundary of the application site.

Windows on the south elevation of the adjoining bungalows are a minimum of approximately 18m from the first floor dormers on the rear elevation of plot 5, and 18.5m from plots 1&2. This distance, combined with the existing and proposed boundary treatments and difference in site levels as shown on the proposed site section is considered acceptable to limit any significant adverse impact on these adjoining dwellings as a result of the proposal.

Plot 5 is located approximately 6.5m east of the side elevation of The Chalet. This distance combined with the detailed design of the dwelling with lower eaves to the rear, is considered suitable to limit any overbearing or adverse overshadowing of this property.

Plots 3 and 4 are sited with rear elevations facing the side elevation of Dennis Sneezum Court. An existing boundary wall is proposed to be retained along this boundary. With approximately 18m between the rear elevations of the proposed dwelling, and considering the high level windows existing on the side elevation of this neighbouring property, the proposal is considered unlikely to lead to a significant adverse impact on the amenity of this neighbour.

To the east of site, the proposed access road is adjacent to the rear boundary of a row of properties fronting St Winnold Close. The properties are considered to be sufficiently distanced to limit the potential for any adverse impacts on these dwellings.

In regards to windows, en-suite and bathroom windows are located on the west side elevations of both plots 4 and 5. Conditions are recommended to ensure these windows are fitted with obscure glazing to minimise any loss of privacy for the adjoining dwelling.

Conditions are recommended to control construction hours and site management to restrict impacts on neighbours during construction. Overall, the impact on neighbours is therefore considered to comply with policies CS08 and DM15 of the Local Plan.

Highway Safety and Access

The proposed dwellings are shown to be accessed via a private drive which adjoins Priory Chase in the north east corner of the site. Priory Chase is an un-adopted private road which serves both the application site and a group of 7 dwellings, joining Priory Road to the north.

Each dwelling benefits from parking and turning areas to accord with the required standard and a turning head is provided which accords with the standards required for emergency vehicles. Plot 1 is shown with a detached garage along the north boundary of the site and each of the other plots (2-5) have attached or integral garages in addition to the on-site parking areas.

As a result of this proposal, with a total of 12 dwellings served off Priory Chase, the number of dwellings accessed off Priory Chase will exceed the number typically supported by the Local Highway Authority, however following discussions with the Local Highway Authority,

the county council have stated no objection to the proposal provided suitable conditions are attached to any consent.

Whilst currently in use to provide access to the application site and to the seven existing dwellings at Priory Chase, the existing section of road between the access gate and Priory Road is in unknown ownership. This portion of access track of around 25m in length is surfaced with both tarmac (at the junction) and brick weave paving (for the remaining length) and was originally approved as part of the development of the existing dwellings around Priory Chase (Application reference 2/83/3329/SU/F).

As an existing surfaced private drive which provides access to a number of existing dwellings and their parking area as well as to the application site itself, it is not considered reasonable or necessary (in terms of the tests of a condition) to further condition or otherwise control the maintenance of this part of the access track and obligate the applicants to maintain land that is not within their ownership. Furthermore, a condition should not be imposed if there is no reasonable prospect of it being complied with, as is considered to be the case here, because the applicants cannot guarantee that they can maintain the existing access going forward.

The applicant has served the correct certificates (certificate D because ownership is unknown) and it is considered, with a total of 5 new houses proposed, conditions can be used to control the maintenance of the new section of private road in perpetuity to a level that would be considered to accord with Policy DM15 of the SADMPP (2016). Whilst commenting that a maintenance agreement would be desirable, the Local Highway Authority have stated no objection to the control of the access track and have raised no highway safety objections. Any restrictions or other controls/covenants over use of the existing private drive would be civil matters.

Neighbour comments were submitted relating to the suitability of the access track to cater to increased traffic without knock on impacts on the safety of pedestrians or impacting on existing parking areas. These comments are noted however the proposal has not drawn objections from the Local Highway Authority on these grounds. The proposed plans provide sufficient area for turning of vehicles wholly within the site. The existing access is unrestricted in use and the impact of five dwellings accessed via this private road is considered unlikely to lead to any significant increase in highway safety impacts. The application is considered to comply with Policies CS08, CS11 and DM15 of the Local Plan.

Crime and Disorder There are no known crime and disorder impacts.

Other Material Considerations

A row of conifers along the west boundary of the site is proposed to be removed and replaced with close boarded fencing. These conifers are outside of the conservation area and not protected in their own right. Replacement trees are proposed to be planted to replace the trees lost across the site and the proposed plans have not drawn objections from the Arboricultural Officer. Conditions are recommended to ensure full details of proposed planting and soft landscaping are provided prior to the occupation of any dwellings.

The CAAP panel raised concern over the number of dwellings proposed on site, however the application has not drawn objections from the Conservation Officer. Whilst the comments provided by CAAP are noted, the application site is bound on all sides by modern development and therefore not immediately visible within the wider street scene. As discussed above, subject to suitable landscaping and soft boundary treatments the proposal is not considered likely to lead to harm to the significance of any designated heritage assets and accords with policy CS12.

CONCLUSION

The construction of 5 No. dwellings in this position, in a central part of Downham Market and in close proximity to the services and facilities provided in the Town Centre area is considered to accord with the policies of the Local Plan.

The application site gains access via a private track which is considered acceptable to cater for the additional traffic associated with the construction of 5 houses in this position.

The development accords with the provisions of the NPPF, Core Strategy Policies CS01, CS02, CS06, CS08, CS11 and CS12 of the LDF (2011) and Policies DM2, DM15 and DM16 of the SADMPP (2016).

It is therefore recommended that the application be approved subject to the following conditions.

RECOMMENDATION:

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

1 **Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

1 **Reason:** To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

2 **Condition:** The development hereby permitted shall be carried out in accordance with the following approved plans:

975/19 - 03 C

975/19 - 04 B

975/19 - 05

975/19 - 06

975/19 - 07 B

975/19 - 09 C

975/19 - 11

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

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

3 **Reason:** To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.

4 **Condition:** The development hereby permitted shall be completed in accordance with the Tree Report, written by Heritage Tree Specialists Ltd and Arboricultural Implications and Tree Protection Plan dated March 2021 and submitted as part of this application.

- 4 **Reason:** To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.
 - 5 **Condition:** Notwithstanding the details shown on the approved plan, prior to the first use/occupation of the development hereby permitted, 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.
 - 5 **Reason:** To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
 - 6 **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:
 - 1) 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;
 - 2) the location of any temporary buildings and compound areas;
 - 3) the location of parking areas for construction and other vehicles;
 - 4) the measures to be used to prevent the deposit of mud and other deleterious material on the public highway; and,
 - 5) a scheme for the management and signage of all construction traffic.
 - 6) The development of that phase shall be carried out in accordance with the approved construction management statement.
 - 6 **Reason:** In order that the Local Planning Authority may retain control over the construction activities in the interests of the amenities of the locality in accordance with the NPPF.
- This also needs to be a pre-commencement condition as this issue relates to the construction phase of the development.
- 7 **Condition:** Notwithstanding the details shown on the approved plans, no development shall take place on any external surface of the development hereby permitted until details of the type, colour and texture of all materials to be used for 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.
 - 7 **Reason:** To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
 - 8 **Condition:** No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.

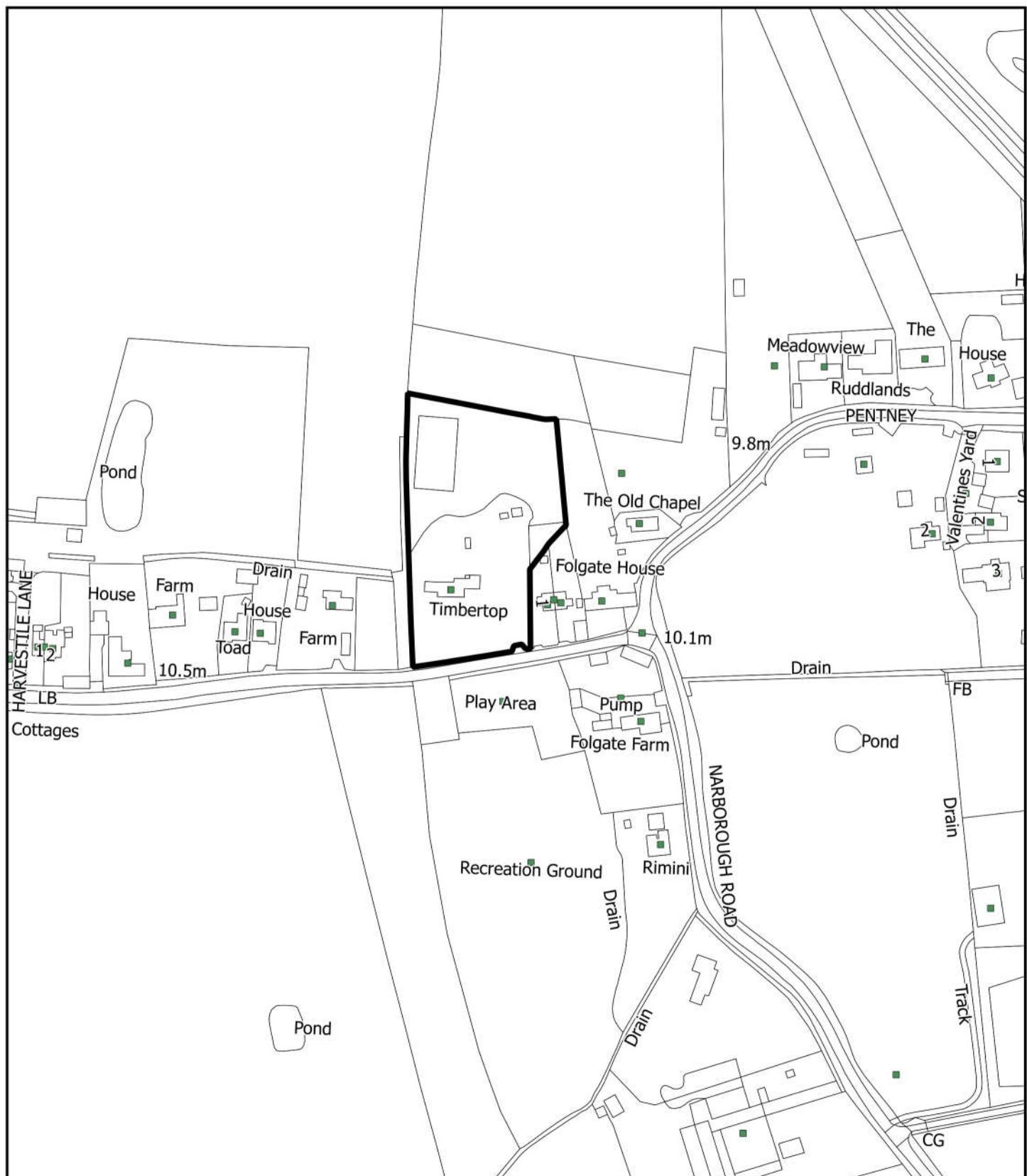
- 8 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

- 9 Condition: All ensuite, bathroom and cloakroom windows at ground and first floor level shall be obscured glazed and retained in that condition thereafter.
- 9 Reason: To protect the privacy and amenity of occupiers in accordance with Policy DM15 of the SADMP 2016.
- 10 Condition: No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed new private drive shown on dwg No. 975/19 - 03 Rev C have been submitted to and approved in writing by the Local Planning Authority. The roads shall thereafter be maintained in accordance with the approved management and maintenance details.
- 10 Reason: To ensure safe, suitable and satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable standard; and to accord with the provisions of the NPPF and Policies CS08 & CS11 of the NPPF.

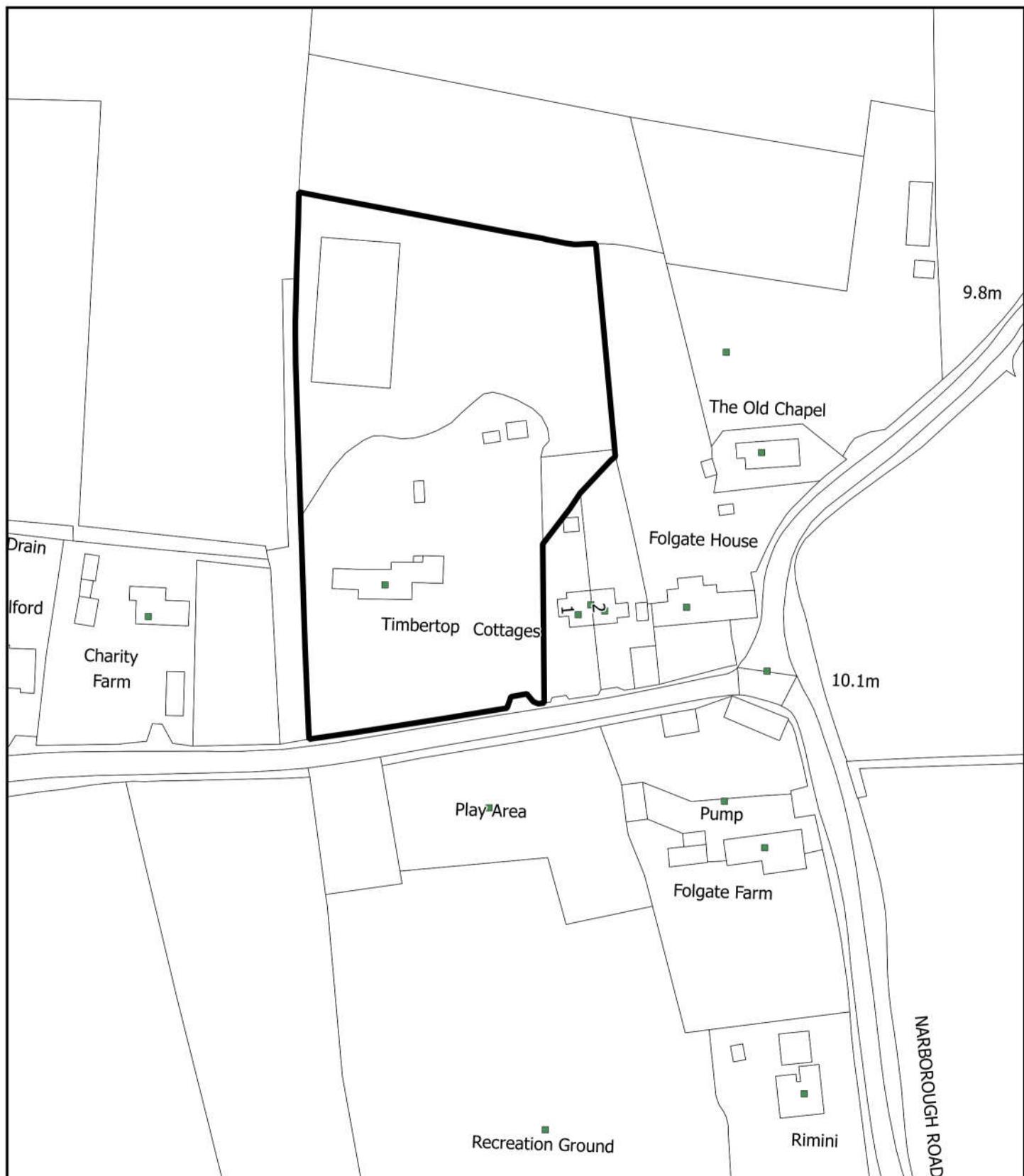
20/01942/F

Rosewood House Narborough Road Pentney



20/01942/F

Rosewood House Narborough Road Pentney



| | | |
|----------------------|--|--|
| Parish: | Pentney | |
| Proposal: | Erection of storage barn for commercial purposes | |
| Location: | Rosewood House Narborough Road Pentney KINGS LYNN | |
| Applicant: | Mr & Mrs Barnard | |
| Case No: | 20/01942/F (Full Application) | |
| Case Officer: | Lucy Smith | Date for Determination: 1 February 2021 |

Reason for Referral to Planning Committee – Officer recommendation is contrary to the views of the Parish Council & referred to Planning Committee by Sifting Panel

Neighbourhood Plan: No

Case Summary

The proposal is for the construction of a storage building on land to the rear of Rosewood House, Narborough Road, Pentney. The applicant seeks consent for the building to store machinery and parts for their business use.

Key Issues

Principle of Development
Highway Safety
Form and Character
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The proposal is for the construction of a storage building on land to the rear of Rosewood House, Narborough Road, Pentney. The applicant seeks consent for the building to store machinery and parts for their business use.

SUPPORTING CASE

The whole purpose of this building is to allow me to store my stock of Matbro telehandler parts as at 68 I am semi-retired (two or three days a week at most) and slowly running my business down. Matbro ceased manufacturing telehandlers in 1998. My customer base is the smaller farmer who will purchase replacement parts to maintain their machine as in these difficult economic times he is unable to afford the purchase of a new machine ranging from £50,000 to £80,000.

Regarding distribution most packages will be taken to the post office for dispatch, a larger parcel would go via TNT, generally speaking no more than once or twice a week. If there was a pallet I would take this myself to the distribution depot in Thetford.

If I need to purchase new parts these would be supplied by a manufacturer in Ely, or three companies in Gloucestershire as I do not undertake any manufacturing myself.

I am well aware of the proximity of my neighbours and therefore will be keeping any noise to the minimum. For the record I would just like to reiterate that this small business is strictly to store and distribute Matbro telehandler spare parts.

PLANNING HISTORY

20/00535/F: Application Permitted: 03/06/20 - Proposed extension to garage and minor internal alterations - Timbertop Narborough Road

RESPONSE TO CONSULTATION

Parish Council: OBJECT to this planning application for the following reasons :- Looks like an Industrial building within a residential area. If the roofing materials were changed to pantiles (not metal sheeting), the roller doors changed helping it to blend into a residential setting it might become more acceptable. Concern that if the business develops into a manufacturing type then industrial noise pollution could become unacceptable for such a residential setting. Shielding the barn with a yew hedge and yew tree will take years to establish before they successfully become a shield.

Highways Authority: NO OBJECTION subject to conditions controlling the use of the building and scale of commercial use

Arboricultural Officer: NO OBJECTION, recommended conditions relating to replacement planting

REPRESENTATIONS None received at time of writing

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2019

PLANNING CONSIDERATIONS

Principle of Development:

The proposal is for the construction of a storage building on land to the rear of a detached dwelling in Pentney. The building is proposed to be utilised, by the occupant of the dwelling, for the storage of telehandler parts. Business operations are proposed to be part time and small scale, however the scale of the building is such that it would be considered more than an incidental use.

The building is located wholly within the large curtilage of Rosewood House, to the rear of properties fronting Narborough Road and with open agricultural land further to the rear (north).

The creation, retention and expansion of rural enterprises is widely supported by policies at both a local and national level. As a building within the curtilage of an existing dwelling and operated in connection with the occupation of that dwelling, the proposed business is considered to be in a suitable location for the purposes of Policy CS10 of the Core Strategy (2011), subject to conditions relating to the use and operation of the business in association with the adjoining dwelling.

Highway Safety

The building is proposed to be accessed via a track to the side of the dwelling to the south of the site, with access to Narborough Road remaining as existing on site. The Local Highway Authority has stated no objection to this layout or the proposed use, subject to conditions controlling the use and operations of the building in connection with the dwelling.

The application therefore complies with policies CS08, CS11 and DM15 of the Local Plan in regards to highway safety.

Form and Character and Impact on Neighbours:

The building is proposed with width of 9m and depth of 13m and sited to the rear of the dwelling, adjacent to an existing tennis court and a minimum of 30m from site boundaries. Screening is provided by a large group of trees across the site. The building will be clad in timber with metal sheeting roof and roller shutter door which is considered appropriate for the proposed use and unlikely to lead to adverse impacts on the vicinity.

The Parish Council raised concern over the visual impact of the building and the proposed materials on the form and character of the area. These comments are noted, however the proposed building is of utilitarian design and appearance which is not considered to be out of context with the rural character of the immediate locality. The position of the building, to the rear of the dwellings fronting this part of Narborough Road further limits any opportunity for

adverse impacts on the street scene, as the existing dwelling and vegetation will provide significant screening.

As a storage use, there is limited opportunity for works/operations on site to pose a significant impact on the amenity of adjoining properties, which are located in excess of 60m to the south east and south west of the proposed unit. Conditions are however recommended to ensure that both the use of the building and hours of operation are adequately controlled to prevent any future expansion or any greater adverse impacts.

Other Material Impacts:

There are a number of trees on site, some of which will have to be removed to facilitate the construction of the building. The trees to be removed comprise a small group of pine trees and birch trees that are within the footprint of the proposed building. The majority of the trees indicated for removal have significant amounts of deadwood present throughout the crown, as identified by the tree survey. The Arboricultural Officer has raised no objections to the loss of these trees, requesting replacement planting which is recommended to be controlled via condition.

Crime and Disorder There are no known crime and disorder impacts.

CONCLUSION

The creation and expansion of rural enterprises is supported by policies at both a local and national level. The building is of limited scale and its position in relation to the adjacent dwelling and distanced from surrounding dwellings is considered suitable to mitigate any adverse impacts on adjoining properties and the form and character of the area. Conditions are recommended however to ensure that the building is only used for storage purposes in connection with the dwelling on site and to restrict the development from any future expansion which may have a greater impact on the locality.

Overall, the proposal is considered to comply with Policies CS06, CS08, CS10 and CS11 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

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:

*2094-10A

- 2 **Reason:** For the avoidance of doubt and in the interests of proper planning.
- 3 **Condition:** The storage building hereby approved shall be used for storage purposes only and be held and occupied in connection with the occupation of the dwelling known

as Rosewood House, Narborough Road, Pentney outlined in red on dwg. 2094-10A only and shall at no time be utilised or sold as a separate or unassociated unit.

- 3 Reason: For the avoidance of doubt and in the interests of the amenity of the locality in accordance with the NPPF.
- 4 Condition: The development hereby permitted shall be constructed in accordance with the recommendations and mitigation measures detailed in the Arboriculutral Survey and plan, written by S.P.Landscapes & Tree Contractors Ltd and submitted as part of this application.
- 4 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.
- 5 Condition: Prior to the first use of the development hereby permitted, a scheme detailing replacement trees shall be submitted to and approved in writing by the Local Planning Authority. These details 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.
- 5 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 6 Condition: All soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 6 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 7 Condition: The storage building hereby permitted shall only be used between the hours of 0900 - 1700 Monday to Friday and 0900 - 1200 on Saturdays and at no time on sundays or bank or public holidays unless otherwise approved in writing by the Local Planning Authority.
- 7 Reason: For the avoidance of doubt and in the interests of the amenities of the locality in accordance with the NPPF (2019).

PLANNING COMMITTEE – 12 JULY 2021

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the June Planning Committee Agenda and the July agenda. 136 decisions issued 128 decisions issued under delegated powers with 8 decided by the Planning Committee.
- (2) To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority's powers contained in the Town and Country Planning Act 1990 and have no financial implications.
- (3) This report does not include the following applications – Prior Notifications, Discharge of Conditions, Pre Applications, County Matters, TPO and Works to Trees in a Conservation Area
- (4) Majors are assessed against a national target of 60% determined in time. Failure to meet this target could result in the application being dealt with by Pins who will also receive any associated planning fee.

RECOMMENDATION

144

That the reports be noted.

Number of Decisions issued between 31/05/2021 – 23/06/2021

Agenda Item 9

| | Total | Approved | Refused | Under 8 weeks | Under 13 weeks | Performance % | National Target | Planning Committee decision | |
|--------------|------------|------------|----------|---------------|----------------|---------------|-----------------|-----------------------------|---------|
| | | | | | | | | Approved | Refused |
| Major | 3 | 2 | 1 | | 3 | 100% | 60% | 1 | 0 |
| Minor | 53 | 48 | 5 | 41 | | 77% | 80% | 3 | 1 |
| Other | 80 | 80 | 0 | 72 | | 90% | 80% | 3 | 0 |
| Total | 136 | 130 | 6 | | | | | | |

Planning Committee made 8 of the 136 decisions, 6%

PLANNING COMMITTEE – 12 JULY 2021

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority's powers contained in the Town and Country Planning Act 1990 and have no financial implications.

RECOMMENDATION

That the report be noted.

DETAILS OF DECISIONS

| DATE RECEIVED | DATE DETERMINED/ DECISION | REF NUMBER | APPLICANT PROPOSED DEV | PARISH/AREA |
|---------------|--|------------|---|--------------------|
| 18.12.2019 | 17.06.2021 Application Refused | 19/02166/F | Quaker Farm Bungalow 35 High Road Tilney cum Islington Norfolk Retrospective application for permission for a caravan occupied by agricultural worker and a caravan sited adjacent which is used for domestic storage | Tilney St Lawrence |
| 03.03.2020 | 07.06.2021 Application Permitted | 20/00336/F | Pebble Cottage Docking Road Burnham Market King's Lynn Erection of outbuilding/garage | Burnham Market |

| | | | | |
|------------|--|-------------|---|-------------|
| 15.06.2020 | 08.06.2021 Application Permitted | 20/00880/F | Park Farm Common Road West Bilney King's Lynn Change of use from barn to self-contained annex and renovation of grounds machine store | East Winch |
| 10.07.2020 | 10.06.2021 Application Refused | 20/01000/F | 5 Wellesley Street King's Lynn Norfolk Proposed residential development (6 Dwellings) following demolition of former vehicle service centre. | King's Lynn |
| 27.08.2020 | 11.06.2021 Application Permitted | 20/01344/F | 39 Gayton Road Grimston King's Lynn Norfolk Vertical and side extension to garage to form additional accommodation ancillary to main dwelling | Grimston |
| 06.10.2020 | 18.06.2021 Application Permitted | 20/01582/FM | Agricultural Buildnings Green Houses And Land N of Ashtree Cottage River Road West Walton Wisbech Change of use of land for the siting of a mobile office, workshop and temporary siting of a mobile home for residential purposes in connection with existing agricultural enterprise | West Walton |
| 26.10.2020 | 14.06.2021 Application Permitted | 20/01644/OM | Land SE of Helian House Walnut Road Walpole St Peter Norfolk OUTLINE APPLICATION ALL MATTERS RESERVED: For residential development (Indicative layout shows 11 dwellings) | Walpole |

| | | | | |
|------------|--|-------------|---|-----------------------|
| 26.10.2020 | 17.06.2021 Application Permitted | 20/01647/RM | Land Between Bimbos Ark And 15 Station Road Walpole Cross Keys Norfolk RESERVED MATTERS: Erection of two dwellings | Walpole Cross Keys |
| 03.11.2020 | 03.06.2021 Application Permitted | 20/01711/F | Land Rear of 57 Chapel Road Terrington St Clement Norfolk Proposed Residential Development involving the demolition of glasshouses and garage | Terrington St Clement |
| 09.11.2020 | 25.06.2021 Application Permitted | 20/01851/F | Methwold Poultry Farm Brandon Road Methwold THETFORD Proposed 2 x agricultural dwellings | Methwold |
| 16.11.2020 | 04.06.2021 Application Permitted | 20/01800/F | The Bungalow Waterworks Road Old Hunstanton HUNSTANTON REMOVAL OR VARIATION OF CONDITION 2 OF PLANNING PERMISSION 19/02140/F: Construction of 2 dwellings following demolition of existing bungalow | Old Hunstanton |
| 24.11.2020 | 03.06.2021 Application Permitted | 20/01856/RM | Oak And Ash Market Lane Walpole St Andrew Wisbech Reserved Matters: Construction of 4 dwellings. | Walpole Cross Keys |
| 27.11.2020 | 07.06.2021 Application Permitted | 20/01990/F | Fourmiles Developments (Former Granary Site) Choseley Road Docking KINGS LYNN Variation of Conditions attached to planning permission 20/00099/F to vary house positions | Docking |

| | | | | |
|------------|--|------------|---|----------------|
| 15.12.2020 | 17.06.2021 Application Permitted | 20/02060/F | Cockshell Oxborough Road Stoke Ferry King's Lynn Replacement of existing dwelling and garage with new dwelling and garage | Stoke Ferry |
| 18.12.2020 | 15.06.2021 Application Refused | 20/02098/F | Samphire Developments (Norfolk) Container Storage Coaly Lane Ingoldisthorpe Norfolk Installation of further 24 storage containers to existing site to allow total of 65 storage containers and associated works | Ingoldisthorpe |
| 21.12.2020 | 28.06.2021 Application Permitted | 20/02121/F | Cooks Butchers 14 School Road West Walton Wisbech Demolition of existing butcher shop and erection of 2No. two-storey three bedroom semi-detached dwellings | West Walton |
| 24.12.2020 | 01.06.2021 Application Permitted | 20/02105/F | Mill House Cottage Mill Road Brancaster King's Lynn Demolition of kitchen, bathroom and glazed front entrance porch. Lower existing kitchen floor down to level of sitting room. Construct two storey side extension comprising new kitchen, first floor bathroom and two storey stair enclosure . Add dormer to west facing roof plane and new entrance porch | Brancaster |
| 04.01.2021 | 04.06.2021 Application Permitted | 21/00042/F | Cherry Ridge Docking Road Great Bircham King's Lynn Proposed cart shed serving new dwelling adjacent to Cherry Ridge | Bircham |

| | | | | |
|------------|--|------------|--|----------------|
| 20.01.2021 | 10.06.2021 Application Permitted | 21/00098/F | 16 Smallholdings Road Clenchwarton King's Lynn Norfolk Single storey side extension and annexe extension | Clenchwarton |
| 01.02.2021 | 10.06.2021 Application Permitted | 21/00158/F | 33A Downham Road Outwell WISBECH Norfolk Proposed dwelling and garage building | Outwell |
| 05.02.2021 | 04.06.2021 Application Permitted | 21/00207/F | Sports Pavillion - Snettisham Memorial Field Old Church Road Snettisham Norfolk Additional floor to be added to existing Pavilion | Snettisham |
| 08.02.2021 | 17.06.2021 Application Permitted | 21/00219/F | Orchard Cottage Main Road Titchwell King's Lynn Extension and refurbishment of existing dwelling house | Titchwell |
| 08.02.2021 | 25.06.2021 Application Permitted | 21/00308/F | 4 Harbour View Terrace Main Road Brancaster Staithes Norfolk Single storey extension to existing Annex Outbuilding | Brancaster |
| 09.02.2021 | 10.06.2021 Application Refused | 21/00343/F | 21 Post Office Road Dersingham King's Lynn Norfolk Change of use of grass area to domestic garden with erection of enclosing fence. | Dersingham |
| 10.02.2021 | 25.06.2021 Application Permitted | 21/00242/F | The Chalet 40 Priory Road Downham Market Norfolk Two storey side extension and single storey side and rear extensions and alterations to existing dwelling | Downham Market |

| | | | | |
|------------|--|-------------|---|----------------|
| 15.02.2021 | 03.06.2021 Application Permitted | 21/00273/LB | 19 Lynn Road Downham Market Norfolk PE38 9NJ LISTED BUILDING APPLICATION: Single Storey Rear Extension | Downham Market |
| 17.02.2021 | 08.06.2021 Application Permitted | 21/00291/F | 25 Linford Estate Clenchwarton King's Lynn Norfolk Extension and Re-roofing. | Clenchwarton |
| 17.02.2021 | 16.06.2021 Application Permitted | 21/00403/A | 25 Lighthouse Lane Hunstanton Norfolk PE36 6EN ADVERT APPLICATION: 2 x Non-illuminated signs attached to walls | Hunstanton |
| 18.02.2021 | 16.06.2021 Application Permitted | 21/00303/F | Field To Southern Side of Beach Road Snettisham Norfolk New farm house to serve Paper Hall Farm, including revised entrance track, new services and drainage | Snettisham |
| 22.02.2021 | 10.06.2021 Application Permitted | 21/00321/F | Formerly The Pastures 6 Choseley Road Thornham Norfolk REMOVAL OR VARIATION OF CONDITION 1 OF PLANNING PERMISSION 20/01337/F | Thornham |
| 22.02.2021 | 16.06.2021 Application Permitted | 21/00323/F | Court House College Lane King's Lynn Norfolk Installation of 2no. external heat pump units along with high acoustic screen and associated builders work | King's Lynn |

| | | | | |
|-----------------------|--|-------------|---|--------------------|
| 22.02.2021 151 | 18.06.2021 Application Permitted | 21/00324/LB | Court House College Lane King's Lynn Norfolk Listed building application to install new plant along with replacement and refurbishment of existing ventilation, heating and cooling equipment. Proposed external works to include the installation of 2no new floor mounted condenser units within rear courtyard. Works required to make courts more Covid 19 safe. | King's Lynn |
| 22.02.2021 | 04.06.2021 Application Permitted | 21/00325/F | Marshfield 11 Trinity Road Marshland St James Norfolk REMOVAL OR VARIATION OF CONDITION 2 OF PLANNING PERMISSION 17/01898/F: Proposed New Dwelling and Associated Works | Marshland St James |
| 22.02.2021 | 25.06.2021 Application Permitted | 21/00328/F | Land South of Back Lane Pott Row Norfolk Improved field access | Grimston |
| 24.02.2021 | 18.06.2021 Application Permitted | 21/00466/CU | The Cottage 15 Leziate Drove Pott Row King's Lynn Change of Use for an existing building into a short term holiday let. | Grimston |
| 25.02.2021 | 15.06.2021 Application Permitted | 21/00480/F | 1, 2, 3, 4, 5, 6 Oulsham Drove Southery Road Feltwell Norfolk 6 new replacement dwelling houses | Feltwell |

| | | | | |
|------------|--|----------------|---|---------------|
| 01.03.2021 | 17.06.2021 Prior Approval - Approved | 21/00512/PACU6 | Natural Interiors 54 Back Lane West Winch Norfolk Change of use from A1 Retail to A3 Takeaway Pizza outlet | West Winch |
| 02.03.2021 | 10.06.2021 Application Permitted | 21/00393/F | The Gables 5 Priory Lane South Wootton King's Lynn Proposed alterations, conversion of garage to living accommodation. Front and rear extensions. First floor bedroom, en-suite, bathroom and playroom extension. | South Wootton |
| 02.03.2021 | 23.06.2021 Application Permitted | 21/00396/F | Long Acre March Road Welney Norfolk Replacement dwelling with attached annex | Welney |
| 03.03.2021 | 04.06.2021 Application Permitted | 21/00404/F | The Hollies 61 Low Road Grimston King's Lynn Extension and Loft Conversion to Main House, Conversion and Extension of Garage to form Annexe. | Grimston |
| 03.03.2021 | 23.06.2021 Application Permitted | 21/00561/F | Leenane Gong Lane Burnham Overy Staithes King's Lynn Extensions and alterations to a dwelling with detached garage. | Burnham Overy |
| 04.03.2021 | 14.06.2021 Application Permitted | 21/00420/F | 80 Ferry Road West Lynn King's Lynn Norfolk Outbuilding to store Householder's Caravan and Vintage Cars | King's Lynn |
| 04.03.2021 | 03.06.2021 Application Permitted | 21/00562/F | The Orange Tree High Street Thornham Norfolk Proposed Acoustic Fence | Thornham |

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| 05.03.2021 | 18.06.2021 Application Permitted | 21/00430/RM | Land SW of 146 And W of 145 Smeeth Road Marshland St James Norfolk RESERVED MATTERS: Erection of one dwelling (Plot 1) | Marshland St James |
| 05.03.2021 | 25.06.2021 Application Permitted | 21/00574/F | The Myrtles Pius Drove Upwell Wisbech Construction of weighbridge office, welfare facilities and provision of sampling laboratory with associated office | Outwell |
| 08.03.2021 | 14.06.2021 Application Permitted | 21/00433/F | 7 Lodge Road Feltwell Thetford Norfolk Extension to rear of dwelling | Feltwell |
| 08.03.2021 | 08.06.2021 Application Permitted | 21/00440/F | Compass Cottage Gong Lane Burnham Overy Staithes King's Lynn Two storey extension to existing house | Burnham Overy |
| 08.03.2021 | 07.06.2021 Application Permitted | 21/00441/F | Ambala 39 Brow of The Hill Leziate King's Lynn Proposed 1.5m high wall at front boundary to include brick columns and railings. 1.5m high front gate. | Bawsey |

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| | 08.03.2021 | 16.06.2021 Application Permitted | 21/00443/F | Former Telephone Exchange Car Park Paradise Road King's Lynn Norfolk REMOVAL OR VARIATION OF CONDITION 2 OF PLANNING PERMISSION 20/00588/F: The proposal is for the replacement of the roof pod as part of the approved application 07/01985/FM - Construction of 12 Flats at Land at Paradise Road, King's Lynn, Norfolk approved on 17/12/2007, with two additional flats | King's Lynn |
| 15 | 08.03.2021 | 11.06.2021 GPD HH extn - Not Required | 21/00599/PAGPD | Gael Cottage 16 The Avenue Brookville Thetford Enlargement of dwellinghouse by construction of additional storey increasing the height by 2.81m | Methwold |
| | 09.03.2021 | 23.06.2021 Would be Lawful | 21/00453/LDP | The Old School High Street Ringstead Hunstanton Lawful Development Certificate: Completely remove old broken tarmac from around the house. Create a fenced in garden area. Lay a new gravel drive. Create a border between our neighbors property and our own. | Ringstead |
| | 09.03.2021 | 28.06.2021 Application Refused | 21/00460/FM | STREET RECORD Jensons Way Whittington Norfolk Phased development of 10 dwellings on land on Whittington Hill, using existing entrance and adopted entrance from Methwold Road | Northwold |

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| 11.03.2021 | 25.06.2021 Application Permitted | 21/00470/F | Wellington Lodge Farm Thetford Road Northwold THETFORD VARIATION OF A CONDITION 5 of Planning Permission 20/00852/F: to amend wording of condition to enable the provision of vehicular signage (amended description). | Northwold |
| 11.03.2021 | 07.06.2021 Application Permitted | 21/00473/F | 10 Grantly Court King's Lynn Norfolk PE30 4TN Alterations & Extension to 10 Grantly Court | King's Lynn |
| 11.03.2021 | 09.06.2021 Application Permitted | 21/00477/F | 26 Broadlands The Street Syderstone King's Lynn Extensions and alterations inc. new boundary wall | Syderstone |
| 12.03.2021 | 22.06.2021 Application Permitted | 21/00673/F | Field Barn Field Barn Lane South Runcton KINGS LYNN REMOVAL OR VARIATION OF CONDITION 2 OF PLANNING PERMISSION 11/01742/F: Conversion of barn to Dwelling - revised design (retrospective) | Runcton Holme |
| 16.03.2021 | 18.06.2021 Application Permitted | 21/00514/F | 3 Folly Grove King's Lynn Norfolk PE30 3AF Single story garage/store and office extension | King's Lynn |
| 16.03.2021 | 11.06.2021 Application Permitted | 21/00515/F | 67 Wootton Road Gaywood King's Lynn Norfolk Proposed two storey rear and side extension. | King's Lynn |

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| 16.03.2021 | 10.06.2021 Application Permitted | 21/00516/F | 246 Smeeth Road Marshland St James Wisbech Norfolk Single storey extension to rear of dwelling | Marshland St James |
| 16.03.2021 | 25.06.2021 Application Permitted | 21/00517/F | 3 Hallfields Shouldham King's Lynn Norfolk Proposed detached double garage | Shouldham |
| 16.03.2021 | 04.06.2021 Application Permitted | 21/00520/F | 12 Stocks Close Great Bircham King's Lynn Norfolk Variation of condition 2 of planning permission 14/00955/F to regularise drawings | Bircham |
| 17.03.2021 | 11.06.2021 Application Permitted | 21/00527/F | Whitecross Green Lane Walsoken Norfolk Two storey extension to side of dwelling | Walsoken |
| 17.03.2021 | 14.06.2021 Application Permitted | 21/00530/F | 12 Princess Drive Hunstanton Norfolk PE36 5JG Single storey front porch and WC extension. Staircase to rear. | Hunstanton |
| 17.03.2021 | 14.06.2021 Application Permitted | 21/00535/BT | Locations In Greevegate, Hunstanton Removal of BT Payphones (2) | Hunstanton |
| 17.03.2021 | 08.06.2021 Application Permitted | 21/00708/CU | Vacant 30 - 34 Broad Street King's Lynn Norfolk Change of Use from Use Class E(a) to Use Class E(c) | King's Lynn |
| 17.03.2021 | 10.06.2021 Application Permitted | 21/00726/F | 25 Church Lane Heacham King's Lynn Norfolk Garage conversion and extension | Heacham |
| 18.03.2021 | 16.06.2021 Application Permitted | 21/00727/F | Elliott House Hunters Drove Marshland St James WISBECH Agricultural implement store | Marshland St James |

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| 18.03.2021 | 17.06.2021 Application Permitted | 21/00747/CU | Buildings S of The Bungalow And W of Common Lane Common Lane Southery Norfolk Change of Use of 2 barns associated with storage and distribution of salvaged/reclaimed building materials to mixed use to include the sales of recycled motorcycle parts and minor light repairs and valeting of vehicles. | Southery |
| 22.03.2021 | 14.06.2021 Application Permitted | 21/00553/F | 24 Winston Drive South Creake Norfolk NR21 9PS Side extension comprising utility room and play room at ground floor and bedroom with ensuite at first floor | South Creake |
| 22.03.2021 | 23.06.2021 Application Permitted | 21/00559/F | 35 Hall View Road Gaywood King's Lynn Norfolk Timber framed garden building for use as residential annexe | King's Lynn |
| 22.03.2021 | 11.06.2021 Application Permitted | 21/00750/F | Southgate House Southgate South Creake Fakenham Replacement of existing timber fence with new masonry wall | South Creake |
| 23.03.2021 | 08.06.2021 Application Permitted | 21/00564/F | Cliff Barn 64 Old Hunstanton Road Old Hunstanton Hunstanton Ground floor extension incorporating outbuilding | Old Hunstanton |

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| 24.03.2021 | 02.06.2021 Hedge Application - no objection | 21/00052/HEDGE | Hill Farm Boughton Long Road Barton Bendish King's Lynn Hedgerows to be removed to incorporate two small field parcels unable to be efficiently managed with modern agricultural machinery into two existing larger field parcels | Barton Bendish |
| 24.03.2021 | 02.06.2021 Application Permitted | 21/00576/F | 36 Sluice Road Wiggenhall St Germans King's Lynn Norfolk Proposed Extension and Alterations | Wiggenhall St Germans |
| 24.03.2021 | 15.06.2021 Application Permitted | 21/00578/F | 3 Beechey Close Denver Downham Market Norfolk Single storey rear and side extension | Denver |
| 25.03.2021 | 18.06.2021 Application Permitted | 21/00583/F | 31 Westland Chase West Winch King's Lynn Norfolk Variation of Condition 2 of Planning Permission 19/01465/F: Proposal for steel detached storage shed | West Winch |
| 25.03.2021 | 04.06.2021 Application Permitted | 21/00584/F | Formerly King's Lynn Scales Austin Fields Austin Fields Industrial Estate King's Lynn Replacement of existing sectional concrete building with a steel portal frame with insulated cladding cover | King's Lynn |
| 25.03.2021 | 04.06.2021 Application Permitted | 21/00586/F | Saltwater 16B Wodehouse Road Old Hunstanton Norfolk Extensions and alterations to dwelling | Old Hunstanton |

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| 25.03.2021 | 25.06.2021 Application Permitted | 21/00746/F | William George Sand & Gravel Limited Mill Drove Blackborough End Norfolk Change of use to existing concrete pad, currently used for external storage, to support new portal framed storage building. Re-locate existing self storage units to sit adjacent to proposed new portal framed storage building. Form new dedicated access within the site to gain access to the re-located self storage units | Middleton |
| 25.03.2021 | 02.06.2021 Application Permitted | 21/00764/F | 68A Bexwell Road Downham Market Norfolk PE38 9LH Extensions and Alterations to dwelling | Downham Market |
| 26.03.2021 | 17.06.2021 Application Permitted | 21/00596/F | Charnwood 12 Cedar Grove North Runcion King's Lynn Retrospective new enclosed porch to side of dwelling | North Runcion |
| 26.03.2021 | 23.06.2021 Application Permitted | 21/00771/F | Orange House 53 Malthouse Crescent Heacham King's Lynn Extensions and alterations to dwelling, conversion of outbuilding and proposed cart shed. | Heacham |
| 29.03.2021 | 22.06.2021 Not Lawful | 21/00602/LDE | Still Meadows River Road West Walton Norfolk Lawful Development Certificate: Equestian use, erection of stable block and siting of residential caravan | West Walton |

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| 29.03.2021 | 22.06.2021 Application Permitted | 21/00606/F | Land To Rear of Pumping Station Bonnets Lane Marshland St James Wisbech VARIATION OF CONDITIONS 2 AND 3 of Planning Permission 20/01845/F: Proposed Residential Dwelling and associated works | Marshland St James |
| 29.03.2021 | 22.06.2021 Permitted Development <u>App not reqd</u> | 21/00608/LB | 7 St Johns Terrace Blackfriars Road King's Lynn Norfolk LISTED BUILDING APPLICATION: Turning the current wash closet into an en-suite for the master bedroom. Replacing the rear bathroom window for a like for like replacement due to rotten frame. Adding additional waste pipe to rear facade to join current downpipe for the waste for the en-suite. Removing Artex on some ceilings in replace for a smooth plastered finish and install traditional cornicing. | King's Lynn |
| 29.03.2021 | 17.06.2021 Application Permitted | 21/00613/F | 69 High Street Northwold Thetford Norfolk Proposed single storey rear extension and conversion of an outbuilding to a granny annexe / guest bedroom | Northwold |

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| 30.03.2021 | 10.06.2021 Application Permitted | 21/00625/F | Stave Farm 3 Chapel Road Pott Row King's Lynn VARIATION OF CONDITION 1 of Planning Permission: 19/01680/RMM: to make changes for proposed house type Plots 10, 14 and 15. | Grimston |
| 30.03.2021 | 18.06.2021 Application Permitted | 21/00626/F | Jubilee Hall Farm Jubilee Hall Lane Gayton KINGS LYNN VARIATION OF CONDITION 2 of Planning Permission 19/00195/F: to change drawings | Gayton |
| 31.03.2021 | 08.06.2021 Application Permitted | 21/00632/F | Castle View Cuckstool Lane Castle Acre KINGS LYNN Proposed Garden Shed (permitted development removed under condition 6 of 18/01053/F) | Castle Acre |
| 31.03.2021 | 16.06.2021 Application Permitted | 21/00634/F | Donnadell Howdale Road Downham Market Norfolk Variation of Condition 1 of Planning Permission 21/00109/F: Variation of Condition 2 attached to Planning Permission 19/01944/F: Construction of two dwellings and garages following demolition of existing bungalow | Downham Market |
| 31.03.2021 | 07.06.2021 Application Permitted | 21/00635/F | Church End House Lynn Road Middleton King's Lynn Variation to fenestration from original extension approval | Middleton |
| 31.03.2021 | 11.06.2021 Application Permitted | 21/00795/F | 9 Walkers Close Creake Road Burnham Market Norfolk Proposed Single Storey Side Extension. | Burnham Market |

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| 01.04.2021 | 07.06.2021 Application Permitted | 21/00640/F | 8 Branodunum Brancaster King's Lynn Norfolk Rear and front extensions | Brancaster |
| 01.04.2021 | 22.06.2021 Application Permitted | 21/00813/LB | The Old Swan 5 School Road Great Massingham King's Lynn LISTED BUILDING CONSENT: Demolition of existing conservatory and installation of wall mounted retractable awning | Great Massingham |
| 06.04.2021 | 18.06.2021 Application Permitted | 21/00648/F | 31 Ferry Road Clenchwarton King's Lynn Norfolk Extension allowing for bedrooms and family space, and a garage extension allowing for extra storage and working space | Clenchwarton |
| 06.04.2021 | 07.06.2021 Application Permitted | 21/00650/F | Thorpe Farmhouse 12 New Road Shouldham King's Lynn Single storey extension to front of existing dwelling | Shouldham |
| 06.04.2021 | 11.06.2021 Application Permitted | 21/00654/F | The Old School Narborough Road Pentney King's Lynn Car barn extension to existing garage | Pentney |
| 06.04.2021 | 11.06.2021 Application Permitted | 21/00659/F | Willow Bank 20 Common Lane North Runcion KINGS LYNN Replacement porch and alterations to front elevation | North Runcion |
| 06.04.2021 | 25.06.2021 Application Permitted | 21/00842/O | 13 Mill Lane Southery Downham Market Norfolk OUTLINE APPLICATION ALL MATTERS RESERVED: Proposed dwelling | Southery |

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| 07.04.2021 | 21.06.2021 Application Permitted | 21/00672/F | Long Acre Downham Road Fincham King's Lynn Variation of Condition 2 of Planning Permission: 18/01756/F: Proposed single and two storey extensions, internal alterations, and new driveway surfacing with layout alterations | Fincham |
| 07.04.2021 | 10.06.2021 Prior Approval - Approved | 21/00823/PACU3 | Holme Farm King John Bank Walpole St Andrew Wisbech Application to determine if prior approval is required for proposed change of use from agricultural store to 3 dwellings (Schedule 2, Part 3, Class Q) | Walpole |
| 07.04.2021 | 16.06.2021 Application Permitted | 21/00854/F | 10 The Lovells Emneth Wisbech Norfolk Side extension to link dwelling and detached garage, and alterations and conversion of garage to habitable accommodation. | Emneth |
| 09.04.2021 | 11.06.2021 Application Permitted | 21/00686/F | 33 Sunnyside Road Great Massingham KINGS LYNN Norfolk 2 storey side extension. | Great Massingham |
| 09.04.2021 | 23.06.2021 GPD HH extn - Not Required | 21/00804/PAGPD | Cambridge House 36 High Street Feltwell Thetford Single storey rear extension which extends beyond the rear wall by 7.5 metres with a maximum height of 2.65 metres and a height of 2.4 metres to the eaves | Feltwell |

161

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| 09.04.2021 | 21.06.2021 Application Permitted | 21/00867/LB | Downham Market Railway Station Railway Road Downham Market Norfolk The installation of 2No new customer information system (CIS) screens to the Platform 2 waiting room (interior and exterior) 1No replacement CIS screen to the Platform 2 waiting room exterior and associated cabling. | Downham Market |
| 09.04.2021 | 02.06.2021 Would be Lawful | 21/00879/LDP | 1 The Mews Church Terrace Outwell Norfolk Application for a Lawful Development Certificate for proposed single storey extension to dwelling | Outwell |
| 12.04.2021 | 04.06.2021 Application Permitted | 19/02109/NMA_1 | Cherry Trees Church Walk Burnham Market King's Lynn NON-MATERIAL AMENDMENT of Planning Permission 19/02109/F: Demolition of an existing dwelling and replacement with a pair of link detached dwelling and associated external works | Burnham Market |
| 12.04.2021 | 18.06.2021 Application Permitted | 21/00700/F | 44 Civray Avenue Downham Market Norfolk PE38 9TR Demolition of existing boundary wall, reposition and rebuild | Downham Market |
| 12.04.2021 | 11.06.2021 Application Permitted | 21/00701/F | 7 Choseley Road Brancaster King's Lynn Norfolk Single storey side/rear extension | Brancaster |

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| 12.04.2021 | 10.06.2021 GPD HH extn - Not Required | 21/00806/PAGPD | 30 Britton Close Watlington King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 4.250 metres with a maximum height of 3.075 metres and a height of 2.325 metres to the eaves. | Watlington |
| 12.04.2021 | 04.06.2021 Prior Approval - Approved | 21/00820/PACU1 | Vancouver House County Court Road King's Lynn Norfolk Notification for Prior Approval for change of use of 1st 2nd and 3rd floors from offices to 24 Residential Flats | King's Lynn |
| 14.04.2021 | 23.06.2021 Application Permitted | 21/00714/F | 16 Foxs Lane West Lynn King's Lynn Norfolk Detached double Garage | King's Lynn |
| 15.04.2021 | 08.06.2021 Prior Approval - Approved | 21/00821/PACU1 | Bruce And Co Accountants 4 Ulph Place Burnham Market Norfolk Application to determine if prior approval is required for proposed change of use from office to dwelling (Schedule 2, Part 3, Class O) | Burnham Market |
| 16.04.2021 | 11.06.2021 Application Permitted | 21/00914/F | Windy Ridge Fakenham Road Docking King's Lynn Extension and alterations to dwelling. | Docking |

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| 19.04.2021 | 03.06.2021 TPO Approved | Work | 21/00043/TPO | The Rectory 5 New Road Upwell Wisbech 2/TPO/00194 T1, Willow - crown reduction. T2, Ash - crown lift approx. 1 m and reduction approx 1.5 m. T3, Silver Birch - reduce crown approx. 1.5 m. T4, Elaeagnus Limelight, crown reduction approx 1.5 m, within a Conservation Area. | Upwell |
| 19.04.2021 | 25.06.2021 Application Permitted | | 21/00735/F | 73 Hythe Road Methwold Thetford Norfolk Rear Single Storey Extension to replace Existing Conservatory | Methwold |
| 19.04.2021 | 23.06.2021 Application Permitted | | 21/00737/F | Rowan House 74 Hall Lane West Winch King's Lynn Proposed two storey side extension, single storey front extension, infill extension, existing garage conversion, internal alterations and rendering of the existing building | West Winch |
| 19.04.2021 | 25.06.2021 Application Permitted | | 21/00740/F | 124 Wootton Road Gaywood King's Lynn Norfolk Alterations to existing conservatory & out building to form new flat roofed kitchen, dayroom, utility and gym | King's Lynn |
| 19.04.2021 | 18.06.2021 Application Permitted | | 21/00927/F | West of 71 St Peters Road Upwell Wisbech Norfolk Timber mooring, concrete steps and handrail. | Upwell |

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| 20.04.2021 | 21.06.2021 Application Permitted | 21/00756/F | Old School Hall Upgate Street Southery Downham Market Single storey rear/side wrap around extension | Southery |
| 20.04.2021 | 28.06.2021 Application Permitted | 21/00939/F | Downham Market Railway Station Railway Road Downham Market Norfolk Installation of 10 no. artwork panels to the existing fencing on Platform 1 | Downham Market |
| 21.04.2021 | 03.06.2021 Tree Application - No objection | 21/00084/TREECA | Burnham Westgate Hall 1 Market Place Burnham Market Norfolk T1 Oak Tree - Fell, because excessive shading, starting to uproot on half of the trunk and leaning towards the Old historical hall within a conservation area | Burnham Market |
| 21.04.2021 | 25.06.2021 Application Permitted | 21/00769/F | Wolvesey 92 Nursery Lane South Wootton King's Lynn Retention of proposed outbuilding. | South Wootton |
| 21.04.2021 | 25.06.2021 Application Permitted | 21/00949/F | 11 Kings Road Hunstanton Norfolk PE36 6EU Single storey porch, extension to garage and alterations to dwelling | Hunstanton |
| 22.04.2021 | 25.06.2021 Application Permitted | 21/00779/F | 54 Monks Close Bircham Newton King's Lynn Norfolk Single storey rear extension | Docking |
| 22.04.2021 | 16.06.2021 Application Permitted | 21/00781/F | 21 Langridge Circle Watlington Norfolk PE33 0UF Proposed single storey rear extension | Watlington |

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| 23.04.2021 | 23.06.2021 Application Permitted | 21/00790/F | Bramble Cottage 34 Magdalen Road Tilney St Lawrence King's Lynn Creation of a drop kerb to allow vehicular access to the property | Tilney St Lawrence |
| 23.04.2021 | 25.06.2021 Application Permitted | 21/00791/F | Church Bank House Church Bank Terrington St Clement King's Lynn Demolition of Existing Conservatory and replace with new a Conservatory | Terrington St Clement |
| 23.04.2021 | 17.06.2021 Application Permitted | 21/00792/A | Donatos Takaway The Street Marham King's Lynn Proposed box sign above main entrance door - Signs to side of entrance. | Marham |
| 26.04.2021 | 17.06.2021 Application Permitted | 21/00800/F | Riverside Business Centre Cross Bank Road King's Lynn Norfolk Variation of condition 25 of planning permission 20/00694/F to change allowance of daily movements | King's Lynn |
| 26.04.2021 | 07.06.2021 GPD HH extn - Not Required | 21/00825/PAGPD | Little Ketlam Low Road Pentney King's Lynn Single Storey rear extension which extends beyond the rear wall by 5 metres with a maximum height of 4 metres and a height of 3.5 metres to the eaves. | Pentney |

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| 27.04.2021 | 09.06.2021 TPO Approved | Work | 21/00046/TPO | Gaywood Hall Gaywood Hall Drive Gaywood King's Lynn 2/TPO/328: Oak (T5) Remove lowest large damaged limb and Sycamore (G2) Reduce height of Ivy covered stem by up to 5m to leave at 10m or higher | King's Lynn |
| 27.04.2021 | 17.06.2021 Application Permitted | | 21/00807/F | Rose Cottage Lynn Road Gayton King's Lynn Two storey rear extension | Gayton |
| 27.04.2021 | 22.06.2021 Application Permitted | | 21/00809/F | Deerwood St Andrews Lane Congham King's Lynn Proposed Porch at Deerwood, St. Andrews Lane, Congham, King's Lynn PE32 1DY | Congham |
| 27.04.2021 | 24.06.2021 Application Permitted | | 21/00812/F | The Old Swan 5 School Road Great Massingham King's Lynn Demolition of existing conservatory and installation of wall mounted retractable awning | Great Massingham |
| 27.04.2021 | 15.06.2021 Application Permitted | | 21/00814/CU | Land Behind 256 - 294 Main Road Clenchwarton KINGS LYNN Norfolk Proposed change of use of agricultural land to residential land | Clenchwarton |
| 27.04.2021 | 22.06.2021 Application Permitted | | 21/00993/F | 9 Howdale Rise Downham Market Norfolk PE38 9AJ Extension & alterations to dwelling | Downham Market |
| 28.04.2021 | 04.06.2021 AG Notification NOT REQD | Prior - | 21/00843/AG | Agricultural Buildings At Chalkpit Road Titchwell Norfolk Agricultural Prior Notification: General Purpose Building | Titchwell |

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| 29.04.2021 | 24.06.2021 Application Permitted | 21/00830/F | West Norfolk Rugby Football Club Gatehouse Lane North Wootton King's Lynn PROPOSED TWO STOREY FRONT EXTENSION TO CREATE NEW LIFT ACCESS & INTERNAL ALTERATIONS | North Wootton |
| 29.04.2021 | 24.06.2021 Application Permitted | 21/00837/F | 16 Strachan Close Heacham King's Lynn Norfolk Utility and shower room extension. Replacement porch. Rebuild garage to larger size including craft room. | Heacham |
| 29.04.2021 | 08.06.2021 Prior Approval - Refused | 21/00846/PACU5 | North Lynn Farm Estuary Road King's Lynn Norfolk Prior Approval: Change of use from agricultural building to workshop/office | King's Lynn |
| 29.04.2021 | 24.06.2021 Application Permitted | 21/01006/F | 33 Hunstanton Road Dersingham King's Lynn Norfolk Proposed porch to front elevation | Dersingham |
| 04.05.2021 | 23.06.2021 Application Permitted | 21/00857/F | Land East of Bradford House Bustards Lane Walpole St Andrew Norfolk RETROSPECTIVE PLANNING APPLICATION for a Pond. | Walpole Cross Keys |
| 10.05.2021 | 08.06.2021 Application Permitted | 19/02158/NMA_1 | 15 Kent Road King's Lynn Norfolk PE30 4AF NON-MATERIAL AMENDMENT OF Planning Permission 19/02158/F: Two Storey Extension to Side of Dwelling | King's Lynn |

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| 18.05.2021 | 14.06.2021 AG Notification NOT REQD | Prior - | 21/00984/AG | Woodland S of West Bilney Wood N of Holder Carr Common Road West Bilney Norfolk Prior Notification for Forestry: Erection of hand built shed clad in corrugated iron sheeting for overnight storage of tools | East Winch |
| 20.05.2021 | 28.06.2021 Application Permitted | | 20/00816/NMA_1 | Bull Bridge House 50 Croft Road Upwell Wisbech NON-MATERIAL AMENDMENT to Planning Permission 20/00816/F: Construction of car port | Upwell |
| 24.05.2021 | 17.06.2021 TPO Approved | Work | 21/00049/TPO | 1 Manor Court Main Road Holme next The Sea Norfolk 2/TPO/00051: Install a root barrier due to issues with subsidence | Holme next the Sea |