

AGENDA ITEM NO: 8/1(c)

Parish:	Hunstanton	
Proposal:	Construction of public library, retail/services unit (use class E), public conveniences and 47 apartments, with associated infrastructure and landscaping, including demolition of existing buildings	
Location:	Hunstanton Bus Station St Edmunds Terrace Hunstanton Norfolk	
Applicant:	Borough Council of King's Lynn and West Norfolk	
Case No:	20/00817/FM (Full Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 15 September 2020 Extension of Time Expiry Date: 9 December 2020

Reason for Referral to Planning Committee – The Borough Council is the applicant

Neighbourhood Plan: The Hunstanton Neighbourhood Plan is in draft form and not at an advanced stage, so presently it has no weight with regards to decision-making.

Case Summary

The site (0.44Ha) is the bus station, library, café, shop, taxi office and public conveniences accessed off St Edmund's Terrace in the centre of Hunstanton; plus a small section of the central car park to the immediate north. It lies within the defined area of the town and within the conservation area.

This application seeks full planning permission for the construction of new public library, retail/services unit (use class E), public conveniences and 47 apartments, with associated infrastructure and landscaping, and includes the demolition of the existing buildings.

With 47 dwellings proposed, the requirement is for 9 affordable homes – comprising 6 no. rented (3x 1-bed and 3x 2-bed) and 3 no. shared ownership (3x 2-bed).

The development comprises two blocks – the main structure of some three-and-a-half storeys which sits on the corner of Westgate and St Edmund's Terrace with frontages to each road. With the fall of the land a further lower ground floor level is accommodated showing four-and-a-half storeys at the rear – dropping to three-and-a-half storeys at its SW end stepping down Westgate. The main block contains the library, shop unit, public toilets and 38 flats. To the rear there is a service and parking area with two pergola features plus a further two-and-a-half storey building containing 9 flats with communal garden areas.

The central car park would be reconfigured to accommodate the new development with the net loss of 9 no. parking spaces.

The whole development would be served off a single vehicular access, similar to that which presently exists and creates the loop for buses to enter and exit.

It must be noted that the proposal to relocate the bus stops onto St Edmund's Terrace with two stops adjoining the side of The Princess Theatre and one opposite on The Spinney, can be undertaken by the process of a Traffic Regulation Order under separate legislation; and the bus shelters, hardstanding and footway alterations done under the provisions of permitted development available to local authorities. Whilst the physical works are not part of this application, the replacement of the bus station and public facilities is a material consideration in assessing this overall proposal.

Key Issues

- Principle of Development
- Form and Character
- Design and impact on the Conservation Area
- Impact upon trees
- Impact upon neighbouring properties
- Highway implications and Loss of Bus Station
- Parking provision for the development
- Loss of public car parking spaces
- Flood Risk and Drainage
- Affordable housing
- Crime and Disorder
- Other material considerations

Recommendation

A) APPROVE subject to the completion of a S106 Agreement within four months of the date of this resolution to approve.

B) REFUSE if the S106 Agreement is not agreed within four months of the date of this resolution to approve.

THE APPLICATION

The site (0.44Ha) is the bus station, library, café, shop, taxi office and public conveniences accessed off St Edmund's Terrace in the centre of Hunstanton; plus a small section of the central car park to the immediate north. It lies within the defined area of the town and within the conservation area.

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The application is accompanied by a Planning Statement, Design & Access Statement, Arboricultural Impact Assessment, Ecology Survey, Nocturnal Bat Survey, Geo-environmental Report, Flood Risk Assessment & Drainage Report, Relocation of bus stops Stage 1 Safety Audit, and Transport Statement.

The proposal is not development requiring an Environmental Impact Assessment (EIA).

SUPPORTING CASE

The Agent has made the following statement in support of this application:

“The proposal delivers revitalised town centre facilities to this location – a larger public library, modern retail/services unit, and new public conveniences – together with 47 apartments, following the demolition of existing buildings on the site. The existing building adjoining the current library had accommodated a café, retail unit and taxi firm's office, but is now vacant.

Two buildings are proposed – the mixed-use ‘main block’ along the street frontage, and the three-storey residential-only ‘rear block’. The main block is arranged over five storeys: lower and upper ground levels, and three floors above. From the street, four storeys are visible.

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 March 2020 by providing an appropriate mix of accommodation types and tenures (see tenure requirements for new housing on page 109 of the most recent Housing Needs Assessment <https://www.west-norfolk.gov.uk/downloads/download/969/housing-needs-assessment-2020>)

The site is providing much needed affordable housing as per policy CS09 of the Council's adopted Local Plan 2016. The policy requirement for nine affordable homes will be accommodated on-site by 6 no. rented (3 no. 1-bed and 3 no. 2-bed) and 3 no. shared ownership (2-bed) units. 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 S.106 requirements can be supported.

The development of the site has been prepared in consideration of the Hunstanton Town Centre Masterplan, adopted by the Borough Council in 2008, which forms a key component

of the Council's regeneration strategy for the town and sets out the overall vision for development in the town centre. The application site is identified by the Masterplan as being within both the summer and off-peak/winter areas of the town centre. The site is specifically identified as an 'Opportunity Site for Town Centre Expansion', together with the area to the immediate north, part of which has recently been developed to provide the retirement housing called Hamon Court.

The scheme was considerably re-designed in response to comments received subsequent to the applicant's submission - including from members of the public, Historic England and the Norfolk Constabulary. Particular care has been taken to ensure the development will not only preserve but enhance the character and appearance of the area. The view of the sea from The Spinney is to be preserved and the massing, design and layout of the rear block is in-character with the adjacent built form of the conservation area.

During demolition and construction of the proposed scheme, the existing library will move to a temporary site within the Borough Council building at the Valentine Road Car Park, only 300 metres along Westgate from the current library site. There is an extant planning permission for this temporary library at the Valentine Road Centre.

In consideration of the amenity of residents, the agent has requested that the commercial unit be controlled by a planning condition restricting certain uses such as a café or restaurant. Furthermore, sun path models for different seasons have been submitted, and show how the scheme will not lead to any adverse impacts with regards to loss of natural light or over-shadowing.

The proposed locations for the replacement bus stops on St Edmund's Terrace are shown on drawing no. C-100 submitted with the application. The Coast-bound stop would be located by the Princess Theatre, 90 metres to the north of the existing bus station, and the King's Lynn-bound stop would be located adjacent to The Spinney directly opposite the application site. These do not form part of the application as they are permitted development. A footpath link from St Edmund's Terrace, through the north of the application site, to the Central Car Park will be formed, providing public pedestrian access between that public car park and the street.

The existing access onto St Edmund's Terrace, a public highway, will be utilised as the sole vehicular access into the site. The development involves one car parking space allocated for each apartment, two parking spaces for the commercial unit and two for the library. Four electric vehicle charging points will be installed, at the commercial unit and library car parking spaces. Further environmental features include PV solar panels and Air Source Heat Pumps that will serve the public library, commercial unit and apartments."

PLANNING HISTORY

18/00114/TREECA: Tree Application - No objection: 26/07/18 - T1 Sycamore Tree - Remove 3 small branches within Conservation Area

11/00540/CU: Application Permitted: 06/07/11 - Use the office area within 11 Westgate as a taxi office

08/01352/CM: NO OBJECTION TO NCC APP: 10/06/08 - Replacement window and doors to south east elevations - Hunstanton Library

2/00/1199/F: Application Permitted: 03/10/00 - Construction of replacement public toilets

2/00/1291/CA: Application Permitted: 03/10/00 - Demolition of public toilets

RESPONSE TO CONSULTATION

Town Council: Amended scheme: Response awaited at time of writing this report.

Initial submission: **SUPPORT**.

Local Highway Authority (NCC): Amended scheme: **NO OBJECTION** - Further to my previous responses, as you will be aware I have had subsequent dialogue with the applicants representatives and our Highway Boundaries team and I am pleased to confirm my previous concerns have now been addressed / resolved.

The off-site works will be delivered by a Section 278 Agreement and the precise delivery mechanism will be determined as the works are brought forward.

Conditions recommended covering the following matters: provision of access, car & cycle parking provision, set back barrier to access point, gradient no greater than 1:12 for first 10m into site, 2.4m parallel visibility along St Edmund's Terrace, parking scheme for construction workers, Construction Traffic Management Plan and Access Route, details and implementation of off-site highway improvement works (footway and bus stops), plus TRO promoted.

Initial submission was a holding objection.

The Highway Authority still believe that the loss of this designated facility is a shame however it is accepted that, given our Passenger Transport Group have not objected to this, it cannot be resisted. It should however be stressed that the replacement bus stops, which are on highway, and subject to a separate Traffic Regulation Order process, need to be secured/in place before any development can take place to ensure bus stop provision remains in this location. This will need to be secured by condition accordingly.

Comments also raised regarding:

- A simple dropped crossing of the footway required rather than a formal splayed junction.
- Servicing / delivery arrangements for the library /retail units?
- The development (particularly the north-eastern corner of the library building and the planting to the north of the access) are on existing areas of public footway. This would need to be verified and if required this area would need to be stopped up with all highway rights removed as part of the planning application.
- Clarification regarding proposed highway footway linking to the nearby car park north of the site. Unlikely that the Highway Authority would want to adopt this link.
- The parking provision is low (1 per dwelling) particularly for the 2 bed units. It is however accepted that given the site's location, proximity to other car parks, links by sustainable modes and comprehensive on-highway Traffic Management measures, this will not lead to a highway related issue.
- Removal of a drop off zone / disabled bay provided on Westgate.

Lead Local Flood Authority (NCC): Amended scheme: Response will be reported in late correspondence.

Initial submission: Holding objection on grounds of the absence of an acceptable Flood Risk Assessment (FRA), Drainage Strategy and supporting information relating to local flood risk to the development;

Norfolk County Council – Community & Environmental Services: **NO OBJECTION** - Education: No mitigation sought on this occasion. Library: No mitigation required as a new

library is included within the proposals. Fire: This development will require 1 fire hydrant per 50 dwellings at a (current) cost of £843 per hydrant, which should be dealt with through condition.

Historic England: Amended scheme: NO OBJECTION - The revised plans show some changes to the detailing, although not the simplification and reduction in elements we had suggested and the general form of the building remains as before. We therefore refer you to our earlier advice and have no further comment to make on the revisions.

Initial submission: Historic England has no objection to the application on heritage grounds, although we consider the Westgate Street elevation of the new buildings, and the view seen when approaching from the west, to not be wholly successful and recommend the Council consider if ways of modifying it could be found. 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 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;

Environment Agency: NO COMMENTS

Anglian Water: Amended scheme: NO OBJECTION - Confirm that there is adequate capacity in their sewerage system to serve the proposed development, and the surface water drainage details are now acceptable.

Initial submission: This response has been based on the following submitted documents: Flood Risk Assessment and Drainage Strategy. The sewerage system at present has available capacity for these flows.

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. The agreed rate is 3.5l/s, the FRA makes reference to a possible rate of 6.3l/s. We require confirmation of the intended discharge rate at 3.5l/s. We would therefore recommend that the applicant needs to consult with Anglian Water and the Lead Local Flood Authority (LLFA). We request a condition requiring a drainage strategy covering the issue to be agreed.

Environmental Health & Housing – Environmental Quality: NO OBJECTION – Subject to conditions relating to submission and implementation of a contamination remediation scheme, and reporting of any unexpected contamination. No concerns regarding air quality.

Environmental Health & Housing – Community Safety & Neighbourhood Nuisance:

Amended scheme: **NO OBJECTION** - Some concerns expressed but conditions suggested regarding insulation and internal layouts; bin storage; external plant; drainage; lighting; and construction management programme.

Green Space Officer: NO OBJECTION - It is agreed that, with consideration to the context of this development, provision of onsite open/amenity space would be unnecessary and undesirable. With regards to the on-site landscaping and tree species selection, this all appears fine.

Consideration should be given to pre-existing trees and what remedial works/arboricultural assessments may be required, prior to being incorporated within a communal garden scheme and surrounded by occupied dwellings.

Waste & Recycling Officer: Amended scheme: **NO OBJECTION** – due to receipt of amended plans.

Initial submission: Objection as no separate provision has been made for the storage and collection of commercial waste from the retail unit and the library; road design and construction is inadequate to provide safe vehicular access for refuse collections; the provision of space for the storage of refuse is inadequate; no provision for the storage and collection of waste from the two blocks (Plots 38 – 49); and no provision has been made for the storage and presentation of food waste containers throughout the site.

Arboricultural Officer: **NO OBJECTION** - Please condition in accordance with the arboricultural report and plans.

Housing Management Officer: **NO OBJECTION** - At present a 20% provision is required on sites capable of accommodating 10 or more dwellings and/or 0.33ha in Hunstanton. 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 NPPF, meets an identified need in the Borough and is agreed by the Council. In this instance 9 units would be required, 6 for rent and 3 for shared ownership.

I have noted the applicant has proposed 3 x 1 bed & 3 x 2 bed units for rent and 3 x 2 bed units for shared ownership. I can confirm the proposed units and mix are policy compliant.

A S.106 Agreement will be required to secure the affordable housing contribution.

Norfolk Constabulary: **NO OBJECTION** - Advice offered on Secure by Design matters.

Hunstanton & District Civic Society: Initial submission: Wishes to take a **NEUTRAL** stance on this application.

“Reasons: -

On the positive side, it is recognised that the provision of library services has evolved over the last two decades. The provision of a new library built to modern needs and standards will be an asset to the town and its residents.

We do not understand why the library authorities have been vociferously opposed to locating the library to a different part of town and why they in conjunction with One Public Estate have not been able to devise a way in which the former Infant School in James Street or the Valentine Centre offices could not be repurposed into a modern library. A very successful repurposing has been achieved in Attleborough.

Because there are several empty retail units in the town we do not see an advantage in the provision of this new one.

The bus drivers and visitors to the town do need access to public conveniences so such provision is welcome. There is no indication of how this is to be provided during the period of construction.

On the negative side, the area including Hamon Court and the car park was once the Westgate Gardens - public open space. The layout of the town by Henry le Strange and William Butterfield was designed to have open spaces with permeability to permit sea views. The openness is part of the character of the town which visitors and residents value. The Grimsey

Review highlights the importance of creating and preserving green space to encourage community interaction.

Even the ecology report for this application states, "the area has no meaningful connectivity with the designated areas of The Wash."

The credibility of both the Arboricultural Assessment and the Transport Statement must be questioned because they contain obvious 'cut & paste' errors.

Apparently the re-provision of Bus Stops is not part of this planning application but is to be dealt with by a Road Traffic Order as a Permitted Development Right enjoyed by the Borough Council. The residents had been led to believe that if the bus station disappeared, the bus company would route buses through the town in order to better serve the town and its centre but that is not happening.

Removing buses from the bus station and putting them onto the roads increases the pollution on the roads and increases the risk of injury to people crossing the roads to get to or from the buses.

If buses from King's Lynn are re-routed along Le Strange Terrace, they are likely to be delayed during the summer months by the almost constant stream of visitors using the zebra crossing near to Azams and Cassies. This needs to be up-graded to a Pelican type crossing to control the flow.

Because some cars and motorcycles drive at excessive speed in the town centre area, the introduction of a twenty-mile per hour zone including Le Strange Terrace, Greevegate, High Street, Westgate and St Edmunds Terrace should be considered.

We are very concerned about the overall loss of 9 parking spaces in the Central Car Park. It is that car park which serves the High Street, the Princess Theatre and is frequently at capacity in the summer months and will be needed by people accessing the library.

The number of car park spaces in the development is below the normal standards in the false belief that the town is well served by public transport. Although there is a four bus per hour service to King's Lynn that is only on weekdays during office hours. The last bus from King's Lynn departs at 20.40 on Mondays to Fridays and 21.40 on Saturdays. There is only a 2 hourly service along the coast in the winter. The inland villages of Ringstead, Docking, Bircham and Sedgeford are only served by a school bus.

Some of the 2 bedroom apartments will require 2 cars and parking spaces so that they can get to and from employment. The statement in para 4.5.2 that the site is "highly accessible without a car" is erroneous.

Although it has been said that the new library building will accommodate a Tourist Information Centre, there is no evidence of that on the plans. Although most of the development is four storeys high, some is three and some five, which is too high. The access road will seem like a tunnel between the proposed building and Hamon Court.

There does not seem to be any form of restriction that would prevent the open market apartments being purchased as investments or holiday homes and being empty for most of the year.

During the construction of Hamon Court, we understand that a much more powerful piling machine was needed that shook the town centre and damaged other buildings."

Conservation Officer: SUPPORT - This site is located within the Hunstanton Conservation Area and has been presented to CAAP at both pre- application and submission stage. Historic England have also been consulted, in addition to the conservation team. Comments from all parties at the different stages have been broadly positive.

The current bus station and library do not enhance or contribute to the character and appearance of the Conservation Area. The principle of this development with its respect to architectural detail and materials seen elsewhere in the Hunstanton Conservation Area are to be welcomed. Later amendments have introduced subtle changes into the stone banding and arrangement of dormers do more reflect the topography of the application site.

The block to the rear has been amended to ensure that views out and beyond the site are maintained including glimpses of The Wash beyond. These views are important within the conservation area and this amendment is to be welcomed. The principles of the design once again pay respect to the detail and materials seen elsewhere in the Conservation Area. As with the frontage block conditions will ensure that this detail and the quality of materials are correct.

This application will not cause harm to the significance of the Hunstanton Conservation Area - instead remove an unattractive gap site within the town centre.

Conservation Areas Advisory Panel: Amended scheme - The Panel welcomed the changes to the scheme and felt that it would enhance the Conservation Area. The Panel also welcomed the views down through the site to the sea.

REPRESENTATIONS

Initial proposal:

A total of **20** items of correspondence received (including one signed by residents of 5 apartments in Hamon Court and one from Lynx Bus Company) raising **OBJECTION** on the following grounds:

- Loss of bus station;
- Highway and pedestrian safety;
- Impact of bus stop on The Spinney;
- Ecology – bats in trees;
- Appearance and adverse impact on Conservation Area;
- Loss of views of the sea;
- Suitability for local needs;
- Parking – inadequate to serve development contrary to Neighbourhood Plan Policy K7 and loss of spaces from existing public car park;
- Waste management;
- Drainage implications;
- Damage to properties during construction from piling;
- Lack of electric car charging points;
- Foul water sewerage existing system has issues and problems;
- Scale too high;
- Overshadowing, loss of privacy and views from adjacent flats and house;
- Disturbance during construction phase;
- Relocate library to Valentine Road;
- Searles' road train stops affected;
- New library not required – use of internet and public funding cuts;

- Impact on infrastructure and services (doctors etc.);
- Loss of open space to detriment of public wellbeing; and
- Loss of trees.

Two items of correspondence in **SUPPORT** of the proposal:

- Need younger people to redress balance of population; and
- Considerable benefits to the town.

One **NEUTRAL** item of correspondence:

- Is Tourist Information Centre to be relocated into the new library?

Amended scheme ONE further objection received at time of writing this report re-iterating earlier concerns.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS05 – Hunstanton

CS08 - Sustainable Development

CS09 - Housing Distribution

CS10 - The Economy

CS11 – Transport

CS12 - Environmental Assets

CS14 - Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM9 - Community Facilities

DM10 – Retail Development

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

NEIGHBOURHOOD PLAN POLICIES N/A

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2019

OTHER GUIDANCE

Conservation Area Character Statement

PLANNING CONSIDERATIONS

The main issues for consideration in the determination of this application are as follows:

- Principle of Development
- Form and Character
- Design and impact on the Conservation Area
- Impact upon trees
- Impact upon neighbouring properties
- Highway implications and Loss of Bus Station
- Parking provision for the development
- Loss of public car parking spaces
- Flood Risk and Drainage
- Affordable housing
- Crime and Disorder
- Other material considerations

Principle of Development

The site is mostly previously developed land within the development boundary of Hunstanton and is surrounded by a mixture of residential, leisure and commercial uses and lies within the Conservation Area.

As such the principle of development with a mixed use scheme is to be supported, subject to compliance with other relevant planning policy and guidance.

It will be noted that the Hunstanton Neighbourhood Plan, is in draft form and not at an advanced stage, so presently it has no weight with regards to decision-making.

The Hunstanton Town Centre and Southern Seafront Masterplan, was endorsed by Cabinet 7th October 2008 and subsequently agreed by Full Council. This document identifies this site (including the adjoining car park and Hamon Court development) as part of an 'opportunity site' for town centre expansion and mixed uses.

The original Hunstanton Masterplan is still relevant. However, much of it has been delivered on, or feeds into the work for the Southern Seafront Masterplan.

The latter document has not been referred to Full Council/Cabinet in its finished form to date and remains in draft, although complete and setting out the possible development options for the area. The bus station site has however been identified as a priority in the Hunstanton Prosperity Coastal Community Team Prospectus, which was endorsed by Cabinet in April 2017.

Core Strategy Policy CS05 specifically refers to the Masterplan stating inter alia: *‘The strategy for the town is to... promote opportunities for residential development within the town centre, particularly for affordable housing...*

...enhance the local character of the town, promoting high quality design of the local environment and public realm. In particular to: respect the heritage of Hunstanton while promoting the vibrancy of the town centre and The Green. New development should meet modern requirements while respecting the historic environment in the conservation area.’

The Masterplan is a material consideration in the determination of this application.

The original, and still relevant, Masterplan notes that: *‘OPPORTUNITY SITE B...*

B2. If possible the Old Garage and bus station should be developed in their entirety. If this cannot be achieved, careful thought will need to be given to phasing the redevelopment so future development is not precluded.

B3. Redevelop the Old Garage for larger retail units with housing above. The feasibility of underground car parking should also be investigated with the possibility of an active leisure use e.g. a café

B4. Consider changes to the Central Car Park as part of the re-development, pending further information on usage

B5. Investigate the potential for a relocated bus station elsewhere in the town centre. If relocation is feasible, short-term layover possibly on Greevegate near Princess Theatre or Sandringham Road – with longer-stay layover at Cliff car park

B6. Investigate ways to reduce the dominance of car movement along St. Edmund’s Terrace and the ‘Spinney’ area through changes to the public realm and highway design. This can be done with the use of surfacing materials to emphasise that the road is a shared surface rather than full closure. Further investigation will be required to assess the need for potential junction improvements

B7. Investigate Town square and public realm enhancements as part of any redevelopment.

It is recognised that part of this overall area has already been developed in the form of Hamon Court (McCarthy & Stone retirement homes), but this does not prevent the remainder of the site being developed.

This scheme incorporates mixed uses including affordable housing, and meets the aspirations of the aforementioned Plan. The principle of the proposed development is therefore considered to be acceptable and accords with the provisions of the NPPF, Policies CS01, CS02, CS05, CS08, CS09, CS10, CS12 & CS14 of the Core Strategy (2011) and Policies DM1, DM2, DM9 & DM10 of the SADMPP (2016).

Form and Character

The form and character of this part of the town comprises:

Contemporary three/four storey Hamon Court residential apartments to the immediate north fronting onto St Edmund’s Terrace;

The treed public open space of The Spinney to the east;

A mix of commercial/retail with residential in three storeys plus the Union Church along the southern side of Westgate;

No.3 Westgate a substantial detached two storey house to the south;

Wash & Tope PH plus Showboat amusement arcade in 2 - 2½ storeys to the west at lower level on Le Strange Terrace; and

Car park to north with mix of 3 storey commercial plus residential units and taller The Princess Theatre fronting the southern side of The Green.

In terms of form and character, the introduction of an effectively three-and-a-half storey building along the road frontages, with a subservient/smaller scale building to the rear, is considered to be appropriate and in accordance with the aspirations of the Masterplan.

Design and Impact on the Conservation Area

The urban design section of the Masterplan states:

“UD3. Creating a sense of identity for Hunstanton by promoting and respecting the local character but also being forward thinking by promoting diversity to create an interesting place. This should include maintaining the Victorian heritage of the town centre and historic core but looking to create a more modern area along the southern seafront with a new identity and high quality design.”

The application is accompanied by a DAS which describes the proposal and includes the following extracts:

Layout

The development consists of one larger block that wraps around the corner of Westgate and St Edmund's Terrace with the smaller block set behind at the rear of the site.

The Library is positioned as a focal point of the development with its access directly opposite to the Spinney. This is accentuated with a gable elevation with a central two storey bay window and ashlar faced entrance.

The hinge of the building is expressed with a square bay window to the full height of the building. The bay is located on the axis of the Westgate/Sandringham Road/St Edmund's Terrace junction to create a further focal point and make a transition between the building elements and functions.

The new public toilets and shop/office will face on to Westgate and complete the street level frontage, part of which is raised taking into account the fall in levels.

The location of the vehicular access is retained in the existing location but with some remodelling to reduce the amount of tarmac. The access will remain private for the residents of the apartments, deliveries and staff of the shop and Library.

The central part of the site is largely used for parking and visually broken up by two pergola car port features and soft landscaping.

Scale

The proposals make use of the sloping site in a similar way to Hamon Court adjacent. The public side of the main building is accessed at pavement level to create an Upper Ground

Floor. On the reverse of the building the ground level is cut away forming a basement level (Lower Ground Floor).

The public side of the building is 3½ storeys. The eaves level varies across the building to create a stepped roofline similar to neighbouring buildings. The section of building above the new Library is slightly higher to create a focal point and a sense of hierarchy for this civic element. It then steps down in levels along Westgate.

The rear of the building includes the basement storey, consisting the resident's entrance, three apartments, refuse store and back of house facilities to the library.

The rear block of apartments is smaller in scale and has just three floors with the upper floor partly within the roof space as an attic storey.

The design of the building draws heavily on the surrounding character and therefore seeks to reflect the Victorian Gothic style. The design also takes inspiration from the Arts and Crafts Movement in the application of some of the detailing and use of materials.

The main block is designed as a 'terrace of buildings' stepping up the hill towards The Spinney. The fenestration has as a regular rhythm but with subtle variations across the length of the building. The proportion of windows is largely vertical.

Materials

The building will be faced with natural stone as used on the adjacent Hamon Court. This is very similar to carrstone and can be laid in random coursing. Brick quoins and window dressings will be in buff brick to add contrast.

Bay windows will be rendered and painted.

The wall facing to the new library will be clad with limestone ashlar or similar to create a high quality entrance appropriate to the civic function.

The roofs will be steeply pitched with natural slate covering.

Key Details

The detailing of the building seeks to faithfully reflect local traditions. There are several key elements that have been included in the design:

- Stepped roof line with parapets.
- Attic storey with half dormers breaking eaves.
- Bay windows and oriel bay windows.
- Steeply pitched roof.
- Brick quoins and dressings.
- Use of relieving arches.
- Traditional designed shopfront.
- Gothic arch to Public Toilet.
- Swept arch feature windows to Library
- Playful use of round windows.

The Agent indicates that design is informed by the largely positive comments from the Borough Council's Conservation Officer and Conservation Areas Advisory Panel at pre-application stage.

It will be seen from the consultation section above that Historic England raised certain concerns regarding the bulk of the Westgate elevation of the main building. Certain modifications have been undertaken in response to this view, and now overall there is no objection to the application on heritage grounds. They consider that the application meets the requirements of the NPPF, in particular paragraph numbers 7, 8, 193, 194 and 196.

In determining this application the Council must bear in mind the statutory duty of 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.

In terms of contribution to, and views from, the public realm:

From Westgate beyond The Spinney looking westwards, the building would wrap around the corner of the road junction creating a continuation of the streetscene on St Edmund's Terrace as a backdrop to the public open space and create a focal point in the form of the Library gable element plus corner projecting bay feature;

Closer up on St Edmund's Terrace a view of The Wash would be maintained down the access point (the reduction of the rear blocks from two to one has achieved this aim);

From Sandringham Road to the SE the building would be seen in context with the Union Church and creating a further backdrop to the built form;

From the SW coming up Westgate a continuation of the street frontage stepping down the slope with traditional shopfronts and elevated footway akin to other areas of the town; and
From the car park a continuation of the rear of Hamon Court and the parking/service area punctuated by pergolas and the secondary block of apartments with the line of trees to the west.

Concerns have been raised regarding the height of the main block. Hamon Court has a height above road level of approx. 13.5m whereas the library part of the frontage block has a height of approx. 15.4m (apex of parapet), however this presents a gable eastwards rather than having a ridgeline parallel to the road and gives a prominence appropriate for a key municipal building and creates a focal point as specified above.

The existing 1960/70s buildings on the site are rather dated and have no architectural or historic merit. In the Conservation Areas Character Statement the site is referred to as "*...the poorly designed bus station with its vast expanse of tarmac completes the visual disaster.*" So their loss and redevelopment is considered to be a benefit in terms of contribution to the conservation area's character and appearance.

Your officers consider that the proposed buildings, whilst contemporary in terms of modern construction techniques and eco-friendly properties, have been specifically designed to reflect the constraints and opportunities of the site and its surroundings, and to meet the aspirations of the Masterplan (i.e. maintaining the Victorian heritage of the town centre and historic core). The scheme would make a positive contribution to the character and local distinctiveness of the historic environment in accordance with the provisions of the NPPF and Development Plan. This is a view shared with our Conservation Officer and the Conservation Areas Advisory Panel as reported in the Consultations section above.

The proposal therefore accords with the provisions of the NPPF, Policies CS05, CS08, CS12 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016); plus the guiding principles of the National Design Guide (2019).

Impact upon trees

The application is accompanied by an Arboricultural Impact Assessment which indicates that the majority of the mature trees on the site are to remain, and are to be protected during construction. These create a verdant feature parallel to the western boundary, which contributes to the wider character of this locality seen in context with those along Westgate, the western side of the central car park and The Spinney. This also contributes to the appearance of the conservation area.

The trees also have ecological value and this will also be preserved. Our Arboricultural Officer has assessed the scheme and raises no objections subject to the protection measures being controlled via condition.

The revised scheme has been reduced to one block in the rear and gives better separation distance from root protection areas, plus the new dwellings will be less effected by shadow and canopy spreads. The amenities afforded to new residents is now considered to be fully acceptable.

The proposal therefore accords with Policy CS12 of the Core Strategy (2011).

Impact upon neighbouring properties

The residential properties most directly affected by this proposal are those apartments contained in Hamon Court (McCarthy & Stone development) to the immediate north of the site, plus Nos. 3, 32 & 34 Westgate to the immediate south and opposite to the south-east respectively. Properties on Le Strange Terrace are lower-set and a good distance away such as to not constitute a problem.

With regards to the Westgate properties, the house No.3 lies some 35m away from the main block with only one (secondary kitchen/diner/lounge) window serving a flat in the SW elevation at third floor level. Given its height and fall of the land this window would not significantly affect the amenity of that adjoining property. All other windows in this elevation serve landings and stairwells and will be obscurely glazed. The rear block would be some 9m north of the common boundary with no windows in the south elevation.

The inter-relationships with the properties on the opposite/SE side of Westgate is such that there is a separation distance of some 19m which is considered to be fully acceptable.

Apartments in Hamon Court to the north of the frontage block have windows in the south-facing elevation. These are secondary windows serving lounge/dining areas plus kitchen in the rear section, and lounge French doors with guardrails within the front part of the building. The windows directly opposite the French doors are high-level oriels serving kitchens and bedroom windows within the bay element, and are situated over 15m away and off-set from those opposite. Towards the rear there are bedroom windows proposed in the new flats, which would be some 11.4m away and off-set from those opposite, plus high-level oriels serving lounges. This inter-relationship is considered to be acceptable given the separation distances involved and rooms served.

The rear block is some 40m away to the SW of the Hamon Court building and lower set.

3D shadow diagrams have been produced and submitted as part of this application. These demonstrate that for most of the year there would be negligible impact in regards to shadowing. There would however be an element of shadowing created during winter months when the sun is at its lowest in the sky. However the Hamon Court apartments have east and west-facing windows and the light afforded to these properties would not be so adversely affected as to warrant refusal.

Whilst the eave and ridge heights of the proposed building are slightly higher than the 3/4 storey apartment block to the north, it is considered that the separation distance (at between 11.4 - 15.4m) is such that there would not be significant detrimental impact upon the amenity of the occupants of the neighbouring apartments to the north in terms of overlooking, being overshadowed or the building being over-bearing.

Resident parking is to be located closer to No.30 Le Strange Terrace, but boundary containment and landscaping can negate any concerns regarding disturbance from headlights etc.

Disturbance during the construction phase of this development would be relatively short-lived and can be secured via condition for the submission and implementation of a Construction Management Plan as recommended by CSNN.

The proposal therefore accords with Policy CS08 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

Affordable housing

In accordance with the policy thresholds for the Borough, the application should provide an element of affordable housing. The site should command a 20% provision which would equate to nine residential units.

These comprise: 6 no. rented (3x 1-bed and 3x 2-bed) and 3 no. shared ownership (3x 2-bed).

The rented units are numbered 39, 40, 42, 43, 45 and 46. The shared ownership units are numbered 1, 3 and 4.

This number, type and arrangement between the two blocks has been produced in conjunction with our Housing Development Officer. The proposal therefore accords with Policy CS09 of the Core Strategy.

The units will be secured by S106 Agreement which would be overseen by North Norfolk District Council in an enforcing capacity (Norfolk County Council are excluded in this instance as they have had an interest in the site in relation to the library building).

Highway Implications and Loss of Bus Station

The re-development of this site involves the loss of the existing bus station which is considered to be a public facility. However the proposal is to use existing bus/loading bays within the carriageway of St Edmund's Terrace northbound adjoining the side of The Princess Theatre as bus stops, and create a new one southbound adjoining The Spinney (adjoining the recessed seating area). It is intended to provide new bus shelters with associated footway improvements including DDA compliant kerbing.

These works/structures would be undertaken on highway land and could be done under permitted development rights afforded to local authorities (Part 2, Schedule 2 of the T&CP (General Permitted Development) Order 2015). However the relocation/creation of the bus stops will require a Traffic Regulation Order (TRO) which is a separate procedure under the Road Traffic Regulations Act 1984.

This application is accompanied by a Transport Statement and Stage 1 Safety Audit which will also be submitted in support of the Traffic Regulation Order.

The Transport Statement demonstrates that the proposed development is located within an area which is accessible by different modes of transport, and that the Government's adopted policy to promote travel by more sustainable forms of transport is supported. Vehicular demands arising from the proposed development would be unlikely to have a negative impact upon the surrounding highway network, both in terms of safety or capacity. The submission is supported by a Stage 1 Safety Audit.

Indeed the Local Highway Authority (LHA) has raised no objection to this proposal on highway safety grounds. Certain conditions are however recommended relating to provision of access, car & cycle parking provision, set back barrier to access point, gradient of road, privately maintained, visibility splays, parking for construction workers, Construction Traffic Management Plan and Access Route, details and implementation of off-site highway works (including the relocated bus stops on St Edmund's Terrace and the footway works across the site access) and promotion of the TRO.

The TRO is a separate process and will take its own course. In planning terms this does not prevent the permission being granted. However the pursuit and ultimate provision of this alternative facility may be secured via condition.

Concerns were initially raised by the LHA in connection with stopping up of the highway involving the footprint of the building and reconfiguration of the access, and its impact upon existing footways. However further investigation has concluded that the building and access/footway arrangements would not encroach on highway land. The works proposed may be undertaken in accordance with S.278 of the Highway Act 1980.

In terms of servicing, both the library and shop/service unit are to be served from the rear in the same manner as refuse collection. The proposed shop unit is modest in size (157m²) and together with its restriction on use (which may be controlled by condition), location in the town centre, frontage design/appearance and layout, it is likely to be most attractive to boutique retail operations and professional services. Deliveries and collections will therefore be minimal.

The development is acceptable in terms of highway safety, and the provision of alternative arrangements both temporary and long-term to serve bus operations can be provided.

Therefore it is considered on the basis of the information supplied, that the proposal is acceptable, and is capable of complying with Policies CS08 & CS11 of the Core Strategy and Policies DM9 & DM15 of the SADMPP.

Parking provision for the development

One parking bay is provided for each residential unit, with two spaces for library staff and two for the retail/services unit (51 spaces in total).

Secure cycle provision is proposed at lower ground floor within the front block and in an enclosed yard south of the rear block to accommodate one cycle per unit. A cycle rack is also proposed to serve the library adjacent to its access point.

The Highway Authority raises no objection to the proposal in terms of parking. The proposed number of parking places is one per residential unit and given the proximity of the residential units to the town centre, the figure of one space per residential unit is considered to be acceptable and complies with the NPPF which states at paragraph 105:

'If setting local parking standards for residential and non-residential development, policies should take into account:

- a) the accessibility of the development
- b) the type, mix and use of development
- c) the availability of and opportunities for public transport
- d) local car ownership level; and
- e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.'

This stance is reiterated in Policy DM17 of the Local Plan which stipulates minimum standards with the caveat that: *'Reductions in car parking requirements may be considered for town centres and for other urban locations where it can be shown that the location and the availability of a range of sustainable transport links is likely to lead to a reduction in car ownership and hence the need for car parking provision.'*

In this case the level of car parking and cycle storage proposed is considered to uphold the principles of an integrated transport system. The site is well located for the town's existing car parks, the town centre and the proposed bus hub/stops.

The current proposal provides for both car and cycle parking and there are plenty of alternative parking spaces in this locality.

It will be noted that the same parking standards have recently been accepted on the re-development of the former Kit Kat Club site (ref: 19/01558/FM), which is indeed further from the town centre.

The proposal therefore accords with the provisions of the NPPF and Policies DM15 & DM17 of the SADMPP (2016).

Loss of public car parking spaces

This issue has been addressed comprehensively by Property Services in application ref: 20/00811/FM for developing on part of the Southend Road car park, which is elsewhere in this agenda.

The central car park would be reconfigured to accommodate the proposed development with a net reduction of 9 parking spaces (35 to remain).

It is considered that this would constitute a negligible impact compared to the existing 1500 spaces that are available within the town.

The proposal therefore accords with the provisions of the NPPF, Policies DM15 & DM17 of the SADMPP (2016).

Flood Risk and Drainage

The site lies within Flood Zone 1 of the Council-adopted Strategic Flood Risk Assessment, so the site is not at risk of flooding.

Local concerns have been raised in connection with the capacity of the existing sewerage system, given the amount of new development both permitted and proposed in and around the town. Anglian Water has confirmed that there is adequate capacity in their sewerage system to cope with this proposed development.

In terms of surface water disposal, initially the flood risk assessment and drainage proposals submitted as part of this application were not considered to be acceptable by the Lead Local Flood Authority or Anglian Water, which resulted in a holding objection from both. However

additional technical details have been forthcoming which has been agreed by Anglian Water but not the LLFA to date. The details are however expected to meet their approval.

Members will be updated regarding this matter as late correspondence should the consultation response not be available at the time of issuing this agenda.

Nevertheless it is expected that the drainage issue is capable of resolution and the development will accord with the provisions of the NPPF, Policies CS08 of the Core Strategy and Policy DM15 of the SADMPP.

Crime & 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. Comment has been received from the Architectural Liaison/Crime Prevention Officer of Norfolk Constabulary. No objection is raised to the proposal in general although advice is offered with regard to planting, lighting, security and surveillance.

Overall the proposal will have a positive impact on crime and disorder; indeed the repositioning of the bus stops into more prominent positions with improved natural surveillance will be beneficial to this locality. Plus the removal of the rather dated public toilets into a modern purpose-built facility will be significantly better.

Other Material Considerations

As stated above, there is a requirement for a Section 106 agreement to secure the provision and tenure of the affordable housing units. This would be overseen by North Norfolk District Council in an enforcing capacity as stated above.

The site is located within the zones of influence of The Wash Special Protection Area (SPA) and Ramsar Site, and The Wash & North Norfolk Coast Special Area of Conservation (SAC). As a consequence, there is a requirement derived from the Conservation of Habitats and Species Regulations 2017 to assess the implications of the proposal on the conservation objectives of the designated areas. Natural England have been consulted on this proposal and confirm that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. There is no requirement for a Habitat Risk Assessment and a Habitat Mitigation Fee has already been paid in accordance with Policy DM19 of the SADMPP.

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. As raised by the Agent in the Statement in Support section earlier in this report, the site is in receipt of Central Government grant funding under the Local Government Accelerated Construction Programme which would ensure its implementation. It is for Members to decide how much weight is given to this material consideration when determining this application. The development would also be liable to Community Infrastructure Levy which could go towards education etc.

As the proposed development is considered to be acceptable for other planning reasons, little weight has been attributed to these local finance considerations by your officers in this particular case.

Most of the issues raised by third parties have already been covered in this report. In relation to those not specifically mentioned in the report your officers respond as follows:

- Impact of bus stop on The Spinney – As stated within this report, the off-site works with regards to the bus stops is to be dealt with separately;
- Ecology – bats in trees – The application is accompanied by an Ecology Report and a Nocturnal Bat Survey which conclude that the site has low ecology value and is part of a wider foraging zone for bats. Impact upon bats is considered to be negligible and enhancements are proposed within the report which may be secured via condition;
- Loss of views of the sea - public views and the impact of the proposal have been considered above, however private views are not protected by planning law;
- Suitability for local needs - All planning applications are considered on their own merits. Nine of the dwellings are to be affordable units and the remainder open market. There is no planning policy/justification to restrict the tenure of the apartments;
- Waste management – the scheme has been amended to negate earlier concerns from consultees;
- Damage to properties during construction from piling – This is a matter of Civil Law;
- Lack of electric car charging points - amended plans show two charging points adjacent to the library and shop staff parking spaces, plus the inclusion of cabling to allow residents/landlord to make future connections to these facilities to meet demand. Solar panels and 'Fabric First' principles (high insulation/thermal properties) have also been applied to the scheme;
- Relocate library to Valentine Road – To be undertaken as a temporary measure during the development phase;
- Searles' road train stops affected – On-street parking restrictions and bus stop implications will be addressed by the Traffic Regulation Order procedure; and
- Inclusion of TIC in new library – It is understood that the relocation of the TIC to within the new Library is very much the Council's preferred option at this time. Other options are being considered but are largely contingencies should planning consent not be granted / the project not be taken forward.

Reference is made to policies within the Hunstanton Neighbourhood Plan, however as stated above, this is in draft form and not at an advanced stage, so presently it has no weight with regards to decision-making.

CSNN raised a request for insulation details to be dealt with via condition, however this is covered by separate legislation (Building Regulations). Also the specification of Air Source Heat Pumps may be secured via condition prior to installation.

Lighting may be secured via condition, likewise the provision of a fire hydrant and contamination remediation scheme.

Given recent changes to the Use Classes, it is considered appropriate to restrict the use of the 'shop' unit to retail and services/offices and prevent cafes/restaurants/takeaways via condition, as these are less suited to the juxtaposition with residential apartments and would require flues etc. They may be acceptable but would need to be considered further through a separate planning application.

Full consideration has been given to new legislation in relation to Permitted Development Rights relating to increasing the heights of block of flats, plant and satellite dishes etc. and no action is required in relation to this application as it lies within the Conservation Area.

CONCLUSION

This is the proposed redevelopment of a prominent town centre site that has previously been identified for redevelopment in the Hunstanton Masterplan, which itself is referred to in Core Strategy policy CS05. It is a mixed-use scheme, which will deliver a new library and retail unit(s), as well as 47 residential units, including 9 affordable units.

The proposed buildings, whilst contemporary in terms of modern construction techniques and eco-friendly properties, have been specifically designed to reflect the constraints and opportunities of the site and its surroundings, and to meet the aspirations of the Masterplan (i.e. maintaining the Victorian heritage of the town centre and historic core and introducing mixed uses). The design of the development is considered to be acceptable in terms of scale, height, massing, configuration plus materials, and it would therefore make a positive contribution to the character and local distinctiveness of the conservation area.

The number of mature trees to be removed has been minimised and those retained can be protected during the construction phase.

The site has low ecology value and there would be no adverse impact upon protected species or significant adverse impacts on statutorily protected nature conservation sites or landscapes.

The revisions to the adjoining Central Car Park to accommodate the proposal, would result in the net loss of 9 parking spaces. It is considered that this would constitute a negligible impact compared to the existing 1500 spaces that are available within the town.

The site provides an acceptable level of parking and servicing provision to serve its own needs and is close to public car parks, other services and facilities of the town. Plus there are no highway safety concerns.

The repositioning of the bus stops onto St Edmund's Terrace are to be dealt with via a Traffic Regulation Order (Road Traffic Regulation Act). This is carried out under separate legislation/procedure and does not prevent the determination of this planning application as submitted. However the pursuit and ultimate provision of this alternative facility may be secured via condition.

Detailed assessment has taken place in relation to neighbour amenity and it is considered that there would be no significant implications regarding overbearing, overshadowing or overlooking issues.

All matters of planning importance may be secured via appropriate conditions.

Overall it is considered that the benefits of providing this development far outweigh any negative impacts.

The development therefore accords with the provisions of the NPPF, Core Strategy Policies CS01, CS02, CS05, CS08, CS09, CS10, CS11, CS12 & CS14 of the LDF (2011) and Policies DM01, DM02, DM9, DM10, DM15, DM16, DM17 & DM19 of the SADMPP (2016); plus the guiding principles of the National Design Guide (2019).

It is therefore recommended that the application be approved subject to the completion of a satisfactory S106 Agreement to secure the affordable units.

RECOMMENDATION:

A) APPROVE subject to the completion of a **S106 Agreement** within four months of the date of this resolution to approve and subject to the following conditions:

- 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 drawing nos:
 - LP-869-P01 Revision B
 - LP-869-P02 Revision G
 - LP-869-P03 Revision B
 - LP-869-P04 Revision B
 - LP-869-P05 Revision B
 - LP-869-P06 Revision A
 - LP-869-P07 Revision A
 - LP-869-P08 Revision A
 - LP-869-P09 Revision B
 - LP-869-P10 Revision B
 - LP-869-P11 Revision C
 - LP-869-P12
 - LP-869-P13 Revision B
 - LP-869-P14 Revision B
 - LP-869-P15
 - LP-869-P16 Revision A
 - LP-869-P17 Revision A
 - 2468-20 Revision 2
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the commencement of development a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include any off-site/highway and on-site parking for construction workers, layout of site(s) regarding locations of compound, fixed plant / machinery, waste, stock, stockpiles, how deliveries/collections will be controlled in terms of access, turning etc. controls for noise, dust, lighting of site and handling of waste/control of litter, including minimising engine and reversing beeper noise, plus any other measures to protect residents from disturbance.
- 3 Reason: In the interests of the amenity of the locality in accordance with the NPPF and Development Plan. This needs to be a pre-commencement condition as it relates to issues during construction.
- 4 Condition: Prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for the temporary bus stop arrangements 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.

For the duration of the construction period all traffic associated with the construction of the development will comply with the approved 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.

- 4 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.
- 5 Condition: Construction hours and site deliveries /collections shall not take place outside of the hours of 08.30-18.00 Monday to Friday, 09.00-13.00 on Saturdays and at no times on Sundays and Bank / Public holidays.
- 5 Reason: In the interests of the amenities of the locality in accordance with the NPPF and Development Plan.
- 6 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.
- 6 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 7 Condition: 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.

- 7 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.
- 8 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 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.

- 8 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.

- 9 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 including the relocated bus stops on St Edmund's Terrace and the footway works across the site access have been submitted to, and approved in writing by, the Local Planning Authority.
- 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 in accordance with the NPPF and Development Plan.
- 10 Condition: Prior to the first occupation/use of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in condition 9 shall be completed to the written satisfaction of the Local Planning Authority.
- 10 Reason: To ensure that the highway network is adequate to cater for the development proposed in the interests of highway safety in accordance with the NPPF and Development Plan.
- 11 Condition: Prior to the commencement of the use hereby permitted the vehicular access indicated for improvement on Drawing No. LP-869-P02 Revision E shall be upgraded in accordance with the approved 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.
- 11 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 in accordance with the NPPF and Development Plan.
- 12 Condition: Prior to the first occupation of the development hereby permitted the proposed on-site access /car parking and cycle storage / servicing / loading / unloading / turning / waiting area to serve the development hereby permitted shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 12 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with the NPPF and Development Plan.
- 13 Condition: Any access gates/bollard/chain/other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 10 metres from the near channel edge of the adjacent carriageway.
- 13 Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened and to accord with Policies CS08 & CS11 of the Core Strategy and Policy DM15 of the SADMPP.
- 14 Condition: The gradient of the vehicular access shall not exceed 1:12 for the first 10 metres into the site as measured from the near channel edge of the adjacent carriageway.

- 14 Reason: In the interests of the safety of persons using the access and users of the highway.
- 15 Condition: Notwithstanding the submitted details, unless otherwise agreed in writing by the Local Planning Authority, the proposed private drive shall be maintained in perpetuity at a minimum width of 4.5 metres for its complete length and shall be constructed perpendicular to the highway carriageway for a minimum length of 10 metres as measured from the near edge of the highway carriageway.
- 15 Reason: In the interests of highway safety and traffic movement.
- 16 Condition: Prior to the first use of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the site's eastern roadside frontage (to St Edmund's Terrace). 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.
- 16 Reason: In the interests of highway safety in accordance with the principles of the NPPF.
- 17 Condition: No works shall commence on the site until the Traffic Regulation Order for the relocated bus stops on St Edmund's Terrace as outlined on drawing C 100 Rev P6 has been promoted by the Local Highway Authority.
- 17 Reason: In the interests of highway safety and to accord with the provisions of the NPPF, Policy CS11 of the Core Strategy and Policy DM15 of the SADMPP. This needs to be a pre-commencement condition as the impact applies to traffic associated with both the construction phase and also daily running of the site.
- 18 Condition: The development shall be undertaken in accordance with the Arboricultural Impact Assessment, Tree Protection Plan & Method Statement produced by CJ Yardley Landscape Survey & Design LLP dated November 2020, and submitted as part of this application.
- 18 Reason: To ensure appropriate tree protection measures are secured in accordance with Policy CS12 of the Core Strategy.
- 19 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.
- 19 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 20 Condition: The development hereby approved shall be undertaken in accordance with the recommendations and ecology enhancements contained in the Preliminary Ecological Survey produced by CJ Yardley Landscape Survey & Design LLP dated February 2020 and submitted as part of this application.

- 20 Reason: To secure ecological enhancements to the site and locality, and to accord with Policy CS12 of the LDF.
- 21 Condition: Prior to the installation of any external lighting, a detailed outdoor lighting scheme 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 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 scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 21 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 22 Condition: Prior to the first occupation/use of the development hereby permitted, details of a signage scheme, stating that the use of the car parking within the site is for residents/library staff and retail/services unit staff only, shall be submitted to and approved in writing by the Local Planning Authority. The signage shall be installed in accordance with the approved scheme and shall thereafter be retained.
- 22 Reason: To ensure the car parking on site is not used by others and is only available for residents and associated staff.
- 23 Condition: The charging points for electric vehicles and associated infrastructure as shown on the approved plan, Drawing No. LP-869-P02 Revision D, shall be installed prior to use of the associated library and retail/services unit(s) hereby approved.
- 23 Reason: In order to accord with Paragraph 110 of the NPPF.
- 24 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.
- 24 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 25 Condition: No development over or above foundations shall take place on site until full details of the casement, dormer and bay windows, doors and surrounds, shopfronts, rainwater goods and eaves treatment 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.
- 25 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 26 Condition: Prior to occupation/use of the development hereby approved commences, the associated cycle and waste/bin storage facilities shall be provided and made available for use. These facilities shall be retained thereafter for those particular uses.
- 26 Reason: In order to secure adequate cycle and waste storage facilities to serve the proposed development, and to accord with the provisions of the NPPF and Policies DM15 & DM17 of the SADMPP.

- 27 Condition: Prior to installation, full specifications of proposed air source heat pumps shall be submitted to, and agreed in writing by, the Local Planning Authority. The units shall be implemented as agreed.
- 27 Reason: In the interests of residential amenity of proposed and existing dwellings and to accord with the provisions of the NPPF and Policy DM15 of the SADMPP.
- 28 Condition: The development shall not be brought into use until a scheme for the provision of one fire hydrant has been implemented in accordance with a scheme that has previously been submitted to, and approved in writing by, the Local Planning Authority.
- 28 Reason: In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 29 Condition: The landing and stairwell windows in the south-western elevation of the front building facing Westgate shall be obscurely glazed. Those windows shall be permanently maintained in that condition thereafter.
- 29 Reason: To protect the residential amenities of the occupiers of adjoining property and to accord with Policy DM15 of the SADMPP.
- 30 Condition: Notwithstanding the provisions of Schedule 2, Part 3 of the Town & Country Planning (General Permitted Development) Order 2015 as amended, the retail/services unit(s) shall be only used for the purposes of Class E of Schedule 2, Part A of 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, with the exception of cafes and restaurants, unless otherwise permitted by the granting of specific planning permission.
- 30 Reason: In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order and to accord with Policy DM15 of the SADMPP.
- B) REFUSE** if the S106 Agreement is not agreed within four months of the date of this resolution to approve.