

<b>Parish:</b>	<b>King's Lynn</b>	
<b>Proposal:</b>	<b>Reserved Matters Major Application: Details of layout, scale and external appearance of buildings, means of access thereto and the landscaping of the site. Access and site infrastructure for the entire Enterprise Zone and buildings for the first phase.</b>	
<b>Location:</b>	<b>The Nar Ouse Regeneration Area (NORA) Wisbech Road King's Lynn Norfolk</b>	
<b>Applicant:</b>	<b>Borough Council of King's Lynn And West Norfolk</b>	
<b>Case No:</b>	<b>18/01333/RMM (Reserved Matters - Major Development)</b>	
<b>Case Officer:</b>	<b>Mrs H Morris</b>	<b>Date for Determination: 23 October 2018</b>

**Reason for Referral to Planning Committee** – This is a Borough Council application and objections have been raised to the application

**Neighbourhood Plan:** No

**Case Summary**

The application site comprises part of the Nar Ouse Regeneration Area (NORA) situated on the eastern and western sides of Nar Ouse Way (A148), King's Lynn. To the east the site abuts the mainline railway line, to the west lies the River Nar, to the north lies Horsley's Fields Industrial Estate and Hardwick cemetery and to the south the site abuts the Puny Drain and A47.

There is an existing Restricted Byway (King's Lynn Restricted Byway 30) which runs through the site from north to south beginning at Horsley's Fields and terminating at the A47.

The application seeks reserved matters approval for access and site infrastructure for the Nar Ouse Enterprise Zone (NOEZ) along with full details (access, layout, scale, external appearance and landscaping) for the first phase of buildings for light industrial / office use (Plots A1, A2 and F1). Access to the Enterprise Zone is proposed off the existing roundabout towards the southern end of Nar Ouse Way (A148).

NOEZ is an ambitious development comprising a mix of light industrial and office units, which has been conceived and designed to attract high quality employers to King's Lynn.

**Key Issues**

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

- Principle of development;
- Design and impact on form and character;
- Flood risk and drainage;
- Highway safety;
- Other considerations; and
- Crime and disorder

**Recommendation: APPROVE**

## **THE APPLICATION**

The application seeks reserved matters approval for access and site infrastructure for the Nar Ouse Enterprise Zone (NOEZ) along with full details (access, layout, scale, external appearance and landscaping) for the first phase of buildings for light industrial / office use (Plots A1, A2 and F1). NOEZ is an ambitious development comprising a mix of light industrial and office units, which has been conceived and designed to attract high quality employers to King's Lynn. Access to the Enterprise Zone is proposed off the existing roundabout towards the southern end of Nar Ouse Way (A148).

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There is an existing Restricted Byway (King's Lynn Restricted Byway 30) which runs through the site from north to south beginning at Horsley's Fields and terminating at the A47.

## **SUPPORTING CASE**

A Design and Access Statement (DAS) and Flood Risk Assessment (FRA) have been submitted in support of the application.

The DAS advises that NOEZ is an ambitious development which has been conceived and designed to attract high quality employers to King's Lynn. In view of this, the quality of the premises will need to offer state of the art accommodation.

The flagship King's Lynn Innovation Centre (KLIC) which opened in June 2016 by Norfolk & Waveney Enterprise Services (NWES) in partnership with the Council signalled the start of high quality employment space on NOEZ. Building on the success of KLIC, this project represents the first phase of pre let and speculative development by the Borough Council to kick start the development of a high quality Business Park on the Nar Ouse site in King's Lynn. The development will also support the Council's long term investment strategy and objective to generate long term revenue income streams.

The building designs therefore need to achieve the necessary architectural quality whilst providing a cost-effective level of specification attuned to the local context and a sufficient level of flexibility to accommodate a wide range of potential users.

After a process of ongoing technical review and consultation with Council stakeholders, a masterplan has been finalised as indicated in the submitted plans. The following features have been incorporated:

- The road layout and distribution of plots has been developed to minimise complex crossovers with below ground utilities and accommodate drainage and level change requirements.

- The site will be raised above its current level and this will necessitate a bank alongside the railway line.
- Attenuation ponds have been located strategically within the corners of the site to reduce run-off rates into adjacent watercourses.
- The main on-site access roads have been designed to accommodate the manoeuvring of large good vehicles, although the extent of carriageway and junction radii could be reduced subject to detailed design/
- The buildings and car parking have been located to avoid impinging on the Puny Drain to the south as well as providing sufficient space for the economical grading of the site to accommodate the level change.
- The parking layouts represent allocations in accordance with NCC parking standards.
- Zones for landscaping and surface water attenuation features have been incorporated.

The developed masterplan is based around a network of new estate roads which provide direct vehicle access to the individual units and plots across the site. These will lead directly from the existing roundabout located on Nar Ouse Way and will be constructed to NCC Highways standards. A potential connection to Horsley's Fields has been retained although this could be controlled to avoid the risk of rat-running and unnecessary vehicle movements through the site.

The new estate roads will be provided with a 3 metre wide combined cycle and footpath to one side and a 1.8 metre wide footpath to the other side. This will connect into the existing footpaths where extant along Nar Ouse Way.

The NOEZ masterplan area proposes the erection of 56 no. units providing a mix of different unit types. The same principles will be used to provide a selection of office and light industrial units as follows:

- Type 1 – 15,000 sq ft (GEA= 1590 m<sup>2</sup>) light industrial unit – 5 no.
- Type 2 – 10,000 sq ft (GEA= 910 m<sup>2</sup>) light industrial unit – 10 no.
- Type 3 – 5,000 sq ft (GEA= 510 m<sup>2</sup>) light industrial unit – 12 no.
- Type 4 – 5,000 sq ft (GEA= 520 m<sup>2</sup>) office unit – 29 no.

All of these types have additionally been designed to allow construction as semi-detached units which can therefore be combined to provide single units of twice the stated sizes.

The car parking areas will be laid out to Norfolk County Council standards with blue badge spaces provided close to building entrances. It is proposed to provide cable routes for the provision of electric car charging points in each plot. Plot A1 will be provided with two charging points as part of the first phase of construction.

Whilst the enterprise zone lies on the southern edge of King's Lynn, it will become an important part of the wider urban area, providing a significant gateway to the town when accessed from the south.

Sitting within a flat and open landscape, the new buildings will have a high profile and therefore determine the character of this area. In order to create a locally relevant and attractive sense of place, the architectural context of King's Lynn has been studied to identify where this can influence the proposals and avoid the creation of a generic business park without any locally relevant identity.

Whilst the submitted DAS recognises that an enterprise zone and its buildings will not directly reflect the historical character of the town, there is an opportunity to create a resonance and character which marks the new development as a locally and regionally significant development. Hence the character identified in the town centre has been used to gently influence the design approach for the new buildings.

It is proposed to construct a large number of new buildings within the enterprise zone. Whilst these will differ in size, functions and orientation, it is necessary that all buildings accord with a unified approach ensuring design consistency and quality throughout the site.

This has been achieved by establishing a set of architectural principles, a palette of materials and a unified approach to specification of components which will be applied to the design of all the new buildings.

1. Architectural Form – The buildings will be designed to appear as orthogonal flat topped volumes. The pitch of roofs and gables will not be visible, but set back behind parapets. All parts of each building will be of the same height to avoid the impression of a lean-to structure.
2. Entrance Locations – These are a key element of the building and will be positioned in high profile, easily accessible locations. They are to be located between production and office areas allowing the option of extending internal lobbies and circulation spaces without disrupting the building functionality.
3. Entrance Design – The entrances are designed to follow the same principles across all buildings, having an asymmetric form, focussing on the entrance and incorporating glazing to the adjacent office space. This consistent arrangement will become a defining characteristic of NOEZ.
4. Internal Circulation – The buildings are all designed to incorporate a linear circulation zone between offices and shopfloor. This zone can be enlarged or reduced to suit internal layout requirements. In addition roof glazing can be incorporated if required for spatial or daylighting purposes. Staircases and access to lifts are located within this zone.
5. Ordering of Facades – Based on the contextual analysis outlined above it is intended to base the design of the facades on a limited number of window arrangements. This will further assist in providing consistency across NOEZ as well as supporting the standardisation of construction. Different, but co-ordinated arrangements will be applied to either office or production spaces.
6. Windows – Windows have been standardised across the unit types and have a vertical alignment to balance the generally horizontal nature of the buildings. Their positioning can be varied to address orientation and plot requirements although this will be undertaken in accordance with principle 5.

In terms of materials the following principles have been established to inform the detailed design approach:

1. Lightweight Materials – The cladding materials will be of light weight, being fixed to the supporting steel structure and chosen external wall system. This will minimise the building weight, reducing foundation sizes as well as facilitating the speed and quality of construction.
2. Limited Palette – In order to achieve the ambition of a coherent and attractive development, the material palette will be limited to fit an overall architectural concept. It is proposed to use two types of cladding: a) brick slip cladding system; and b) sinusoidal sheet metal cladding system.
3. Colour Variation – Whilst limiting the number of materials, further variation can be achieved through the limited variation of colour. This will be used to provide identity to specific buildings or areas. The colour variations will be controlled to ensure the variations are compatible and harmonious.
4. Elevational Arrangement – Materials will only be varied to signify a different elevation or function within the building. This will retain clarity and coherence in the facades and avoid unnecessary additional junctions between materials.

## **PLANNING HISTORY (Relevant)**

09/02010/F – Variation of Condition 5 and removal of Condition 7 of planning permission 05/00691/OM – Approved – Committee Decision – 25.2.11.

05/00691/OM – 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 – Approved – Committee Decision - 08.02.2007

## **RESPONSE TO CONSULTATION**

### **Highways England: NO OBJECTION.**

**Norfolk County Highways: NO OBJECTION** subject to the imposition of conditions relating to construction of the road(s)/footway(s)/cycleway(s) and access and parking; on-site parking for construction workers; and construction traffic management plan and access route.

**NCC Lead Local Flood Authority: NO OBJECTION** however it is recommended that a condition is imposed that requires further details to be submitted in line with the design approach.

Our understanding is that application is to agree the layout and site infrastructure for the whole development and agree the details of buildings for the first phase.

We are pleased to see many of the issues raised in our letter of 16th August 2018 have been addressed. These include greenfield runoff rates, consideration of high groundwater in relation to attenuation features, water quality and a phasing strategy.

It has, however, been noted that no up to date evidence of consent to discharge from two Internal Drainage Boards (IDBs) and the Environment Agency (EA) has been provided. We have no objection to this reserved matters application and we are prepared to discharge

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the associated condition, condition 40, of outline permission 09/02010/F, with the proviso that the recommendations below are given strong consideration by the LPA:

- As suggested by the Applicant's consultant, the LLFA would strongly recommend that the LPA add a further condition to this approval that requires further details to be submitted in line with the design approach. This would enable the LLFA to comment on the detailed designs in advance of actual construction work to form the infrastructure.
- It is stated that the East of Ouse Polver and Nar IDB who are responsible for the Puny Drain (the location of the south east connection) would accept 2l/s/ha but no correspondence to this affect has been enclosed. A copy of permission to discharge to the Puny Drain stating the agreed maximum total discharge rate, and referencing this development should be provided.
- Extensive documentation has been provided regarding an agreement with the King's Lynn IDB, for draining to the Pierpoint Drain. This correspondence dates from 2008 and does not appear to mention a specific agreed rate. We would strongly recommend that the LPA satisfy themselves that these documents are recent enough to be relied upon and consult the relevant IDB as part of this planning application, as any change to a previously agreed unrestricted discharge rate would result in attenuation storage being required on the site.
- The proposal also relies on a connection to an EA Main River, the River Nar. Copies of correspondence have been provided which we note dates from 2014. Since this time climate change allowance has changed and so we would strongly recommend that the LPA satisfy themselves that these documents are recent enough to be relied upon.
- The strategy includes a proposal to connect via a private sewer located in Horsley's Fields. Whilst we note that the private sewer is shown within the historic documents, landownership and asset management can change. It should be confirmed that the Applicant has the permission from the asset owner to connect to this sewer. The agreed connection rate should be confirmed. Maintenance responsibilities and ownership should be clarified in the maintenance plan.
- The LLFA strongly recommend that Anglian Water are consulted regarding the Applicant's proposal to use the Anglian Water surface water drainage connection along the Horsley's Fields.

**Norfolk County Public Rights of Way: OBJECT** on the following grounds:

We have no objection in principle to the application. However, as the submitted plans do not take account of the Public Right of Way known as King's Lynn Restricted Byway 30 which is aligned within the proposed development site, and shows buildings coincident with the route, we do object.

We recommend that the applicant seek a Highway Boundaries plan, which will clearly show the full legal alignment of the Restricted Byway through the development site. The plans must be adjusted to take account of the legal alignment.

The full legal extent of this Restricted Byway must remain open and accessible for the duration of the development and subsequent occupation.

We therefore object until we are satisfied that the full legal extent of the Restricted Byway remain open and available for use.

**Environment Agency: NO OBJECTION.**

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**Anglian Water: NO OBJECTION.**

**East of Ouse, Polver & Nar Internal Drainage Board (IDB): NO OBJECTION.** The Board has reviewed the revised FRA for the site. It seems that it does reflect our previous discussions and comments.

We note that 2.58ha of the site area will be discharging to the Puny Drain and that the outfall will be at 1.0m aOD. This outfall may be submerged at times, but this has apparently been accounted for. The balanced discharge rate is 5 l/s which is acceptable and the design caters for a 1 in 100 year event plus 40% for climate change. From the documentation provided, it shows the Board's maintenance corridor is clear of development.

The proposed storage area volume is 2,900m<sup>3</sup>, which is slightly below the Board's estimate of 3,229m<sup>3</sup>. It is noted that reference is made to impervious paving and localised ponding in the car park and we assume this is being utilised as additional storage.

Access and maintenance plans along with details of the body who will maintain the system need to be provided. This is to ensure that the Board can be confident that the facilities will be protected and maintained for the life of the development.

The discharge and new outfall will require the consent of the Board, under its bylaws.

**King's Lynn Drainage Board: NO OBJECTION** subject to the necessary consents under the Land Drainage Act 1991.

The site is within the Kings Lynn IDB Internal Drainage District (IDD) and therefore the Board's byelaws apply.

We note that the applicant intends to discharge surface water to the Pierrepont Drain north of the site. We have reviewed the revised Flood Risk Assessment and we note the discharge rate and new outfall invert level, are consistent with advice already given by the Board.

We also note the presence of a Board Adopted watercourse (Pierrepont Drain) adjacent to the site boundary, and that the applicant intends to do works within 9 metres of this watercourse. Therefore, consent is required to relax Byelaw 10 (no works within 9 metres of the edge of drainage or flood risk management infrastructure). In addition, whilst not currently proposed, should the applicant's proposals change to include works to this watercourse, consent would be required under the Land Drainage Act 1991 (and Byelaw 4).

If there are any riparian owned / maintained watercourse within the site boundary, should the applicant's proposals include works to this 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. As such we strongly recommend that the required consents are sought prior to determination of the planning application.

**Natural England:** Confirmation has been received that Natural England does not wish to comment on the application.

**Norfolk Constabulary: NO OBJECTION.** However, a number of recommendations are made in relation to designing out crime.

**King's Lynn Civic Society:** The following concerns have been raised:

- Disappointed with the sparse amount of detail provided in this reserved matters application.
- This is a largescale development at a principal gateway to the town that will define the character of the entire NORA site. It is simply not possible from this application to tell what that character will be.
- The site analysis in the DAS document identifies 'potential' for 'high profile' frontages, cycle links, 'strong visual impressions' and setting 'improvements' – all of which we would whole heartedly support. The plans and other information provided simply do not illustrate how these opportunities will be fulfilled. This is in effect, another outline application.
- The proposed buildings appear utilitarian in style and appearance. Whether they are successful will be entirely down to the quality of materials finish and setting.
- The extensive provision of parking not only hampers a cohesive masterplan – but indicates the proposed dependence on car transport. Clearly this development will contribute to the significant traffic problems we already experience everyday on Hardwick Road, London Road, on the bypass and increasingly on the Nar Ouse Way itself. How will these proposals assist BCKLWN in reaching the intended air quality targets for King's Lynn?
- There is no cycle lane connection to the site. NORA as a whole could be providing a cycle lane highway for the town along the Nar corridor.
- We can see no reference to energy efficiency or commitment to renewable energy – surely a requirements for 21st century employment sector development.
- Whereas we could support some of the 'strategic' landscape proposals indicated on the 'planting strategy' plans – we feel strongly that this is not an acceptable level of reserved matters detail. We recognise that the details of individual plot design might need to be confirmed by the end user – but this application should surely be clearly detailing the landscape infrastructure along the main roads, in the main shared spaces, along all movement corridors and around the site boundaries.
- How will this site, which could potentially become home to many different businesses and activities, be integrated into a cohesive, attractive, high-quality environment that will become a destination to new investors and a credit to the town?
- Our real concern is that if this vague vision is further diluted in future stages, it will fail to generate any inward investment at all.

**BCKLWN Environmental Health & Housing – Environmental Quality: NO OBJECTION** subject to imposition of a condition requiring submission of an air quality assessment which is proportionate to the transport statement and to the nature and scale of development proposed. The air quality assessment will inform mitigation measures. It is likely that some mitigation measures will need to be included in the travel plan.



**BCKLWN Environmental Health & Housing – Community Safety and Neighbourhood Nuisance (CSNN): NO OBJECTION**, subject to imposition of conditions to provide control over the future use of the site, as units become occupied, to protect the residential amenity of surrounding dwellings. These shall include: external plant and machinery / building insulation details; storage of waste and recycling details; and external lighting details.

**BCKLWN Tree & Landscape Officer: NO OBJECTION.**

**BCKLWN Emergency Planner: NO OBJECTION.** It is recommended that the developers and individual occupiers sign up to the Environment Agency flood warning system and have a flood evacuation plan prepared.

**KLACC Planning Sub-group: OBJECT** on the following grounds: potential working hours of the units and subsequent potential noise nuisance to the nearby properties.

## REPRESENTATIONS

1 letter of **support** has been received from a member of the public. Their comments can be summarised as follows:

- Would wish to support the reserved matters application for the site infrastructure and industrial/ office premises.
- We consider the proposal a strong statement of intent from the applicant to boost the development of both the Enterprise Zone and NORA.
- Having advanced factory provision is necessary to kick start the development and we are also confident of demand. The demand should come from local businesses expanding either from the KLIC centre or elsewhere in the town.
- We hope that as the proposal is for reserved matters and on a recognized Industrial Zone it should prove uncontroversial and quick to process.

1 letter has been received from the Friends of Hardwick Cemetery raising **no objection** to the proposal but requesting that the recommended landscape buffering between the proposed site and the northern boundary be incorporated as part of Phase 1 of the project. Their reasoning behind the request is so that the desired “more heavily landscaped buffer zone” will have had an opportunity to reach maturity before the erection of buildings B2, B3 and C4 in subsequent phases.

## LDF CORE STRATEGY POLICIES

**CS01** - Spatial Strategy

**CS03** - King's Lynn Area

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** - Transport

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM12** - Strategic Road Network

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

### **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

### **PLANNING CONSIDERATIONS**

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

- Principle of development;
- Design and impact on form and character;
- Flood risk and drainage;
- Highway safety;
- Other considerations; and
- Crime and disorder

#### **The Principle of Development**

Outline planning permission was granted in 2007 for a mixed use development for the wider NORA site (Ref 05/00691/OM). Subsequently an application was submitted to vary condition 5 (variation of Master Plan) and remove condition 7 (maximum heights of buildings) of that consent resulting in a new planning permission Ref 09/02010/F (the outline consent).

This application is submitted in accordance with the requirements of Condition 8 attached to planning permission 09/02010/F which relates to the specific mix of uses (and associated maximum floor space requirements) across the NORA site as a whole.

The principle of the development has therefore been established, and this application deals with the details (reserved matters) of the access and site infrastructure for the Nar Ouse Enterprise Zone (NOEZ) and the first phase of buildings (Plots A1, A2 and F1).

#### **Design and Impact on Form and Character**

This application seeks approval for the details of the access and site infrastructure and the first phase of buildings which comprise 3 no. units on Plots A1, A2 and F1. These are

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centrally located within the enterprise zone in prominent positions adjacent to Nar Ouse Way and the new site access roads proposed off the existing roundabout. The intention at present is for the details of the remaining plots / buildings to follow in a separate reserved matters application at a later date but prior to the expiration of the existing outline consent (09/02010/F) on 25th February 2019.

The overall layout for the site and the design of the site infrastructure and access roads has predominantly been led by the context and constraints of the site and is considered to achieve an appropriate form of development for the site and its surroundings.

Plot A1 comprises 2 no. unit type 04 which each provide approximately 5,000 sq ft of office accommodation and can be paired to create a single 10,000 sq ft unit. Externally these buildings are proposed to be clad in profiled metal, offering a contrast to the light industrial units. The cladding has been oriented both horizontally and vertically providing a striking visual effect.

2 no. type 02 units are proposed for Plot A2 which is the second largest unit type at approximately 10,000 sq ft. These are proposed to be light industrial units but are designed to have an office element along one end. Both units can be paired to create a single 20,000 sq ft unit.

Plot F1 comprises 2 no. unit type 03 which are the smallest of the light industrial units and are single storey. These units can be paired to create a single 10,000 sq ft unit.

The buildings, whilst relatively simple in their form, offer a unified and contemporary approach which will help to ensure design consistency and quality throughout the site, but also enable flexibility to attract a wider variety of future occupiers.

A series of architectural principles have been proposed within the submitted DAS along with material principles which look to allow an element of variation for individual occupiers but will also secure the ambition of a coherent development by securing a limited material palette that fits the overall architectural concept. These principles can be secured by condition along with the precise details of the external materials to be used for each unit or plot.

Although parking would be located to front and sides of the proposed buildings this would be broken up and softened by the use of landscaping.

Overall it is considered that the proposed site infrastructure and buildings for the first phase of the NOEZ will be in keeping with the existing KLIC building to the south west and will provide a high quality and attractive development that would enhance the visual appearance of the locality.

### **Flood Risk and Drainage**

The site is located in Flood Zone 3 of the Environment Agency's flood risk maps but is shown to lie within an area that benefits from flood defences. Employment land is classed as a 'less vulnerable' in respect of flood risk. The proposed development is therefore considered to be appropriate within Flood Risk Zone 1, 2 and 3a, as stated within Table 3 of the National Planning Policy Guidance on Flood Risk and Coastal Change.

A Flood Risk Assessment has been submitted in support of the application which is an addendum to the Flooding and Drainage Assessment that was produced by Scott Wilson Kirkpatrick & Co Ltd in 2005 for the original outline planning application for NORA (05/00691/OM). Condition 33 of the latest outline planning permission (09/02010/F)

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requires finished floor levels to be at least 3.50m AOD and the submitted FRA takes account of this. The Environment Agency has been consulted on the proposal and has raised no objection to the application.

In accordance with the recommendations set out in the NPPF, the design of the new development will adopt measures to reduce the impact of surface water runoff through the use of sustainable drainage techniques. Infiltration has been discounted as ground water levels are close to the surface (within 1m of the surface in places), the underlying materials are cohesive clays, peats and silts with some areas of contaminated ground.

The site is bound to the west by the River Nar, to the north by the Pierrepoint Drain and to the south by the Puny Drain and therefore the proposed development drainage strategy utilises outfalls to watercourses. This approach is considered reasonable by the LLFA and they have no objection to this reserved matters application, however they consider further details should be submitted in line with the design approach which could be reserved by condition.

In response to earlier queries raised by the LLFA the agent for the application clarified matters in relation to the phasing of the proposal and how this relates to the proposed drainage. The phasing of the site includes limited construction of the main site infrastructure (spine roads, surface water and foul drainage) and then plots A1, A2 and F1. A1 and A2 both include attenuation storage for surface water and the spine drainage serving these would extend through to Horsley Fields and include the hydrobrake flow control to restrict the flows to the greenfield rate for that part of the site.

Plot F1 is part of the site that would drain un-attenuated towards the River Nar therefore the drainage to serve this would need to be constructed in advance of the plot. F1 also includes permeable block paving for all car parking areas to improve the quality of the runoff from paved areas.

Subsequent phases of the site would tend to follow market demand however the site infrastructure would need to be in place before the plots in every case. The attenuation storage has been allocated and distributed on a plot-by plot basis in the drainage strategy however this could be varied throughout the future phases as long as the overall storage within the drainage system and catchment draining to each outfall is sufficient to meet the needs of each catchment as a whole.

Given that the overall drainage strategy is considered to be acceptable but there needs to be some flexibility to allow for future phases going forward, it is considered reasonable in this case for a further surface water drainage condition to be imposed. In addition to requiring the submission of further drainage details to address the LLFA recommendations it should also require a timetable for implementation and secure a management and maintenance plan for the lifetime of the development which also accords with the recommendations of the IDB's.

Although the King's Lynn Drainage Board strongly recommend that the required consents of the Board as set out under the Land Drainage Act 1991 are sought prior to the determination of this application, they are separate from planning and it is not considered necessary or reasonable to withhold reserved matters approval given no objections have been raised by the IDB's, LLFA, EA or Anglian Water and the overall drainage strategy is considered acceptable.

The Emergency Planner recommends that occupiers of the building sign up to the EA Flood Warnings Direct Service and provide a Flood Evacuation Plan. Whilst these

recommendations should be noted it is not considered necessary for these to be secured by condition.

## **Highway Safety**

The site is directly accessed from the Nar Ouse Way via an existing roundabout and is based around a network of new estate roads, constructed to NCC Highways standards, which will provide direct vehicle access to the individual units and plots across the site.

Parking numbers have been based on NCC parking standards with an indicative total number of 1,258 spaces to be provided based on a total gross internal area for the buildings of 35,563 m<sup>2</sup>. This is in accordance with condition 14 of outline planning permission 09/02010/F.

A covered cycle parking allocation will also be provided close to the entrance of each individual light industrial and office unit. Provision of cycle storage facilities is already secured by condition 23 of the outline planning permission (09/02010/F).

Norfolk County Highways have raised no objection to the proposal subject to the imposition of conditions. Those relating to the laying out of the access and parking areas and construction to binder course surfacing level are matters already secured by conditions 19 to 22 on the outline planning permission (09/02010/F) therefore it is not considered necessary to impose them again. It is however considered reasonable to impose conditions requiring a scheme for on-site parking for construction workers and a Construction Traffic Managements Plan and Access Route.

## **Other Considerations**

KLACC Planning sub-group raised an objection to the proposal on the grounds of the potential working hours of the units and subsequent potential noise nuisance to the nearby properties. However, the nearest residential properties to the NOEZ site are situated on the west side of the River Nar and are also partly separated from the enterprise zone by the existing NORA park and Nar Ouse Way itself. Given the separation distances it is therefore considered unlikely that the proposed buildings on Plots A1, A2 and F1, which are centrally located off the existing roundabout, would result in significant harm to residential amenity due to noise nuisance. The Council's CSNN officer has raised no objection to the proposal on amenity grounds. A condition has been recommended in relation to submission and approval of external plant and machinery details to protect the amenity of residential properties nearby and this is considered reasonable. Although a waste storage condition has also been requested by CSNN, this is not considered necessary on this reserved matters application as it is only seeking detailed approval for the first phase buildings (Plots A1, A2 and F1) and the submitted drawings show provision of suitable refuse stores.

King's Lynn Restricted Byway 30 runs through the site from north to south. Although an objection has been received from the greenspaces officer (public rights of way) at Norfolk County Council, NCC have confirmed the route serves no real recreational purpose as it is a dead end therefore it is unlikely that they would object to its extinguishment.

Therefore whilst the holding objection from the greenspaces officer is noted, planning consent can still be granted for the proposal as the matter of the Restricted Byway will still need to be addressed by following the correct legal process to either divert or extinguish the existing Restricted Byway by through a S257 application under the Town and Country Planning Act 1990. It is therefore recommended that an informative is imposed to this effect.

The Council's Environmental Quality Officer has requested imposition of a condition requiring submission of an air quality assessment. However, given that they do not object on air quality grounds, they acknowledge the development is in an area where current background levels are low and impact on air quality would have been considered at outline stage and no condition was imposed on the outline consent requiring further assessment, it is not considered reasonable to require submission of an air quality assessment at this stage.

There are no other material considerations relevant to this application.

### **Crime and Disorder**

There are no crime and disorder issues raised by this proposal. Norfolk Constabulary raise no objection.

### **CONCLUSION**

The principle of development and the mix of uses proposed has previously been established as acceptable under extant outline planning permission 09/02010/F for the wider NORA site. This reserved matters application seeks approval for the access and site infrastructure in addition to the buildings on Plots A1, A2 and F1 which will comprise the first phase of development. The proposal would be appropriate for the site and its surroundings; it would provide an attractive and high quality gateway into the NOEZ and is considered to be acceptable in terms of highway safety, flood risk and drainage.

On this basis, the development complies with the NPPF and NPPG, Policies CS01, CS03, CS08, CS10, CS11 and CS12 of the Core Strategy 2011 and Policies DM1, DM2, DM15 and DM17 of the Site Allocations and Development Management Policies Plan (2016). It is therefore recommended that reserved matters approval be granted subject to conditions set out below.

### **RECOMMENDATION:**

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

- 1 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans:

Masterplan (All Areas) 002 rev L  
Masterplan Constraints Plan 011  
NOE-AHR-A1-XX-DR-A-20-100 rev 02 Plot A1 Site Plan  
NOE-AHR-A1-XX-DR-A-20-101 rev 2 Plot A1 Red Line Plan  
NOE-AHR-A2-XX-DR-A-20-100 rev 2 Plot A2 Site Plan  
NOE-AHR-A2-XX-DR-A-20-101 rev 2 Plot A2 Red Line Plan  
NOE-AHR-F1-XX-DR-A-20-100 rev 2 Plot F1 Site Plan  
NOE-AHR-F1-XX-DR-A-20-101 rev 2 Plot F1 Red Line Plan  
NOE-AHR-T2-00-DR-A-20-001 rev 5 Type 2 Building Plans (Plot A2)  
NOE-AHR-T2-02-DR-A-20-002 rev 4 Type 2 Roof Plan (Plot A2)  
NOE-AHR-T2-XX-DR-A-20-100 rev 4 Type 2 Elevations (Plot A2)  
NOE-AHR-T2-XX-DR-A-20-200 rev 04 Type 2 Sections (Plot A2)  
NOE-AHR-T3-01-DR-A-20-002 rev 03 Type 3 Roof Plan (Plot F1)  
NOE-AHR-T3-XX-DR-A-20-100 rev 02 Type 3 Elevations (Plot F1)  
NOE-AHR-T3-XX-DR-A-20-200 rev 02 Type 3 Sections (Plot F1)

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NOE-AHR-T3-00-DR-A-20-001 rev 03 Type 3 Building Plans (Plot F1)  
NOE-AHR-T4-XX-DR-A-20-100 rev 02 Type 4 Elevations (Plot A1)  
NOE-AHR-T4-XX-DR-A-20-200 rev 02 Type 4 Sections (Plot A1)  
NOE-AHR-T4-00-DR-A-20-001 rev 03 Type 4 Building Plans (Plot A1)

Landscape Strategy Plan 012  
Highways General Arrangement 600 rev C  
NOE-AHR-A1-XX-DR-L-90-002-P01  
NOE-AHR-A1-XX-DR-A-20-100 REV 3  
NOE-AHR-A2-XX-DR-L-90-002-P01  
NOE-AHR-A2-XX-DR-A-20-100 REV 3  
NOE-AHR-F1-XX-DR-A-20-100 REV 3  
NOE-AHR-F1-XX-DR-L-90-002-P01

- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: Prior to the first occupation of the buildings within the first phase (Plots A1, A2 and F1), 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 and shall specifically include details of the landscape buffer along the northern boundary of the site, adjacent to the cemetery.
- 2 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 3 Condition: The landscaping for Plots A1, A2 and F1 shall be carried out in accordance with the approved plans: drawing nos. All other hard and soft landscape works shall be carried out in accordance with the details. To be approved under condition 2 above. The works shall be carried out prior to the occupation of the building(s) on the plot to which it relates 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.
- 3 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 4 Condition: 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 prior to the occupation of any part of the buildings or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
- 4 Reason: To ensure that the landscaping is properly maintained in accordance with the NPPF.

- 5 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.
- 5 Reason: To ensure adequate off-street parking during construction in the interests of highway safety. This needs to be a pre-commencement condition as it deals with the construction period of the development.
- 6 Condition: Prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities shall be submitted to and approved in writing by the Local Planning Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.
- 6 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.
- 7 Condition: For the duration of the construction period all traffic associated with (the construction of) the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority.
- 7 Reason: In the interests of maintaining highway efficiency and safety.
- 8 Condition: Prior to the occupation of the first phase buildings (Plots A1, A2 and F1) a detailed scheme showing the siting of all external plant and machinery, including any mechanical extract or ventilation systems, air conditioning units, air source heat pumps etc, and the insulation of the buildings against the transmission of noise and vibration shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use and thereafter maintained as such.
- 8 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 9 Condition: Prior to the first occupation of the development hereby approved, details of the method of lighting and extent of illumination to the access roads, footpaths, parking and circulation areas and external lighting for Plots A1, A2 and F1 shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the phasing for implementation, type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The lighting scheme shall be implemented as approved prior to the occupation of the building or any phase of the development to which it relates and thereafter maintained and retained as agreed.
- 9 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 10 Condition: Notwithstanding the information that accompanied the application, no development pursuant to this reserved matters approval shall commence until full



surface water drainage (to include SuDS) details have been submitted to and approved in writing by the local planning authority.

The detailed scheme shall:

- a) follow the submitted drainage strategy for the site;
- b) take account and address the recommendations of the Lead Local Flood Authority in their response dated 5th October 2018;
- c) include a timetable for its implementation; and
- d) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The surface water drainage scheme shall be implemented as agreed unless otherwise agreed in writing.

- 10 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.

- 11 Condition: Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on any external surface of a building(s) until the type, colour and texture of all materials to be used for the external surfaces of the building(s) on that respective plot have been submitted to and approved in writing by the Local Planning Authority. The materials to be used shall accord with the 'Materials Principles' set out in Section 5 of the submitted Design and Access Statement. The development shall be carried out in accordance with the approved details.

- 11 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

- 12 Condition: The buildings hereby approved shall be used for Class B1 (offices, light industrial or research and development) only (as defined within the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and shall not be used for any other purpose, including any use permitted under Schedule 2, Part 3 'Changes of Use' of the Town and Country Planning (General Permitted Development) Order 2015, as amended, or any order revoking and re-enacting that Order with or without modification.

- 12 Reason: In order that the Local Planning Authority may retain control over the use of the premises where an alternative use otherwise permitted by the above mentioned Order would be detrimental to the amenities of the locality or would be contrary to the development mix permitted under condition 8 of outline planning permission 09/02010/F.