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

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

Neighbourhood Plan: No

Case Summary

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

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

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

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

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

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

Key Issues

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

Recommendation

APPROVE

THE APPLICATION

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

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

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

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

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

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

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

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

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

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

SUPPORTING CASE

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

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

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

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

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

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

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

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

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

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

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

PLANNING HISTORY

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

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

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

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

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

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

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

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

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

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

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

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

RESPONSE TO CONSULTATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Recommendation

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I therefore recommend a condition re: Construction Environmental Management Plan

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

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

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

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

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

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

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

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

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

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

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

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

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

During the construction phase:

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

This will include:

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

Following construction:

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

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

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

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

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

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

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

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

Anglian Water: NO OBJECTION – but made comments:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Cllr Rust: – OBJECTION – no reason given

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

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

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

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

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

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

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

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

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

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

REPRESENTATIONS

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

Design

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

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

Impact on heritage assets

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

Neighbour Amenity

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

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Parking/highway issues

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

Flooding/drainage

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

Loss of open space/facilities

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

Procedure

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

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

Other

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS03 - King's Lynn Area

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

CS13 - Community and Culture

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM9 - Community Facilities

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DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM21 - Sites in Areas of Flood Risk

NEIGHBOURHOOD PLAN POLICIES

N/A

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The application raises the following key issues: -

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

Principle of development

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

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

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

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

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

- flood-protection strategies set out in CS01 and CS08;
- the transportation network
- local services and facilities;
- significant trees, wildlife or historic assets;

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

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

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

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

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

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

SADMP Policies DM1, DM2 and DM15 also apply.

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

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

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

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

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

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

Design

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Impact on Heritage Assets

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Highway Safety

The application has been supported by a Transport Note.

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

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

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

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

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

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

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

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

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

Neighbour Amenity

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

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

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

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

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

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

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

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

Flood Risk/Drainage

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

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

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

In relation to the exception test:

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

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

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

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

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

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

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

Trees

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

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

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

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

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

Other material considerations

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CONCLUSION

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

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

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

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

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

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

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

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

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

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

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

RECOMMENDATION:

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

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans:

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

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

- 5 Condition: Before any dwelling is first occupied the road(s), footway(s) and cycleway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- 5 Reason: To ensure satisfactory development of the site.
- 6 Condition: Notwithstanding the submitted details unless otherwise agreed in writing by the Local Planning Authority the proposed vehicular access to the parking area to the rear of Block 1 shall be maintained in perpetuity at a minimum width of 4.8metres
- 6 Reason: In the interests of highway safety and traffic movement.
- 7 Condition: Prior to the first use of the parking area to the rear of Block 1 hereby permitted visibility splays measuring 2.4 metres x 25 metres shall be provided to each side of the access where it meets the highway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 7 Reason: In the interests of highway safety.
- 8 Condition: Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period
- 8 Reason: To minimise the potential for on-street parking and thereby safeguard the interest of safety and convenience of road users
- 9 Condition: No works shall commence on site until such time as a Stopping Up plan has been approved and the Stopping Up Order to remove all highway rights subsisting in the highway land on the approved plan has been granted and all highway rights have been successfully removed.
- 9 Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

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

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

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

- 11 Condition: Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the

scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets,
 - woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with the Environment Agency's Land Contamination Risk Management (LCRM).

- 11 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 12 Condition: Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 12 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 13 Condition: The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

- 13 **Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 14 **Condition:** In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (Cond 11), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (Cond 12), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (Cond 13).

- 14 **Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 15 **Condition:** No development or other operations shall take place on site until a detailed construction management statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:
- (a) a Construction Environmental Management Plan to include the measures to be undertaken to control the emission of dust, noise, and vibration from the operation of plant and machinery to be used, a piling management plan listing details of timings and techniques, with details to include the mitigation measures proposed in Section 6.0 of the AQA to protect residents from construction dust;
 - (b) the location of any temporary buildings and compound areas;
 - (c) the location of parking areas for construction and other vehicles;
 - (d) the measures to be used to prevent the deposit of mud and other deleterious material on the public highway; and,
 - (e) a scheme for the management and signage of all construction traffic.

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

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

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

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

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

- I. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
 - II. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.
 - III. Evidence of Agreement or Agreement in Principle for the surface water discharge from the proposed development into the existing Anglian Water surface water sewer.
- 16 Reason: To prevent flooding in accordance with National Planning Policy Framework paragraph 163, 165 and 170 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.
- 17 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 17 Reason: In the interests of the visual amenity of the area.
- 18 Condition: The development shall be carried out in accordance with the Tree Protection Plan (TPP), Arboricultural Method Statement (AMS), Timetable for implementation of Tree Protection Works and the Tree Management and Replanting Proposals set out in the Arboricultural Impact Assessment 2020 by A T Coombes Associates Ltd, that was submitted in conjunction with the planning application hereby approved unless otherwise agreed in writing by the local planning authority.
- 18 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 19 Condition: No development shall take place until a Written Scheme of Investigation for a programme of archaeological works has been submitted to and approved by the local planning authority in writing. The scheme shall include:
1. An assessment of the significance of heritage assets present
 2. The programme and methodology of site investigation and recording
 3. The programme for post investigation assessment of recovered material
 4. Provision to be made for analysis of the site

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

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

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

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