

AGENDA ITEM NO: 9/1(c)

Parish:	King's Lynn	
Proposal:	Reserved Matters Application: construction of 50 dwellings	
Location:	Nar Ouse Way King's Lynn Norfolk	
Applicant:	Borough Council of Kings Lynn And West Norfolk	
Case No:	16/00863/RMM (Reserved Matters - Major Development)	
Case Officer:	Mr D Parkin	Date for Determination: 4 August 2016

Reason for Referral to Planning Committee – The application is for a Borough Council development.

Case Summary

The application seeks reserved matters approval for 50 dwellings on Council land on the Nar Ouse Regeneration Area. It follows approval of 54 dwellings of similar design on the same site under previous reserved matters applications.

Key Issues

Key issues:-

Principle of Development;
Design; and
Flood risk.

Recommendation

APPROVE

THE APPLICATION

The application seeks reserved matters approval for the appearance, layout and scale of 50 houses in relation to the outline permission 09/02010/F (a Section 73 application to vary the original permission 05/00691/OM). The site has been the subject of two earlier reserved matters approvals under 12/01210/RMM (for 54 units on the current site) and 11/00406/RMM (for a larger site).

The land in question is part of the NORA scheme and lies immediately south of Wisbech Road. The River Nar forms the eastern boundary whilst housing approved under previous reserved matters approvals is completed or under construction to the west and south.

The application proposes residential development in two blocks, referred to on the plans as Block 7 (to the north) and Block 6 (to the south).

The house types are the same as those approved on the land to the south and west and consist of 2, 3, 4 and 5 bed units. There is a mix of 2 and 3 storey units, as per previous approvals, which are to be finished in a mix of render, brick and concrete tiles to fit in with the other units either built or under construction.

107 car parking spaces are provided, giving an average of just over 2 spaces per unit.

The proposal includes a 'No Build Zone' along the eastern boundary along the banks of the Nar to protect and allow access to the flood defences. A public right of way exists within this zone.

SUPPORTING CASE

No supporting statement is required.

PLANNING HISTORY

12/01210/RMM: Application Permitted: 06/11/12 - Reserved Matters Application: construction of 54 dwellings (Phase 1) - The Nar Ouse Regeneration Area (NORA), Wisbech Road, King's Lynn, Norfolk

11/00406/RMM: Application Permitted: 10/10/11 - Reserved Matters Application - Mixed Use Development - The Nar Ouse Regeneration Area (NORA), Wisbech Road, King's Lynn, Norfolk

09/02010/F: Application Permitted: 25/02/11 - Outline application: Mixed use development - Variation of condition 5 and removal of condition 7 of planning permission 05/00691/OM - The Nar Ouse Regeneration Area (NORA), Wisbech Road, King's Lynn, Norfolk

05/02212/F: Application Permitted: 16/03/06 - Variation of Conditions F1, F2, F3, F5 and F7 (Contaminated Land) of Outline Planning Permission Reference 2/01/0671/O - Former Muckworks Land To East of Saddlebow Road, King's Lynn, Norfolk

05/00691/OM: Application Permitted: 08/02/07 - Outline application: Mixed use development comprising housing, live/work units, employment office, business, light industry and warehouse uses, leisure, retail, health, education and community facilities together with the provision of car parking, strategic landscaping, strategic highway and other associated infrastructure - The Nar Ouse Regeneration Area (NORA), Wisbech Road, King's Lynn, Norfolk

04/02073/F: Application Permitted: 16/03/06 - Application to vary condition C1 of outline planning permission for mixed uses- residential/local centre- open space/employment- new road/pedestrian and cycle routes - Saddlebow Road/Wisbech Road/A47/Horsleys Fields/South Gates, King's Lynn, Norfolk

04/02061/F: Application Permitted: 16/03/06 - Application to vary conditions D1- D2- H1 and H2 of Outline Planning Permission for mixed uses residential/local centre (retail-community- school) open space/employment- new road/pedestrian/cycle routes - Saddlebow Road/Wisbech Road/A47/Horsleys Fields/South Gates, King's Lynn, Norfolk

04/00737/F: Application Permitted: 27/05/04 - Variation of conditions A1 and A2 of outline planning permission 2/01/0671 to extend the period by which work should commence and to

allow work to commence on Phase One independently - Saddlebow Road/Wisbech Road/A47/Horsley Fields, South Gates, King's Lynn, Norfolk

2/01/0671/O: Application Permitted: 26/09/02 - Site for mixed uses (residential/local centre (retail/community/school), open space, employment (B1, B2, B8) incl A1, A2, A3 (Sth Gates) new road/pedestrian/cycle routes) in accord with drwg KLN002/05 - Saddlebow Road/Wisbech Road/ A47/Horsleys Fields/South Gates

RESPONSE TO CONSULTATION

King's Lynn Area Consultative Committee – Planning Sub-group: NO OBJECTION but raise the following points:-

- Design acceptable;
- Plot for 5 bed unit too small;
- Proximity of no build zone to Block 7; and
- Lack of outside storage space.

NCC Highways Authority: NO OBJECTION subject to conditions

NCC Public Rights of Way: Comments that the layout does not directly affect the alignment of FP26 as the right of way lies in the 'no build zone' adjacent to the Nar. The PROW authority is disappointed that the line of this footpath has been 'obliterated' during construction. Objects until more information is provided on how the line of the footpath is to be preserved during construction.

BCKLWN Emergency Planner: Recommends flood protection measures during construction and after construction occupants should sign up to the EA Floodline.

BCKLWN Arboricultural Officer: Wants to see more details of landscaping.

BCKLWN Open Space Officer: Comments on responsibility for maintenance of trees.

BCKLWN Strategic Housing: Supports affordable housing provision as shown on the submitted plans.

Norfolk Constabulary: Comments re: Secure by Design

REPRESENTATIONS

King's Lynn Civic Society: OBJECTS raising the following issues:-

- Design is uninspiring so close to the Southgates;
- Fails to take advantage of opportunities to provide riverside views;
- Lack of detail on landscaping;
- Lack of cycle parking and garages is likely to lead to clutter in front of houses;
- Support parking strategy;
- A bus service is needed from the development into the town; and
- Support comments from PROW officer.

NATIONAL GUIDANCE

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS09 - Housing Distribution

CS03 - King's Lynn Area

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

Key issues:-

- Principle of Development;
- Design; and
- Flood risk.

Principle of Development

The application is for reserved matters approval so the principle of development is acceptable. There is already a reserved matters approval for 54 units on the land in question so the current application for 50 units represents a reduction.

Design

The Civic Society comments on the impact of the proposed development upon the South Gates and upon the approaches to King's Lynn generally. They also comment that the design of the units fails to take advantage of the location to provide occupants views over the Nar.

Notwithstanding these comments, the proposal is for a continuation of the housing scheme approved on the adjacent sites, much of which has been completed. The design of the units on the application site reflects those on the adjacent plots, indeed the house types are the same in most cases. The appearance of the units is also similar to those approved under application 12/01210/RMM.

A change in the design of the units on this part of the site would, notwithstanding the comments of the Civic Society, adversely affect the coherence of the wider residential development that would also affect the appearance of the scheme when viewed from Hardwick Road and Nar Ouse Way.

Flood Risk

Whilst this is a reserved matters application, it is accompanied by a Flood Risk Assessment that shows existing site levels are between 4.40m and 5.10m AOD. The roads that have been constructed to serve the development are at about 4.50m AOD.

The FRA indicates that floor levels will be set at 5.0m AOD, which will protect residents from the 1 in 200 year flood event. This compares to the 3.5m minimum level required conditions on the outline and the 4.8m floor levels approved for the houses that have been completed on adjacent sites.

Other Matters

Right of Way

The comments from the PROW officer relate to the treatment of the right of way FP26 that runs along the top bank of the Nar. As the officer states, the line of the right of way are not affected by the development as it is within the 'No Build Zone'. In addition, this proposal along with the development to the south provides a road way along the top of the bank that will provide better access along the river than at the moment.

The developer is obliged to either retain the right of way during construction or secure a Traffic Regulation Order to temporarily stop it up and provide a diversion if necessary. This does not need to form a condition of permission as it is covered by other legislation.

Landscaping

The Council's arboricultural officer requests further details of landscaping and the Open Spaces officer seeks clarification as to who will be responsible for which trees.

As set out earlier, this is part of a wider scheme. The equipped play space is on other parts of the development to the south and to the west immediately adjacent to the current site. There is no need in policy for this particular phase to provide additional public open space. The landscaping shown on the submitted plans is structural landscaping and consists of street trees and verges.

Maintenance responsibilities can be addressed through the Section 106 agreement attached to 09/01020/FM that requires transfer and maintenance of any landscaping.

Affordable Housing

Four 2 bed houses and four 3 bed houses are provided, 1 shared ownership and 7 for rent. They are provided in a block of four on Block 7 and a pair and two individual units spread

across Block 6. This provision is in line with the Section 106 agreement on the outline permission and the grouping accords with the Council's housing strategy on pepper-potting.

CONCLUSION

The proposal is for a continuation of the housing development on the Council's land at NORA. It is for 50 units and follows approval of 54 units of similar design on the same site. The design and layout also reflects development that is under construction on adjacent sites.

RECOMMENDATION:

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

- 1 Condition Finished floor levels shall be set no lower than 5.0m AOD.
- 1 Reason To reduce the impact of flooding upon the proposed development and future occupants in accordance with the NPPF and associated Technical Guidance
- 2 Condition Notwithstanding the details shown on the approved plans, prior to commencement of works above ground relating to the residential units hereby approved details of the external materials for the relevant unit/units shall be submitted to and approved in writing by the Local Planning Authority. The relevant unit/units shall be completed using the agreed materials.
- 2 Reason To ensure the use of satisfactory materials that respect the character of the wider area in accordance with the NPPF; Core Strategy policy CS12 and saved Local Plan policy 4/21.
- 3 Condition Construction traffic shall only gain access to and egress from the site via the junction with Wisbech Road and not from Saddlebow Road.
- 3 Reason To protect the amenity of existing residents living in houses adjacent to the Saddlebow Road access from unacceptable levels of noise and disturbance during construction.
- 4 Condition The development shall be carried out in accordance with the following plans:-
 - BAS-DR-A010 P1 Site Location Plan
 - BAS-DR-A012 P2 Proposed Site Layout
 - BAS-DR-A013 P2 Site Layout – Block 6
 - BAS-DR-A014 P2 Site Layout – Block 7
 - BAS-DR-A020 P1 House Type Plans & Sections Type 1A
 - BAS-DR-A021 P1 House Type Plans & Sections Type 1B
 - BAS-DR-A022 P1 House Type Plans & Sections Type 1C
 - BAS-DR-A023 P1 House Type Plans & Sections Type 1D
 - BAS-DR-A024 P1 House Type Plans & Sections Type 1F
 - BAS-DR-A025 P1 House Type Plans & Sections Type 2B
 - BAS-DR-A026A P1 Type 2J Level 1 Option
 - BAS-DR-A027 P1 House Type Plans & Sections Type 2M
 - BAS-DR-A100 P1 House Type Elevations Type 1A
 - BAS-DR-A101 P1 House Type Elevations Type 1B

- BAS-DR-A102 P1 House Type Elevations Type 1C
- BAS-DR-A103 P1 House Type Elevations Type 1D
- BAS-DR-A104 P1 House Type Elevations Type 1F
- BAS-DR-A106 P1 House Type Elevations Type 2J
- BAS-DR-A107 P1 House Type Elevations Type 2M

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