

Planning (Regulatory) Committee

Date: **Friday, 15 July 2016**

Time: **10:00**

Venue: **Edwards Room, County Hall,
Martineau Lane, Norwich, Norfolk, NR1 2DH**

Persons attending the meeting are requested to turn off mobile phones.

Membership

Mr M Sands (Chairman)

Mr S Agnew

Mr S Askew

Mr M Baker

Mr B Bremner

Mr C Foulger (Vice-Chairman)

Mr A Grey

Mr D Harrison

Mr T Jermy

Mr J Law

Mr B Long

Ms E Morgan

Mr W Northam

Mr E Seward

Mr M Storey

Mr J Ward

Mr A White

At meetings of this Committee, members of the public are entitled to speak before decisions are made on planning applications. There is a set order in which the public or local members can speak on items at this Committee, as follows:

- Those objecting to the application
- District/Parish/Town Council representatives
- Those supporting the application (the applicant or their agent.)
- The Local Member for the area.

Anyone wishing to speak regarding one of the items going to the Committee must give written notice to the Committee Officer (committees@norfolk.gov.uk) at least 48 hours before the start of the meeting. The Committee Officer will ask which item you would like to speak about and in what respect you will be speaking. Further information can be found [here](#).

**For further details and general enquiries about this Agenda
please contact the Committee Officer:**

Julie Mortimer on 01603 223055 or email committees@norfolk.gov.uk

Under the Council's protocol on the use of media equipment at meetings held in public, this meeting may be filmed, recorded or photographed. Anyone who wishes to do so must inform the Chairman and ensure that it is done in a manner clearly visible to anyone present. The wishes of any individual not to be recorded or filmed must be appropriately respected.

When the County Council have received letters of objection in respect of any application, these are summarised in the report. If you wish to read them in full, Members can do so either at the meeting itself or beforehand in the Community and Environmental Services Department, County Hall, Martineau Lane, Norwich.

A g e n d a

1. To receive apologies and details of any substitute members attending

2. To agree the minutes of the meeting held on 10 June 2016.

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3. **Declarations of Interest**

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is on your Register of Interests you must not speak or vote on the matter.

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is not on your Register of Interests you must declare that interest at the meeting and not speak or vote on the matter

In either case you may remain in the room where the meeting is taking place. If you consider that it would be inappropriate in the circumstances to remain in the room, you may leave the room while the matter is dealt with.

If you do not have a Disclosable Pecuniary Interest you may nevertheless have an **Other Interest** in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

If that is the case then you must declare such an interest but can speak and vote on the matter.

4. **Any items of business the Chairman decides should be considered as a matter of urgency**

5. **Y/3/2016/3004: Attleborough: New 630 pupil primary school and associated external works and a standalone 52 place nursery building.**

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6. **Y/2/2016/2001: King's Lynn Fire Station, Kilhams Way, King's Lynn - Provision of additional car parking for non-operational staff, visitors to site.**

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Chris Walton
Head of Democratic Services
County Hall
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Date Agenda Published: 07 July 2016



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STANDING DUTIES

In assessing the merits of the proposals and reaching the recommendation made for each application, due regard has been given to the following duties and in determining the applications the members of the committee will also have due regard to these duties.

Equality Act 2010

It is unlawful to discriminate against, harass or victimise a person when providing a service or when exercising a public function. Prohibited conduct includes direct discrimination, indirect discrimination, harassment and victimisation and discrimination arising from a disability (treating a person unfavourably as a result of their disability, not because of the disability itself).

Direct discrimination occurs where the reason for a person being treated less favourably than another is because of a protected characteristic.

The act notes the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The introduction of the general equality duties under this Act in April 2011 requires that the Council must in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by this Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Crime and Disorder Act, 1998 (S17)

Without prejudice to any other obligation imposed on it, it shall be the duty of the County Council to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Human Rights Act 1998

The requirements of the Human Rights Act 1998 must be considered.

The human rights of the adjoining residents under Article 8, the right to respect for private and family life, and Article 1 of the First Protocol, the right of enjoyment of property are engaged. A grant of planning permission may infringe those rights but they are qualified rights, that is that they can be balanced against the economic interests of the community as a whole and the human rights of other individuals. In making that balance it may also be taken into account that the amenity of local residents could be adequately safeguarded by conditions albeit with the exception of visual amenity.

The human rights of the owners of the application site may be engaged under the First Protocol Article 1, that is the right to make use of their land. A refusal of planning permission may infringe that right but the right is a qualified right and may be balanced against the need to protect the environment and the amenity of adjoining residents.

**Planning Regulatory Committee
Minutes of the Meeting Held on Friday 10 June 2016
at 10am in the Edwards Room, County Hall**

Present:

Mr S Agnew
Mr S Askew
Mr B Bremner
Mr C Foulger
Mr D Harrison
Mr J Law
Mr B Long
Ms E Morgan

Mr W Northam
Mr D Ramsbotham
Mr M Sands
Mr E Seward
Mr M Storey
Mr J Ward
Mr A White
Ms S Whitaker

1 Election of Chairman

Mr M Sands was elected Chairman of the Planning (Regulatory) Committee for the ensuing year.

Mr M Sands in the Chair.

2 Election of Vice-Chairman

Mr C Foulger was elected Vice-Chairman of the Planning (Regulatory) Committee for the ensuing year.

3 Apologies and Substitutions

Apologies for absence were received from Mr M Baker (Mr D Ramsbotham substituted), Mr T Jermy (Ms S Whitaker substituted) and Mr A Grey.

4 Minutes from the meeting held on 1 April 2016

- 4.1 The minutes from the Planning (Regulatory) Committee meeting held on 1 April 2016 were agreed as a correct record by the Committee and signed by the Chairman.

5 Declarations of Interest

There were no declarations of interest.

6 Urgent Business

There was no urgent business.

Applications referred to the Committee for Determination:

- 7 **Broadland District: C/5/2016/5003: Strumpshaw HWRC, Stone Road, Strumpshaw: Installation of a reuse shop, for onsite sale of items suitable for reuse, and change of use to a mixed use development to allow the ancillary small scale sale of non-recycled products (compost bins, green waste sacks, Christmas trees and logs).**
- 7.1 The Committee received the report by the Executive Director of Community and Environmental Services seeking planning permission to enable the existing Strumpshaw Household Waste Recycling Centre (HWRC) to install a reuse shop on site and to facilitate the small-scale sale of non-recycled products such as compost bins, green waste sacks, Christmas trees and logs in order to promote the recycling service and generate a small income to offset the cost of running the service.
- 7.2 Upon being put to the vote, the Committee unanimously **RESOLVED** that the Executive Director of Community and Environmental Services should be authorised to:
- i) Grant planning permission subject to the conditions outlined in section 12 of the report.
 - ii) Discharge conditions (after discussion with the Chairman and Vice-Chairman of the Committee) where those detailed in the report required the submission and implementation of a scheme, or further details, either before development commenced, or within a specified date of planning permission being granted.
 - iii) Delegate powers to officers (after discussion with the Chairman and Vice-Chairman of the Committee) to deal with any non-material amendments to the application that may be submitted.

The meeting ended at 10.10am.

CHAIRMAN



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Applications Referred to Committee for Determination:

Breckland District Council:

Y/3/2016/3004:

**New 630 pupil primary school and associated external
works and a standalone 52 place nursery building:**

Director of Children's Services

Report by the Executive Director of Community and Environmental Services

Summary

Planning permission is sought for the construction of a new 630 pupil primary school associated external works and a standalone 52 place nursery building in Attleborough, Norfolk. The site has an area of 3.8 hectares and is located within the development boundary of Attleborough on land allocated by Breckland Council for an employment use.

The application has generated 6 responses from local residents their concerns relate primarily to the impacts of the proposal on highways capacity, safety and residential amenity. There are no overriding objections from statutory consultees.

The impacts of the proposal have been carefully considered, including the impact upon design & visual amenity, sustainability, landscape & trees, groundwater/surface water & flood risk, highways safety, ecology and archaeology.

It is considered that the principle of development on this site is in accordance with the development plan and national planning policy.

The proposal is therefore considered to be acceptable subject to conditions and there are no issues of sufficient weight to justify a refusal.

Recommendation

It is recommended that the Executive Director of Community and Environmental Services be authorised to:

- (i) Grant planning permission subject to the conditions outlined in section 12 and a Section 106 Legal Agreement in respect of linking this site to the employment application approved by Breckland District Council. The legal agreement will require the employment land to be available and marketed for sale for a 1 year period following commencement of development of the school site, unless otherwise agreed with Breckland District Council.
- (ii) To discharge conditions (in discussion with the Chairman and Vice Chairman of the committee) where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
- (iii) Delegate powers to officers (in discussion with the Chairman and Vice Chairman of the committee) to deal with any non-material amendments to the application that may be submitted.

1. The Proposal

- 1.1 Location : The site has an area of 3.8 hectares and is located within the development boundary of Attleborough on land allocated by Breckland Council for an employment use.
- Type of development : A new 630 pupil primary school and associated external works and a standalone 52 place nursery building
- Access & parking : A new access north from London Road would be created and would link to the southern area of the site.
- Onsite parking provision is being proposed and consists of 83 school parking spaces, 11 nursery parking spaces and a total of 12 cycle storage spaces.
- Landscaping : Hard and soft play areas, sports pitch, attenuation pond for surface water drainage, extensive boundary treatment and planting.

2. Constraints

- 2.1 The following constraints apply to the application site:
- Agricultural Land Class. 3
- Majority of site within Settlement Boundary
- Majority of site Saved Employment Allocation

3. Planning History

- 3.1 The application site forms part of a larger site that has been subject to the following applications determined by Breckland District Council. The application site broadly accords with the area the subject of the outline element for employment development.
- 3PL/2012/0958/H: Erection of 375 dwellings with assoc. parking, garages & landscaping (Full) & Outline for Employment Development. Approved subject to S106 agreement December 2012.
- 3PL/2011/0528/H: Erection of 375 dwellings with assoc. parking, garages & landscaping (Full) & Outline for Employment Development. Refused. Appeal Withdrawn. 2013.
- 3.2 Concurrently Breckland District Council are considering the following applications:
- 3PL/2016/0416/O: Erection of 16 dwellings and associated works. On land adjacent to the application site and part of the land the subject of the outline element for employment development referred to above. Approved June 2016.
- 3PL/2016/0417/O: Outline planning permission for B1, B2 and B8 uses. Pending consideration. On land on the opposite side of London Road and further south.

Being proposed as replacement employment development land to mitigate the loss of employment designated land that would result in the school application and housing application are built out. Approved June 2016.

4. Planning Policy

4.1	Adopted Core Strategy and Development Control Policies Development Plan Document (2009)	:	SS1	Spatial Strategy
			CP3	Employment
			CP4	Infrastructure
			CP5	Developer Obligations
			CP6	Green Infrastructure
			CP8	Natural Resources
			CP9	Pollution and Waste
			CP10	Natural Environment
			CP11	Protection and Enhancement of the Landscape
			CP12	Energy
			CP13	Accessibility
			DC1	Protection of amenity
			DC12	Trees and Landscape
			DC13	Flood Risk
			DC14	Energy Generation and Efficiency
			DC16	Design
			DC17	Historic Environment
			DC18	Community Facilities Recreation and Leisure
4.2	Saved Policies Breckland District Local Plan (2009)	:	DC19	Parking Provision
		:	Attleborough 9	Site E3 Land South of A11 Proposed Business Park.
4.3	The National Planning Policy Framework (2012)	:	4	Promoting sustainable transport
		:	7	Requiring good design

	8	Promoting healthy communities
	10	Meeting the challenge of climate change flooding and coastal change
	11	Conserving and enhancing the natural environment
	12	Conserving and enhancing the historic environment
4.4		Planning For Schools Development
5.		Consultations
5.1	Breckland District Council	: Extension of time to comment until 31st May 2016.
5.2	Attleborough Town Council	: At the time of drafting the report no comments received.
5.3	Norfolk Fire & Rescue Service	: At the time of drafting the report no comments received.
5.4	Breckland District Council	: No objection subject to the completion of a section 106 agreement requiring alternative employment land to be made available and marketed, the IDB's concerns being addressed and suitable controls on lighting.
	Environmental Health Officer	: Recommend approval. Site has been examined from an acoustical perspective to address noise from nearby roads and mechanical plant proposed for the school building. However, no consideration made of school causing noise disturbance to residential properties. Recommend assess noise from use of the School near to residential properties with a view to mitigation including acoustic barriers/fencing/hours of use of part of the site/activities ie. Sports field, multiuse games area, break time bells or sounders. This could be by condition. Recommend condition regarding construction and demolition works.
5.5	Anglian Water	: Comments received reference the incorrect planning authority. Comments raise no objection subject to a condition requiring the submission of a foul water strategy.
5.6	Sport England	: Does not fall within our statutory or non-statutory remit. Do not wish to comment.
5.7	Norfolk Historic	: No objection subject to a condition in accordance

	Environment Service - Archaeology		with Paragraph 141 of the NPPF requiring a written scheme of investigation prior development. The Historic Environment Service has confirmed that they will produce a brief for the programme of archaeological works on request.
5.8	Norfolk Historic Environment Service – Conservation	:	At the time of drafting the report no comments received.
5.9	Crime Prevention Design Advisor	:	Essential that advice in Secured by Design Award' is incorporated into the proposal especially with regard to lighting, glazing and the standards of the apertures. Important that car park has excellent levels of natural surveillance from reception. The drawings point to low levels of surveillance which should be avoided. Unobserved parking area provide a burden on the constabulary. Care and attention is required to gates/points of access/fencing to avoid opportunities to climb into the site. 1.8m weld mesh fencing is very good. A category 2 fence up to 2.4m is the preferred specification. Lighting should be a uniform spread of white light. Specified standards for lighting, glazed curtain walling and all doors and windows, fire doors and CCTV. The comments were received too late to amend the design or incorporate some of the suggestions.
5.10	East Harling Internal Drainage Board	:	<p>Original Plans: Object. Insufficient information. Potentially drains to Attleborough watercourse river in the control of East harling IDB. Drainage strategy propose discharging to adjacent ditch at a discharge rate in excess of the rate provided in the SUDs manual. The system provides no information on meeting SUDs water quality standards. No consideration is given regarding rights to discharge to downstream watercourse. No calculations are provided to demonstrate the size of attenuation feature is adequate. No consideration given to whether it is practicable to drain the building with a piped system and via a pond yet still be of sufficient shallow depth to discharge to a shallow ditch. No information submitted to demonstrate means of surface water drainage and that there will be no detrimental impact (hydrological and water quality) on the watercourse. Require full drainage details including calculations.</p> <p>Revised Plans: The Drainage Strategy submitted</p>

does not provide an acceptable solution to the drainage of the development. The Board will accept a condition being included with the permission which requires a Flood Risk Assessment and Drainage Strategy to be submitted and approved by either the LLFA or IDB prior to commencement. The Drainage Strategy should demonstrate no increase in offsite flood risk and to demonstrate that the drainage there is a viable drainage route between the outfall and IDB watercourse. The Applicant should be aware that the discharge may require formal IDB consent and be subject to the Boards Surface Water Development Charge. Discharge Consent will be required prior to occupation.

- 5.11 Highway Authority (NCC) : Subject to improvements to the footway/cycleway network, opportunity to access school by more sustainable modes is good. Neighbouring Taylor Wimpey residential development is obliged to introduce a series of off-site highway improvement measures along London Road. Once these have been provided the site will benefit from excellent pedestrian/cycle links. Until then the pedestrian/cycle links to the site would not be appropriate to serve the proposed school. Request condition that site not occupied until off site highway works are introduced. If school to be occupied prior to highway improvements then applicant will need to provide footway and cycle way to ensure a continuous link back to the Town Centre. This could be secured by condition. Highway improvements required to manage school activities including: keep clear markings on both access points; part time 20mph speed limit; improvements to Taylor Wimpey crossing arrangements. A further pedestrian refuge island or widening of Taylor Wimpey Crossing may be required. These can be secured by condition. Request that applicant fund a Traffic Management Review after 12 months to identify if further measures such as yellow line waiting restrictions and/or verge protection are required. Children's Services have confirmed they are happy with this and have set aside sufficient funds to implement review. If yellow lines are required, applicant will be required to fund and provide Traffic Regulation Order. New access will be a simple verge/footway crossing rather than a kerbed junction to allow pedestrian movements to take priority. A guard rail

may be required. This and access specification can be secured by condition. The on-site one-way system should be reversed so that pedestrian board alight from the on-site footway rather than the traffic running lane. The exact details and signage can be secured by condition. Proposed 68 car parking spaces is below standard but satisfied that this is sufficient for 65 staff FTE given the links by sustainable modes. Proposed cycle parking not sufficient. Only 26 cycle spaces proposed. This is in line with standards for staff. No provision made for students. Prior to the school being occupied covered secure cycle/scooter parking of at least 63 spaces for students should be provided. This can be secured by condition. Request that school designates an area for future cycle parking. This can be secured by condition and be monitored through the Travel Plan process. School required to provide a travel plan and monitor at intervals. Request conditions regarding: provision of vehicular/pedestrian/cycle crossing over footway/ditch/watercourse; vehicle pedestrian and cycle access only at points shown on drawing NPS-DR-A 061 Rev P7; gradient of access shall not exceed 1:12 for first 10 back from carriageway; gates to hang inwards and be set back 10m from highway; provision one-way of signage at access points; provision and maintenance of visibility splay; provision of access, manoeuvring, parking etc areas; cycle parking scheme; on-site parking for construction workers; provision and use of wheel cleaning facilities for construction vehicles; provision of a school time 20mph speed limit; traffic management review within 12 months of occupation; and travel plan.

- 5.12 Landscape and Green Infrastructure Officer : Detail acceptable in planning terms. Potential for future maintenance issues related to raised planters in vehicle parking areas. Important for trees within hardstanding to have sufficient rooting volume. Could the applicant consider shared planting areas between more trees or use of below ground cellular system to achieve required rooting volume. Request confirmation of water depth within basin of wildlife area/SUDS. Fence-line around basin to be enclosed within areas of shrub/tree planting is likely to cause future maintenance issues. Disappointing that only access to KS2 Wildlife Area is onto dipping platform. Could the fence-line be rationalised

making the area larger and reducing conflict with vegetation and providing an access point for maintenance of the basin and planting. Depth and extent to which dipping platform extend into basin may not be appropriate. Ponds within school grounds should be no deeper than 0.75m. Recommend details of solar panels be conditioned. Request condition regarding detail and finish of materials.

Revised Plans: With regard to the trees in hard standing, although the principle of providing appropriate rooting for the trees in hard standing has been established, the detail provided on drawing 16-1-1086-DR-L-811-P1 is not technically acceptable. There is no indication of the rooting volumes proposed, and details of aeration have not been provided. The applicant has suggested that they would be happy to accept a condition for details of SUDS features. However, I am unsure how specific details of SUDS components can be conditioned at this stage whilst there are unknowns with regard to water depths, which could affect functionality of areas with dual purposes. Nonetheless, I am aware of time pressures and so should this development be approved at this stage, I would recommend a condition.

5.13 County Ecologist

: Ecological Assessment is satisfactory and does not identify any likely significant effects on ecology. Provided mitigation is adopted development is expected to have no significant ecological impacts. Landscape plan will have some benefit for biodiversity but there are no specific enhancements. Features should be designed to a state that can be used for wildlife projects by end users.

5.14 Senior Arboricultural Officer

: Comments restricted to trees that the school development is directly effecting and not trees and hedges that are to be removed along roadside as part of the wider development. No objection. Ash trees T680, 681 and G1 are close to proposed Nursery Building. Although the AIA states that these trees will not be adversely affected by the development, the fact that up to 90% of ash trees in the UK are likely to succumb to ash dieback over the next 20 years means that these trees should not be considered to be a material consideration in the siting of the nursery. No

objection would be raised to an amended proposal to remove Trees 681 and 682, as long as suitable additional mitigation planting is included within the landscape proposals.

5.15 Lead Local Flood Authority

- : Original Plans: The application falls below the current threshold for providing detailed comments. Officers would have to be satisfied that the applicant has demonstrated compliance with National Planning Policy Framework ("NPPF") paragraph 103 & Ministerial Statement HCWS 161 by ensuring that Sustainable Drainage Systems for the management of run-off are put in place.

Revised Plans: At the time of drafting the report no additional comments received.

5.16 Local residents

- : Mr and Mrs Lawrence: Do not object to a primary school in this location. Increased noise and loss of privacy to garden due to increase in traffic and pedestrians. Request additional acoustic barrier and wall/fence height along our boundary. The properties opposite Grosvenor Park have had acoustic fencing installed. Concern about grass verge outside out property being used as parking by parents. Could a knee-high fence and/or tree planting be provided to prevent parking on grass verges. Heavy traffic and speeding vehicle blight this area of Attleborough. Hope speed limit will be reduced to 20mph during school drop off/pick up times, speed tables and/or width restriction to slow vehicles and a safe crossing. Some of the drivers of cars and HGVS are reckless along this section of road.

Mr Terry: In principle agree with proposal. Concern regarding speed limit on London Road. Speed limit requires to be reduced. Also traffic calming along straightest part of London Road like speed humps or priority road narrowing sections. Road would require appropriate lineage to prevent cars stopping and parking during school hours or arrival and departure. Should consider a crossing point to allow safe passage of parents and children crossing the road. Number of vehicle including coaches and heavy goods vehicle pass the site constantly throughout the day. Most concerned about the safety of children attending school.

Mr and Mrs Grainger: Object to parents picking up

and dropping off on London Road and Harebell Road. Harebell Road has narrow roads and in some areas no pavements so you have to walk in the road. Parents parking on roads and pavements create hazards that cause traffic accidents and obstructions. Upset. Issues of selfish parking by parents dropping and collecting pupils. London Road experiences heavy and fast traffic during most of the day. Not ideal for children. Do not want cars parking on London Road or in my road as this causes inconvenience and becomes dangerous when visibility is blocked at junctions. Parents do not walk children to school, disregard common sense when parking, become abusive when they are illegally parked and it becomes a nightmare for residents in close proximity. Understand the Highways department don't intend restricting parking or reducing the speed limit to 20mph. There will be 12 access roads within the zone of the school development. Very dangerous situation. Not acceptable for a busy road that carries all the town traffic south. Request double yellow lines on London Road and on corners of all access roads within vicinity of school. Plus 20mph speed limit and warning speed lights highlighting actual speed only during school times.

Mrs Flynn: As a community Attleborough would benefit. Concerns proposal has been pushed through without adequate thought to the parents and children of the town. Pedestrian access to London Road end of town is limited, with no safe footpaths or crossing on a busy road. School will increase traffic at this end of town and throughout the one way system. Doesn't appear to be a primary school from the start. Parents will have children starting school at different ends of town at similar times.

Mr Beenham: Support. There is a clear and pressing need for additional school places. Accept site selected is most appropriate. Satisfied with applicant's assessment against relevant planning policy. Much needed improvement to education provision in the town.

Mr Human: Concerned about highway safety and questions the need for the school.

5.17 Environment Agency

: At the time of drafting the report no comments received.

- 5.18 County Councillor (Mr Alec Byrne) : At the time of drafting the report no comments received.

6. Assessment

6.1 Proposal

- 6.2 The application is for the construction of a new primary school, with associated external works and a standalone 52 place nursery building. The site has an area of 3.8 hectares and is located within the development boundary of Attleborough on land allocated in by Breckland District Council for an employment use.
- 6.3 The new school would provide education for 630 pupils of primary school age (21 classrooms) and nursery places for 52 children in 3,490m² of accommodation. The new school building would be 3,200m². The layout would include two “*teaching wings*,” located either side of a “*central heart space*,” which houses the communal areas such as the library and dining hall along with the administration functions and main entrance.
- 6.4 The nursery building would have 290m² of floor space. It would provide two nursery rooms with associated facilities a shared kitchen area and associated storage and administration areas.
- 6.5 The proposed school building would be set back into the site and away from the main London Road. This would reduce the presence of the school on the street scene.
- 6.6 Externally there will be electronically controlled access and egress gates at the main entrance with London Road. Sports field provision (football pitch, hard play surface, feature play mounds area and cycle & running perimeter circuit track), a bespoke bin store with green roof, a safety surface play area around the nursery and an attenuation pond. Traffic management on the site will be achieved via a one way “*main avenue*” system for parking and drop off. There will be 65 parking bays and 3 disabled bays. Extensive landscape planting and boundary treatments are proposed.
- 6.7 The school building façade is proposed to be clad with buff facing brick with large areas of glazing to the classrooms and communal/ group areas. External canopies would be provided to all sides of the building and these would be clad with powder coated aluminium fascia panels with concealed gutters and composite timber soffits. The main hall will create a feature for the building and will be clad entirely in standing seam metal (roof and walls); standing seam metal will also be used to clad the mono-pitched roof areas over the classrooms.
- 6.8 The nursery building will be similar in appearance to the main school building, with buff facing brick, powder coated aluminium windows and doors and a standing seam metal pitched roof. An external canopy is provided to the nursery rooms and will be clad with powder coated aluminium fascia panels with concealed gutters and composite timber soffits to match the school building.

6.9 Site

- 6.10 The application site is located to the south west of Attleborough and west of London Road. The site measures 3.8Ha and is part of a larger former agricultural field that is currently being developed for housing. The proposed school would share a boundary to the north east and north west with the houses being development. To the south east the site fronts onto London Road, which is a primary route providing access to Attleborough, and to the south west the site shares its boundary with existing residential dwellings and an existing car dealership.
- 6.11 A new footpath and cycleway is proposed immediately adjacent to London Road. This would link to the footpath and cycleway that will form part of the adjacent housing development, and ultimately links to the town centre and existing footpath & cycleway infrastructure.

Principle of development

- 6.12 A basic principle when assessing planning applications is outlined in Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004 which states:

“if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

- 6.13 In terms of the development plan, the County Planning Authority considers the relevant documents in relation to this application are the Adopted Core Strategy and Development Control Policies Development Plan Document (2009) and Breckland District Local Plan (2009) Saved Policies. Whilst not part of the development plan, policies within the National Planning Policy Framework are also a further material consideration of significant weight.
- 6.14 There are two emerging plans that are relevant for Attleborough. Breckland Council’s emerging Local Plan which is at “preferred directions,” stage (regulation 18) and Attleborough’s Neighbourhood Plan which is at “pre-draft” plan stage. The policies contained within Breckland’s emerging Local Plan demonstrate the anticipated levels of growth for Attleborough. Policy PD04 “level and location of growth” states that 788 new homes were built in Attleborough between April 2011 and March 2015. The policy also suggests a further allocation for 4,000 new homes for the plan period to 2036. Attleborough’s emerging Neighbourhood Plan is not so advanced being at the drafting stage with no clear indication of when the regulation 14 consultation document will be published.
- 6.15 As such due to where each of the plans are in their preparation little weight can be attributed to either of these plans or policies. However the housing numbers quoted in Breckland’s emerging Local Plan do add a context by demonstrating the anticipated level of future growth.
- 6.16 Paragraph 72 of the National Planning Policy Framework states that the government attaches great importance to ensuring that a sufficient choice of school places are available to meet the needs of existing and new communities.

As such local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement. Great weight should be given to the need to create, expand or alter schools and work with schools promoters to identify and resolve key planning issues before applications are submitted. The Applicant and Officers have been involved in pre-application discussion regarding this proposal prior to submission of the application.

- 6.17 In justifying the new school the applicant points to a need to reorganise education provision in Attleborough to accommodate demand from existing and future housing growth. The intention for the town is that two Primary Schools will be created to replace the existing Infant and Junior Schools. One of the new primary schools will be based on the current Junior School site and a second created (this proposal) on a new site to the south of the town. The land which forms the current infant school will be used to allow the high school to expand and a sixth form to be provided.
- 6.18 Officers having considered the submission agree that there is sufficient need to justify the requirement for an additional educational facility in Attleborough. As such in accordance with paragraph 72 of the NPPF great importance should be placed on ensuring sufficient choice of school places is available to meet the identified needs of the existing and future communities. Officers consider that a proactive, positive and collaborative approach to meeting this requirement would be appropriate in this instance. A full appraisal of all the relevant planning issues is required to establish whether this particular site option is the most appropriate site to meet the need.
- 6.19 The land subject to the planning application is located within the Settlement Boundary and therefore development is considered acceptable in principle.
- 6.20 The land is currently allocated as Employment Land under the Breckland Core Strategy and has been identified for this use under planning approval 3PL/2012/0958/H, which included the development of 375 dwellings on land to the north of the site. An employment land assessment has been submitted as part of the application which shows that the application site was allocated as an employment area in 2012 and has been marketed for employment use by Brown and Co since February 2015 and has received no reasonable offers.
- 6.21 An appraisal of nine site options in and around Attleborough have been included with the planning application. Of the nine options the application site is considered to be preferred as it relates better to the approved housing growth and is the most accessible. The other options have been considered less suitable for a variety of reasons. The reasons include distance from new development, poor accessibility and size.
- 6.22 As an alternative to the employment allocation on this site, land to the south west of London Road has been identified and the subject of a separate application which was approved by Breckland Council on 27th June 2016. The approved alternative employment land covers an area of 5.3 hectares which is greater than the existing allocation (the application site 3.8 hectares) and has been granted approval for a number of uses. Breckland Council have raised no objection to the

proposed arrangements.

- 6.23 To assist in ensuring that the alternative employment site gets development a S106 agreement linking this site to the employment application approved by Breckland District Council is being proposed. This would require the employment land to be available and marketed for sale for a 1 year period following commencement of development of the school site, unless otherwise agreed with Breckland District Council. Breckland District Council would act as the enforcing authority for the s.106 agreement. Breckland raise no objection to the approach being proposed.
- 6.24 Officers are satisfied that the application site represents an acceptable option when compared against the alternative sites considered. The loss of the employment allocation would be mitigated by the approved alternative which is larger in site area and has more options for uses and the proposed S106 agreement will help to ensure delivery. Therefore Officers conclude that the use of the application site for an educational use rather than an employment allocation on this occasion is acceptable subject to the provision of the S106 agreement as set out above.

Amenity

- 6.25 Policy DC 1 “Protection of Amenity” of Breckland’s Core Strategy states that development will not be permitted where there are unacceptable effects on the amenities of the area or the residential amenity of neighbouring occupants, or future occupants of the development site.
- 6.26 There are recently approved residential developments either unbuilt or under construction on three sides of the site. The residential properties under construction on the eastern boundary of the site would be the nearest to the proposed school building. The rear elevation of the dwellings are/will be approximately 22 metres from the east elevation of the proposed school building. The boundary treatment in this area and along the majority of this boundary would be constructed from 2m high weld mesh fence complemented with native structural scrub and tree planting to develop a varied green boundary of hedgerow and woodland areas. This boundary treatment extends to the north west boundary between the proposed development and the residential development under construction. If approved there would be a sports field including a football pitch and a pedestrian access situated approximately 5m from this boundary. The nearest residential property is a further 3m from the boundary so in total 8m from the sports pitch and pedestrian access.
- 6.27 The south west boundary treatment being proposed is a mix of 2m acoustic timber fencing. The purpose of this type of fencing is to mitigate noise levels from the A11 to make natural ventilation by openable windows viable. The fencing would screen the school and the proposed nursery building and play area. The remaining section would be 2m high weld mesh fencing planting and retention of an existing hedge. The nearest property to this boundary is approximately 20m from the boundary and approximately 40m from the proposed nursery building.

- 6.28 Breckland Council has recently approved an outline planning application for 16 new dwellings with all matters reserved apart from access on land immediately abutting the south east boundary of the site. The approved application site sits between the principle elevation of the proposed school and London Road. The boundary treatment being proposed between the two developments is 2m high and constructed from masonry. The proposed school building is 25m from this boundary and the nursery building is approximately 36m from the boundary.
- 6.29 The Applicant has submitted as part of the application a lighting assessment and electrical services plan which provides details of the type of external lighting being proposed and the locations. The external lighting will be low source intensity and direct downward orientated and to ensure light nuisance is minimised road way lighting and perimeter car park lighting will be primarily bollard light sources.
- 6.30 The Environmental Health Officer (EHO) for Breckland Council has raised no objection to the lighting being proposed. In all other respects he recommends approval providing that the development proceeds in line with the application details and subject to conditions to alleviate environmental concerns. The EHO expressed concern that no consideration appears to have been given to the school causing noise disturbance to residential properties surrounding the site during playtimes/ external sport activities and use of the various external games areas. Therefore he suggests a condition requiring noise assessment to be carried out during the use of the school near to residential properties. With a view to introducing mitigation plans if required. A further condition is recommended to protect amenity during construction and demolition works.
- 6.31 Officers considered that subject to the conditions being proposed for noise assessment during the operational phase there is sufficient distance between the site and sensitive receptors to prevent any loss of amenity from noise or lighting. Therefore the proposal is compliant with DC 1 “Protection of Amenity” of Breckland Council’s Core Strategy subject to appropriate conditions.

Design & Visual Amenity

- 6.32 Policy DC 16 “Design” of Breckland Council’s Core Strategy states that all new development should achieve the highest standards of design. Also that design principles will be given consideration in assessing developments such as local character, public realm, connectivity, adaptability, diversity, crime prevention, form & character, density, height, massing, scale, layout, siting, grouping, landscaping, boundary treatments, enclosure, building detailing and materials.
- 6.33 Section 7 of the NPPF “Requiring good design” specifies that the Government attaches great importance to the design of the built environment.
- 6.34 During preparation of the application planning Officers were consulted and advised the applicant on the design and layout of the proposal. The application has been submitted broadly in accordance with many of the design principles discussed during the pre-application phase.

- 6.35 The façade of the school building is proposed clad with a buff facing brick and large areas of glazing for the classrooms and communal/ group areas. External canopies provided to all sides of the building will be clad with powder coated aluminium fascia panels with concealed gutters and composite timber soffits. The main hall will be clad entirely in standing seam metal with a seamless transition between the roof and wall; standing seam metal will also be used to clad the mono-pitched roof areas over the classrooms. Photovoltaic (PV) panels would be located on the roof.
- 6.36 The nursery building will be similar in appearance to the main school building, with buff facing brick, powder coated aluminium windows and doors and a standing seam metal pitched roof. An external canopy is provided to the nursery rooms and will be clad with powder coated aluminium fascia panels with concealed gutters and composite timber soffits to match the school building.
- 6.37 The County's landscape and Green Infrastructure Officer having considered the proposal is satisfied in principle that the massing of the proposed buildings is appropriate further detailed information on the finish and as such has requested a condition to detail the material & finish of the building exteriors and the PV panels.
- 6.38 The surrounding uses are in the main residential so in terms of form, character, height, massing, scale, layout, siting and grouping the school and nursery buildings would not necessarily be that similar to the surrounding buildings. However Officers consider that in all of these aspects the proposed development would not result in harm. It is considered that overall the scheme would create an interesting feature that would complement the surrounding uses.
- 6.39 The layout of the school building has two distinct teaching wings located either side of a central heart space, which houses the communal areas such as the library and dining hall along with the administration functions and main entrance. This layout allows the key stage 1 and key stage 2 pupils to be taught in separate areas whilst sharing common areas.
- 6.40 Each of the teaching wings have been designed with classrooms on either side of a wide central corridor that can be used as an informal group/ breakout space during lessons and will provide additional learning space.
- 6.41 The layout of the nursery building has been designed to provide a secure environment for young children. The two main nursery rooms would have direct access to WC/ nappy change facilities and the kitchen. Direct access to the external play areas has also been provided and the spaces have been designed to maximise the link and interaction between the interior and exterior spaces. The staff and administration areas and main entrance have been located behind the nursery rooms to allow privacy and maximise security whilst maintaining good links via the main corridor.
- 6.42 The external areas have been designed such that a wide main entrance avenue will be established which would allow an area for parents to congregate at the end of the school day. The staff car park will be located close to the school

building at the end of the main avenue and would also provide a coach drop-off area along with space for deliveries and refuse collection. The main playing field would be located to the rear of the building along with formal and informal hard play areas. A 2m high security fence will be provided to the boundary, and this will be softened with planting, which also provides additional privacy to the residential developments.

- 6.43 The site can be accessed by pedestrians and cyclists from 3 separate entrance points around the site. A new footpath and cycleway is being proposed immediately adjacent to London Road. This would provide a link to the footpath and cycleway that will form part of the adjacent housing development, and ultimately link the site to the town centre and existing footpath & cycleway infrastructure. This part of the proposal would ensure that the development would be well connected and would promote a choice of transport modes.
- 6.44 Taking the aforementioned matters into account, Officers are satisfied that the building's design, layout, and landscaping plans are in accordance with section 7 of the NPPF and DC 16 "Design" of Breckland's Core Strategy. Subject to conditions requiring submission of details of the building materials and the photovoltaic panels on the roof prior to commencement of the development.

Sustainability

- 6.45 Policy CP 8 "Natural Resources" of Breckland Council's Core Strategy states that all development must be consistent with the principles of the proper management of natural resources. Development will only be supported where it will enhance, or protect against the non-essential loss of the natural resources of the District.
- 6.46 Policy DC 14 "Energy generation and efficiency" of Breckland Council's Core Strategy states that all new development above 1,000m² to supply at least 10% of the energy they require through on-site and/or decentralised renewable sources. Section 10 "Meeting the challenge of climate change, flooding and coastal change," of the NPPF specifies that in determining planning applications, local planning authorities should expect new development to comply with adopted local plan policies on local requirements for decentralised energy supply and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 6.47 A sustainability statement has been include in the application. The statement highlights that the building has been designed, positioned and orientated to minimise the resources required to operate as an educational facility. The layout has been designed to benefit from the principals of passive solar control and natural ventilation. The service installations are to be specified to be as energy efficient as possible and reduce water. The building envelope is to be specified to reduce heat loss and air leakage, and therefore reduce running costs and the energy required to operate the school.
- 6.48 PV panels would be located on the roof and generate electricity for use in the building and/or to supply electricity back to the grid. The heat load for the building would be generated by natural gas fired condensing plant. The PV panels are currently based on 250m² being required to meet building regulations Part L and

Norfolk County Council's planning requirement of 10% of the buildings energy demand being delivered from a low zero carbon or renewable source. This is an estimate based on previous project information. Officers consider that a condition should be included requiring details of the PV panels and solar thermal panels to be submitted and approved in writing by the county planning authority.

- 6.49 Taking these matters into account and subject to condition it is considered that the sustainability measures being proposed are in accordance with section 10 of the NPPF, policy CP 8 "Natural Resources" and policy DC 14 "Energy generation and efficiency of Breckland Council's Core Strategy.

Landscape & Trees

- 6.50 Policy CP11 "Protection and Enhancement of the Landscape," states that Breckland Council as the local planning authority expects all development within the District to be of the highest design quality in terms of both architecture and landscape. Developers should have regard to good practice in urban design and fully consider the context within which their proposals sit. Development schemes should embrace opportunities to enhance the character and appearance of an area and contribute to creating a sense of local distinctiveness.
- 6.51 Policy DC 12 "Trees and Landscape" of Breckland's Core Strategy states that any development that would result in the loss of, or the deterioration in the quality of an important natural feature(s), including protected trees and hedgerows will not normally be permitted. The retention of trees, hedgerows and other natural features *in situ* will always be preferable. Where the loss of such features is unavoidable, replacement provision should be of a commensurate value to that which is lost. Appropriate landscaping schemes to mitigate against the landscape impact of and complement the design of new development will be required, where appropriate.
- 6.52 A tree survey plan, tree protection plan and Arboricultural Impact Assessment (AIA) has been submitted with the application. The AIA demonstrates that a number of trees and hedging, positioned along the south eastern boundary of the site and adjacent to London Road are to be removed as part of a Section 278 agreement for highways works, submitted by the developers of the recently approved (Breckland Council) residential development adjacent to the site. The County Arboricultural and Woodland Officer has not commented on this specific point.
- 6.53 There is no further tree removal being proposed but two ash trees would require protection during the construction phase. In response Norfolk County Council's Senior Arboricultural and Woodland Officer is of the opinion that provided the work is carried out in accordance with the submitted arboricultural information no objection would be raised.
- 6.54 A landscape design strategy has been included in the design and access statement which accompanied the application. The strategy includes extensive new planting / landscaping as part of the proposal. This should help to integrate the proposed development into the surroundings and mitigate any impacts. Norfolk County Council's Landscape and Green Infrastructure Officer has not

raised an objection to the proposal but is not sure how specific details of SUDS components can be conditioned at this stage whilst there are unknowns with regard to water depths, which could affect functionality of areas with dual purposes. However in recognition of time pressures is agreeable to a condition requiring details of hard and soft landscaping including details of the attenuation pond to be submitted and approved before any development takes place.

- 6.55 It is therefore considered that the proposal is compliant with policies CP11 “Protection and Enhancement of the Landscape” and DC 12 “Trees and Landscape” of Breckland Council’s Core Strategy subject to appropriate conditions.

Groundwater/surface water & Flood risk

- 6.56 Policy DC 13 “Flood Risk,” of Breckland Council’s Core Strategy states that new development should be located in areas at least risk of flooding and will be expected to minimise flood risk to people, property and places. Proposals which increase the risk of flooding will not be permitted in accordance with a risk-based approach. The policy goes on to state that suitable measures to deal with surface water arising from development proposals will be required to minimise the impact to and from new development.
- 6.57 Full drainage details including calculations have been included in the Flood Risk Assessment submitted with the application. The FRA states that a total area of 700m³ (worst case) of storage will be required for a 1 in 100 + 30% storm event. The preferred option is to use open ponds for storage. The ponds will have outfalls to the open ditches, one will be to the ditch by London Road and the other will be to the ditch to the west boundary of the site.
- 6.58 The FRA confirms that the site lies within Flood Zone 1 which ensures that the development would be compatible with policy guidance. Infiltration methods would be unlikely to be a feasible for surface water disposal due to contaminants and large amounts of made ground and the underlying geology. A positive discharge will be required to the existing ditch running parallel to London Road. It is proposed that the flows will be restricted to the existing greenfield rate through a piped system which feeds an attenuation pond. With the above measures in place the development of the site will not create any flood risk issues to the wider area.
- 6.59 The Lead Local Flood Authority (LLFA), Environment Agency and East Harling Internal Drainage Board (IDB) have reviewed the proposed drainage strategy and subsequent revisions. The Lead Local Flood Authority has provided standing advice which states that the county planning authority would need to be satisfied that development would be compliant with National Planning Policy Framework (“NPPF”) paragraph 103 by ensuring that the proposal would not increase flood risk elsewhere and written Ministerial Statement HCWS 161 by ensuring that Sustainable Drainage Systems for the management of run-off are put in place. At the time of writing the report the Environment Agency had not responded with any comments. Officers will update Members verbally should any comments be received.

- 6.60 East Harling IDB have raised concerns regarding the drainage strategy submitted with the application which in their opinion does not provide an acceptable solution to the drainage of the development. They consider however that as there is not a direct impact on the IDB watercourses and should the planning authority grant planning consent the IDB will accept a suitable condition being included with the planning consent. The condition should require a suitable flood risk assessment and drainage strategy to be submitted and approved by either the LLFA or IDB prior to commencement. The drainage strategy would have to demonstrate that there will be no increase in offsite flood risk and that there is a viable drainage route between the outfall and IDB watercourse. The Applicant should be aware that the discharge may require formal IDB consent.
- 6.61 The proposed development and the housing schemes approved by Breckland Council would result in four new crossings of the drainage ditch which runs along London Road. The Norfolk County Council through the LLFA is responsible for consenting works that affect the flow of an ordinary watercourse under the terms of the Flood and Water Management Act 2010, Land Drainage Act 1991 and Water Resources Act 1991. This consent would also be required.
- 6.62 Officers considered that subject to the imposition of a condition requiring a suitable flood risk assessment and drainage strategy prior to commencement of the development the proposal is compliant with policy DC 13 “Flood Risk” of Breckland Council’s Core Strategy and section 10 of the NPPF

Highways safety

- 6.63 NPPF paragraph 32 states that all developments that generate significant amounts of movement should be supported by a transport statement or transport assessment. This application was accompanied by a transport statement and an interim travel plan. Whilst paragraph 32 states that development should only be refused on transport grounds where the residual cumulative impacts of the development are severe, it also states that decisions should take account of whether safe and suitable access to the site can be achieved.
- 6.64 The Site lies immediately to the north of London Road’s junction with Hillsend Lane and New Road, on the western side of the carriageway. The Site is set back approximately 50m from London Road.
- 6.65 The transport statement supporting the application reviews the access arrangements for all modes of transport to/from the proposed development. It also considers the location and suitability of the site the 3FE primary school development. Car parking, internal vehicular movement/parking, servicing, delivery and waste collection arrangements have been reviewed. Road safety has also been reviewed by assessing the accident records in the local area and how they relate to the proposed development. The potential impact of the development would have on the surrounding road network has also been assessed.
- 6.66 The application has been assessed by the Highway Authority who considered the proposal in terms of the potential for impact on the highway network, the appropriateness of the proposed off site highway improvements, vehicular &

pedestrian access, site layout and the vehicular & cycle parking.

- 6.67 In summary no objection has been raised by the Highway Authority subject to conditions and informative notes being included on any consent notice issued. The conditions being requested
- 6.68 The Highway Authority consider that *“the opportunity to access the school by more sustainable modes is good.”* The proposed development is well located to take advantage of off-site highway improvement measures required of the developer of the neighbouring residential development through an agreement with the Highways Authority under section 278 of the Highways Act 1980 which has been signed and is legally binding. This Includes a substantial length of shared use footway / cycleway along London Road (which includes the application site frontage) which will link back to the Town Centre. Until these measures are introduced the pedestrian / cycle links to the site are limited and would not be appropriate to serve the proposed school. As such a condition has been requested which would ensure that the site is not occupied until the improvements are introduced. Alternatively if the school is to be occupied ahead of the developer delivering the improvements a condition requiring the applicant to provide a footway link should be included.
- 6.69 The Highway Authority also states the *“given that a school will change the nature of traffic generated, the applicant will also be required to provide a series of highway improvements to help manage school activities,”* such measures should include:
- The provision of school keep clear markings on both access points,
 - The introduction of a part time 20 mph speed limit
 - Improvements to the proposed crossing arrangements (which will be introduced by the residential site developers) to reflect the change in pedestrian movements as a result of the school application.
- 6.70 These measures can be secured by condition and the exact details agreed on discharging the conditions at a later stage in the process.
- 6.71 In addition the applicant has been asked to fund a Traffic Management review after 12 months of occupation to identify if any further traffic management measures (including yellow line waiting restrictions and / or verge protection) are required. Children's Services are satisfied with the suggested approach and have confirmed that sufficient funds have been set aside to implement the review.
- 6.72 Details of the new pedestrian access point onto London Road including an appraisal of the requirement for a new guardrail and other constraints should be submitted for approval at a later date.
- 6.73 The Highway Authority are not satisfied with the internal site layout that is being proposed. Of particular concern is that one way system being proposed and the potential for the safety of site users being compromised due to pedestrians being dropped off or picked up being forced to board/alight from the running lane (in conflict with vehicles) rather than the purpose built footway facility provided. Therefore a condition is being proposed to ensure that the exact details of the

one way system (including signage) can be agreed at a later date.

- 6.74 The proposals outline that 68 no. car parking spaces will be provided on site to cater for staff / visitor demand. This is lower than the maximum recommendations within the Council's adopted parking strategy "*Standards for Parking in Norfolk (2007)*." The Highways Authority are satisfied with this given links to the site by other sustainable modes. The level of cycle provision is however considered insufficient with only 26 cycle spaces (13 Sheffield stands) are proposed to cater for staff and students. This figure is in accordance with the County Council's standards for staff (1 space per 6 FTE) this figure makes no provision to cater for the potential 630 students to bike / scooter. The Highway Authority conclude that it is reasonable to assume that a number of pupils will access the school by cycle and as such the availability and prominence of secure cycle parking will be key and suggest that covered cycle / scooter parking should be provided to cater for at least a minimum of 10% of students. A condition has been suggested for exact details to be agreed at a later date.
- 6.75 A further condition has been suggested because the school will be required to provide a travel plan which they should thereafter monitor at agreed intervals.
- 6.76 In conclusion, Officers consider that in highways terms the proposal is acceptable and in accordance with paragraph 32 of the NPPF. Subject to the imposition of conditions to ensure construction is in accordance with the plans, delivery is timed to ensure all modes of transport are catered for, safe use of the highway, adequate parking provision, control over highways issues during the construction phase and submission of a travel plan.

Ecology

- 6.77 Policy CP 10 "Natural Environment" of Breckland Council's Core Strategy states that there is an expectation that development will incorporate biodiversity or geological features where opportunities exist. Development that fails to exploit opportunities to incorporate available biodiversity or geological features will not be considered appropriate.
- 6.78 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.
- 6.79 As part of the application an ecological assessment report has been submitted. The ecological investigations reported in the document reveal that there is limited potential for valued ecological receptors, such as protected species or ecologically rare/important habitats, to occur on the site. For some protected species with a conceivable risk of occurrence on the site, this risk can be addressed through adopting avoidance or mitigation measures. The measures include retention of the drift fencing during the construction period, hedgerow creation to compensate for any loss (shown on layout plans), replace trees lost, all contractors to be familiarised with the laws pertaining to bats, newts & protected species, two weeks before site clearance the grass should be cut to a height of 5-10cm, site clearance only outside 1st March to 31st August, construction work only during daylight hours, all waste stored in skips or pallets

and all excavations should be backfilled at the end of each day. Provided these measures are adopted the proposed development is expected to have no significant ecological impacts.

- 6.80 The County Ecologist having considered the assessment report and the suggested mitigation measure concludes that providing the measures suggested are adopted the proposed development is expected to have no significant ecological impacts. This requirement can be secured through condition.
- 6.81 It is therefore considered that subject to condition the proposal is compliant with policy CP 10 “Natural Environment” of Breckland Council’s Core Strategy and Paragraph 109 of the NPPF.

Archaeology

- 6.82 NPPF paragraph 128 specifies that in determining applications, local planning authorities should require applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 6.83 Policy DC 17 “Historic Environment” of Breckland Council’s Core Strategy states that sites of archaeological interest and their settings will be protected, enhanced and preserved and development which has an unacceptable impact upon a site of archaeological interest will not be permitted.
- 6.84 An archaeological evaluation has been submitted in support of the application. The evaluation reports the findings of a programme of archaeological evaluation which comprised the excavation and recording of 17 archaeological evaluation trenches (50m long by 1.8m wide) across the proposed development area.
- 6.85 The evaluation has revealed the presence of limited potential Prehistoric remains. Medieval and Post-medieval evidence largely comprised former field boundaries, which were present as dispersed features, across the site. The evaluation has identified the presence of Medieval pits and ditches.
- 6.86 The Historic Environment Service of the County Council have considered the application and the information submitted and concludes that If planning permission is granted a condition in accordance with Paragraph 141 of the NPPF would be required to request a written scheme of investigation prior to commencement of the development. The Historic Environment Service has confirmed that they will produce a brief for the programme of archaeological works on request.
- 6.87 It is therefore considered that subject to the imposition of a condition as set out above the proposal is compliant with policy DC 17 “Historic Environment” of Breckland Council’s Core Strategy and section 12 “Conserving and enhancing the historic environment” of the NPPF.

Statement of Community Involvement

- 6.88 A statement of community involvement has been included with the submitted documentation. It includes details of the consultation events that took place prior to submission. These events consisted of a public consultation session with the local community and a meeting with the Mayor of Attleborough and representatives of the neighbourhood plan steering group. Summary details of the two events demonstrate that a number of pertinent issues were discussed including highways/parking & drop off, the loss of employment land and footpath connections. The statement also provides in appendix 1 details of the presentation boards.
- 6.89 Officers consider that the statement does demonstrate how the views of the local community have been sought. The statement does not explain how those views have helped to shape the scheme itself, however it is apparent that the issues raised have been considered and addressed in the final design now being proposed.

Responses to the representations received

- 6.90 The application was advertised by means of neighbour notification letters, site notices, and an advertisement in the Eastern Daily Press newspaper.
- 6.91 There were 6 letters received from local residents in response to the consultation. It is worthy of note that many of the respondents agree with the principle of the new school and recognise the need but have expressed concern regarding particular points, including:
- The potential for there to be increased noise and disturbance.
 - Loss of privacy.
 - General highway safety in particular around drop off and pick up times.
 - Controls over parent parking at drop off and pick up times.
 - Inadequate links for pedestrians.
 - Request for tighter controls than those currently in place over speed in the area once the school is operational.
 - Request for a safe crossing point.

7. Resource Implications

- 7.1 **Finance:** The development has no financial implications from the Planning Regulatory perspective.
- 7.2 **Staff:** The development has no staffing implications from the Planning Regulatory perspective.
- 7.3 **Property:** The development has no property implication from the Planning Regulatory perspective.
- 7.4 **IT:** The development has no IT implications from the Planning Regulatory perspective.

8. Other Implications

8.1 Human rights

8.2 The requirements of the Human Rights Act 1998 must be considered. Should permission not be granted Human Rights are not likely to apply on behalf of the applicant.

8.3 The human rights of the adjoining residents are engaged under Article 8, the right to respect for private and family life and Article 1 of the First Protocol, the right of enjoyment of property. A grant of planning permission may infringe those rights but they are qualified rights that is that they can be balanced against the economic interests of the community as a whole and the human rights of other individuals. In making that balance it may also be taken into account that the amenity of local residents could be adequately safeguarded by conditions albeit with the exception of visual amenity. However, in this instance it is not considered that the human rights of adjoining residents would be infringed.

8.4 The human rights of the owners of the application site may be engaged under the First Protocol Article 1 that is the right to make use of their land. An approval of planning permission may infringe that right but the right is a qualified right and may be balanced against the need to protect the environment and the amenity of adjoining residents.

8.5 Equality Impact Assessment (EqIA)

8.6 The Council's planning functions are subject to equality impact assessments, including the process for identifying issues such as building accessibility. None have been identified in this case.

8.7 **Legal Implications:** There are no legal implications from the Planning Regulatory perspective.

8.8 **Communications:** There are no communication issues from a planning perspective.

8.9 **Health and Safety Implications:** There are no health and safety implications from a planning perspective.

8.10 **Any other implications:** Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

9. Section 17 – Crime and Disorder Act

9.1 It is not considered that the implementation of the proposal would generate any issues of crime and disorder, and there have been no such matters raised during the consideration of the application.

10. Risk Implications/Assessment

10.1 There are no risk issues from a planning perspective.

11. Conclusion and Reasons for Grant of Planning Permission

11.1 The proposal the subject of this application would provide 3,490m² of much needed educational and pre-school accommodation particularly given the recent and planned levels of increased housing provision consisting of 21 classrooms

for 630 pupils of primary school age and 52 nursery places.

- 11.2 The buildings being proposed are of a high design standard and incorporate a good specification of sustainability measures and which should generate 10% of the buildings energy demand being delivered from a low zero carbon or renewable source.
- 11.3 The proposed development is considered acceptable subject to a Section 106 Legal Agreement in respect of linking this site to the employment application approved by Breckland District Council. There are no other material considerations why it should not be permitted. Accordingly, full conditional planning permission is recommended.

12. Conditions

- 12.1 The development hereby permitted shall commence not later than three years from the date of this permission. Within seven days of the commencement of operations, the operator shall notify the County Planning Authority in writing of the exact starting date.
- Reason: Imposed in accordance with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 12.2 The development must be carried out in strict accordance with the application form, plans and documents.
- Reason: For the avoidance of doubt and in the interests of proper planning.
- 12.3 Prior to the commencement of any works on site, details of the type and colour of the brickwork, mortar courses and roofing materials, shall be submitted to, and agreed in writing by, the County Planning Authority. The development shall then be constructed and retained in accordance with the approved details.
- Reason: To ensure the satisfactory appearance of the development.
- 12.4 Prior to the commencement of any works on site, details of the design, materials and colour of the windows and doors, shall be submitted to, and approved in writing by, the County Planning Authority. The railing and doors shall thereby be undertaken and retained in accordance with the approved details.
- Reason: To ensure the satisfactory appearance of the development.
- 12.5 Prior to the commencement of any works on site, details of the colour and finish of the external joinery and rainwater goods, shall be submitted to, and agreed in writing, by the County Planning Authority. The external joinery and rainwater goods shall thereby be undertaken and retained in accordance with the approved details.
- Reason: To ensure the satisfactory appearance of the development.
- 12.6 Prior to the commencement of any works on site, details of the photovoltaic panels, shall be submitted to, and agreed in writing, by the County Planning Authority. The panels once insitu shall be retained in accordance with the approved details.
- Reason: To ensure the satisfactory appearance of the development.

- 12.7 Prior to the first occupation of the development hereby permitted the vehicular (and / or pedestrian / cyclists) crossings over the footway / ditch / watercourse (including School Keep Clear Markings and appropriate pedestrian restraint measures) shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority, in consultation with the Highway Authority.
- Reason: To ensure construction of a satisfactory access and in the interests of highway safety.
- 12.8 Vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing No NPS-DR-A 061 Rev P7 only. Any other access(es) or egresses shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, concurrently with the bringing into use of the new access.
- Reason: In the interests of highway safety.
- 12.9 The gradient of the vehicular access(es) shall not exceed 1:12 for the first 10 metres into the site as measured from the near channel edge of the adjacent carriageway.
- Reason: In the interests of the safety of persons using the access and users of the highway.
- 12.10 Prior to the first occupation of the development hereby permitted any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 10 metres from the near channel edge of the adjacent carriageway.
- Reason: To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened.
- 12.11 Prior to the first occupation of the development hereby permitted signs shall be provided and thereafter retained at the means of ingress and egress (onto London Road) in accordance with a one way system scheme to be submitted to and approved by the Local Planning Authority.
- Reason: In the interests of highway and site safety and traffic movement.
- 12.12 Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- Reason: In the interests of highway safety.
- 12.13 Prior to the first occupation of the development hereby permitted the proposed access / on-site car and cycle parking / servicing / loading, unloading / turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

- 12.14 Prior to occupation a scheme for the parking of cycles has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.
- Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport.
- 12.15 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.
- Reason: To ensure adequate off-street parking during construction in the interests of highway safety.
- 12.16 No works shall commence on site until the details of wheel cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- Reason: To prevent extraneous material being deposited on the highway.
- 12.17 For the duration of the construction period all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities provided referred to in condition 16.
- Reason: To prevent extraneous material being deposited on the highway.
- 12.18 Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the provision of a school time 20 mph speed limit on London Road and pedestrian crossing arrangements have been submitted to and approved in writing by the County Planning Authority in consultation with the Highway Authority.
- 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.
- 12.19 Prior to the commencement of the use hereby permitted the school time 20 mph speed limit on London Road and pedestrian crossing arrangements referred to in condition 18 shall be completed to the written satisfaction of the County Planning Authority in consultation with the Highway Authority.
- Reason: To ensure that the highway network is adequate to cater for the development proposed.
- 12.20 Within 12 months of first occupation of the development hereby permitted, the applicant shall instruct and fund the Highway Authority to undertake a Traffic Management review within the vicinity of the site to identify if any further reasonable measures (including waiting restrictions and verge protection) are required to manage traffic associated with the development. Any such measure(s) identified shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority, in consultation with the Highway Authority.

Reason: In the interests of highway safety.

- 12.21 Within 6 months of the first occupation of the development hereby permitted a review of the existing school travel plan shall be submitted to and approved in writing by the County planning Authority in consultation with the Highway Authority. The travel plan shall be implemented in accordance with the timetables and targets contained therein and shall continue to be implemented subject to any modifications agreed by the County Planning Authority in writing in consultation with the Highway Authority as part of an annual review. The travel plan reviews shall monitor pupil numbers and provide accordingly for the phased development of the future cycle parking (as agreed with the Highway Authority).

Reason: To ensure that the development is as sustainable as possible, in accordance with.

- 12.22 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:

- i. proposed finished levels or contours;
- ii. means of enclosure;
- iii. hard surfacing materials;
- iv. soft landscape works, including plans and sections of tree planting in hard surfaces;
- v. minor artefacts and structures (specifically lighting, dipping platform, refuse or other storage units);
- vi. proposed sustainable drainage features (to include levels, profiles, inlets/outlets, minimum, average and maximum water depths, substrates and linings, etc.);
- vii. proposed and existing functional services above and below ground including drainage, power, communications cables, pipelines etc. indicating lines, manholes);

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

Reason: To ensure the satisfactory appearance of the development.

- 12.23 No development shall take place until a Flood Risk Assessment and a Drainage Strategy have been submitted to and approved in writing by the County Planning Authority. The Flood Risk Assessment and a Drainage Strategy shall demonstrate that there will be no increase in offsite flood risk and that there is a viable drainage route between the outfall and Internal Drainage Board watercourse.

Reason: To prevent environmental and amenity problems arising from flooding.

- 12.24 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the

County Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

- 12.25 No demolition/development shall take place/commence until a Written Scheme of Investigation (archaeological) has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation

No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved.

Reason: To ensure adequate time is available to investigate any features of archaeological interest.

- 12.26 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 25 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure adequate time is available to investigate any features of archaeological interest.

- 12.27 Demolition and construction work shall not begin until a scheme for protecting the nearby sensitive receptors from noise, vibration and dust from the demolition and construction activities has been submitted to and approved by the local planning authority; all works which form part of the approved scheme shall be implemented.

Reason:

To protect the amenities of residential properties and the surrounding area.

- 12.28 The development hereby approved shall not generate a noise level measured at the nearest residential boundary greater than 5 dB(A) above the existing background level. Measurements to be taken using the methodology of BS 4142:2014. All measurements to be taken with a sound level meter of IEC 651 Type 1, or BE EN 61672 Class 1 standard (or the equivalent relevant UK adopted standard on force at the time of measurements) set to measure using a fast time weighted response. This should be calibrated in accordance with the specified procedure in BS 4142:2014 (or the equivalent relevant UK adopted standard in force at the time of the measurements).

Reason: To protect the amenities of residential properties and the surrounding area.

- 12.29 Before the school hereby permitted is first occupied the cycle/footpath shall be constructed, fully surfaced and linked to the surrounding network in accordance with drawing reference NPS-DR-A061, rev P7, unless otherwise approved in writing by the County Planning Authority in consultation with the Highway Authority.

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

Recommendation

It is recommended that the Executive Director of Community and Environmental Services be authorised to:

- (i) Grant planning permission subject to the conditions outlined in section 12 and a Section 106 Legal Agreement in respect of linking this site to the employment application approved by Breckland District Council. The legal agreement will require the employment land to be available and marketed for sale for a 1 year period following commencement of development of the school site, unless otherwise agreed with Breckland District Council.
- (ii) To discharge conditions (in discussion with the Chairman and Vice Chairman of the committee) where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
- (iii) Delegate powers to officers (in discussion with the Chairman and Vice Chairman of the committee) to deal with any non-material amendments to the application that may be submitted.

Background Papers

[Adopted Core Strategy and Development Control Policies Development Plan Document \(2009\)](#)

[Saved Policies Breckland District Local Plan \(2009\)](#)

[The National Planning Policy Framework and technical Guidance \(NPPF\) \(2012\)](#)

Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

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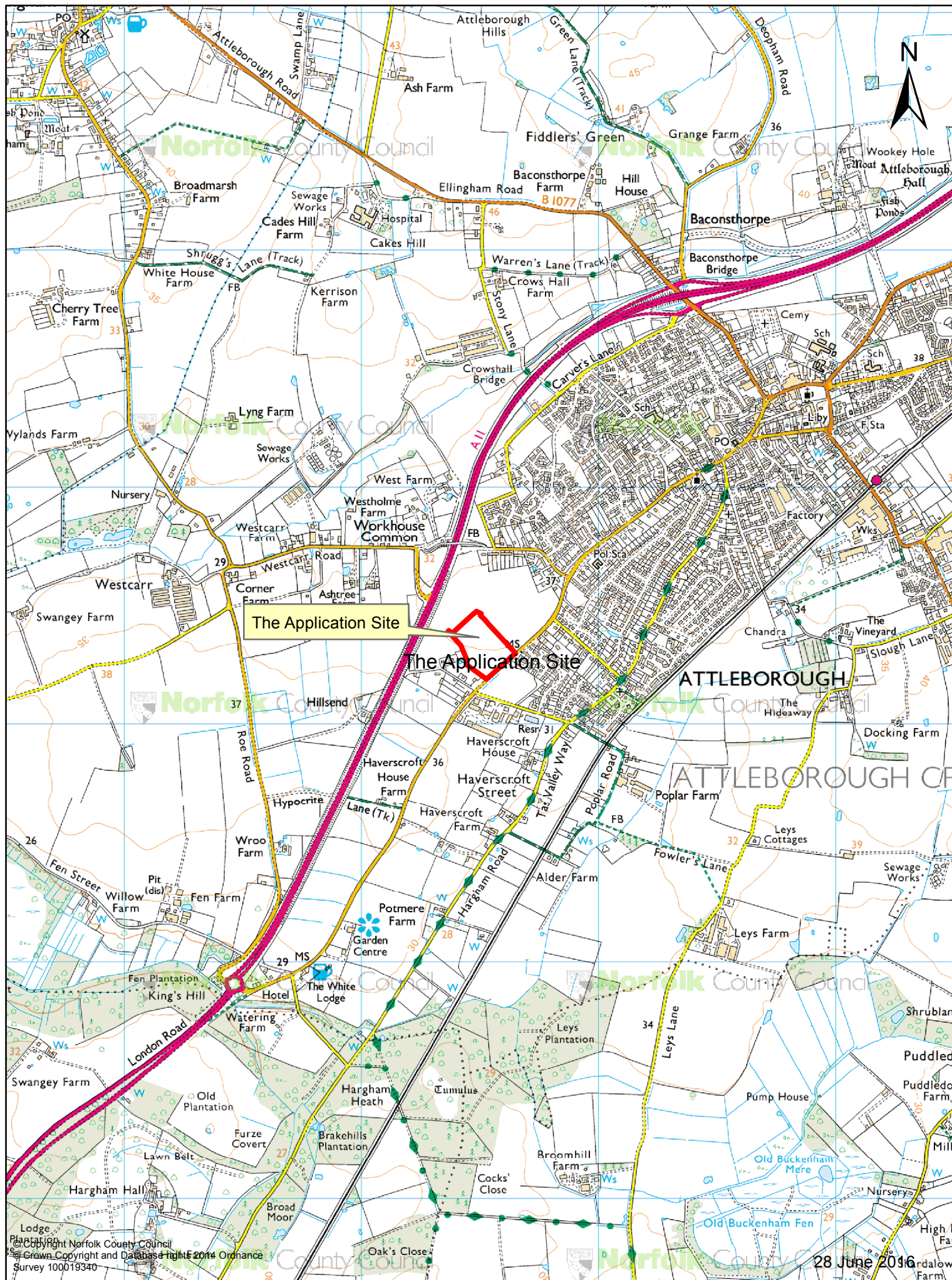
If you need this report in large print, audio, Braille, alternative format or in a different language please contact 0344 800 8020 and ask for Neil Campbell or textphone 0344 800 8011 and we will do our best to help.



Y/3/2016/3004
 Attleborough

0 15 30 60 90 120
 Metres
 39

Norfolk County Council
 1:2,500



Y/3/2016/3004
Attleborough

0 250 500

Metres

40

 Norfolk County Council

1:20,000

28 June 2016

**Applications Referred to Committee for Determination:
Borough Council of King's Lynn and West Norfolk:
Y/2/2016/2001: King's Lynn Fire Station, Kilhams Way,
King's Lynn, Norfolk, PE30 2HY:
Provision of additional car parking for non-operational
staff and visitors to site:
Norfolk Fire & Rescue Service**

Report by the Executive Director of Community and Environmental Services

Summary

The proposal seeks to utilise an area of grassland located off Jeffrey Close, King's Lynn to provide 29no. parking spaces for non-operational staff and visitors to the King's Lynn Fire Station.

No objections have been received from statutory consultees. 1 letter of objection has been received raising concerns regarding land ownership, maintenance and tree issues and whether the County Council will re-instate the grass cutting service. This is addressed in the main body of the report.

Operated during normal working hours, the proposal would not compromise the operational or training function of the NFRS site. The proposal complies with the requirements of the King's Lynn & West Norfolk Borough Council Core Strategy; the emerging Site Allocations and Development Management Policies document, the National Planning Policy Framework (2012) and; DCLG Planning Practice Guidance (2014).

Norfolk Fire And Rescue sits within the Community and Environmental Services Department, therefore in accordance with the Council's Scheme of Delegation, the planning application is presented to the Planning (Regulatory) Committee for determination.

Recommendation

It is recommended that the Executive Director of Community and Environmental Services be authorised to:

- (i) Grant planning permission subject to the conditions outlined in section 12.
- (ii) Discharge conditions (in discussion with the Chairman and Vice Chairman of the committee) where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
- (iii) Delegate powers to officers (in discussion with the Chairman and Vice Chairman of the committee) to deal with any non-material amendments to the application that may be submitted.

1. The Proposal

- 1.1 Type of development : This application seeks to utilise an existing piece of grassland located to the western boundary of the fire station site for the provision of 29no parking spaces, including 2no disabled spaces.
- 1.2 Duration : Full planning permission is sought for this development.
- 1.3 Hours of operation : Access to the car park will be required all the time. Vehicles would be permitted to park between normal working hours.
- 1.4 Access : Access to the site would be off Jeffrey Close, which is off Kilhams Way.

2. Constraints

- 2.1 The site is located outside, but on the edge of the settlement boundary for King's Lynn on the proposals map. According to the Environment Agency map, the site lies within flood zone 3.

3. Planning History

- 3.1 Y/2/2015/2004 - Refurbishment of existing Manned Fire Station including replacement windows, doors, new canopy to workshop, conversion of former BA Chamber into training suite, new external lighting, replacement boundary fencing, various internal alterations and associated works – Permitted 27.7.2015
- 3.2 Y/2/2013/2019 - Change of use of existing workshops to vehicle servicing facility & insertion of new window – Permitted 10.3.2014
- 3.3 Y/2/2011/2029 - Installation of 120 Photovoltaic panels on the roof of the fire station building – Permitted 9.2.2012
- 3.4 Y/2/2008/2043 - Creation of vehicle parking spaces – Approved 14.4.2009
- 3.5 Y/2/2008/2001 - Re-configuration of car park area, including new disabled parking spaces – Withdrawn 3.3.2009
- 3.6 2/2000/1293 - Replacement drill tower. Provision of access link from front of station to rear drill yard for returning fire appliances – Permitted 6.10.2000

4. Planning Policy

- 4.1 King's Lynn & West Norfolk Borough Council LDF – Core Strategy (2011) : CS01 Spatial Strategy
: CS02 The Settlement Hierarchy
: CS03 King's Lynn area
: CS08 Sustainable Development
: CS11 Transport
: CS12 Environmental Assets
- 4.2 King's Lynn and West Norfolk Site Allocations and Development : DM1 Presumption in Favour of Sustainable Development
: DM2 Development Boundaries

	Management Policies Pre	:	DM15	Environment, Design and Amenity
	Submission Document	:	DM17	Parking Provision in New Development
	(2015)	:	DM21	Sites in Area of Flood Risk
4.3	The National Planning	:		Achieving Sustainable Development
	Policy Framework (2012)	:	1	Building a strong, competitive economy
		:	4	Promoting sustainable transport
		:	7	Requiring good design
		:	10	Meeting the challenge of climate change, flooding and coastal change
		:	11	Conserving and enhancing the natural environment

5. Consultations

5.1	Borough Council of King's Lynn & West Norfolk (Planning)	:	No objection to the application.	
5.2	Borough Council of King's Lynn & West Norfolk – Environmental Health (Community Safety & Neighbourhood Nuisance)	:	The community safety and neighbourhood nuisance team have no comment to make relating to the application.	
5.3	Borough Council of King's Lynn & West Norfolk – Environmental Health (Environmental Quality)	:	No comments to make regarding contaminated land or air quality issues.	
5.4	King's Lynn Drainage Board	:	No objections. However, it must be ensured the soakaway is suitably sized to deal with surface water.	
5.5	Highway Authority (NCC)	:	No objection to the application.	
5.6	Lead Local Flood Authority (NCC)	:	Standard advice provided.	
5.7	Environment Agency	:	No objections on flood risk grounds.	
5.8	Local residents	:	One letter of objection has been received from a local resident who lives on Jeffrey Close. The issues are addressed in the main body of the report.	
5.9	County Councillor (Mr David Collis)	:	No comments received at the time of writing this report.	

6. Assessment

6.1 Proposal

6.2 Planning permission is sought to provide 29no parking spaces on an area of unused grassland to the western boundary of the King's Lynn Fire Station – a full-time retained fire station. Parking would be for non-operational staff and visitors to the fire station and would not be open to the general public. The term non-operational, describes staff and visitors to the site who are not on emergency call out. Fire appliances and other vehicles attending emergency call outs are

described as operational vehicles.

- 6.3 The intention is to provide a designated parking area, with formally marked spaces to improve the current parking provision by allowing non-operational staff and visitors to park away from the drill area. This will also relieve pressure on the existing drill yard and enable the fire service to use the existing space for their practice drills and training.
- 6.4 The proposed car parking area will not be used by fire appliances and vehicles on emergency call out as the existing access from the drill yard to Kilham's Way will be retained for this purpose.
- 6.5 Hours of operation would be between normal working hours, although access to the car park would be required at all times.
- 6.6 **Site**
- 6.7 The application site is an unused piece of grassland located adjacent the King's Lynn fire station. The wider fire station site consists of a two-storey red brick built building containing a retained fire station, with an existing tarmac parking area located around the main building and on the drill area. To the south-western area of the site is a red brick work shop block.
- 6.8 Open fields defines the northern boundary of the site, with residential properties and an existing school situated opposite to the south and the existing fire station site to the east.
- 6.9 The existing hammerhead on Jeffrey Close would provide the access and egress to the parking area the subject of this planning application. The main fire station building would be accessed off Edward Benefer Way as existing.
- 6.10 **Principle of development**
- 6.11 A basic principle when assessing planning applications is outlined in Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004 which states:
"if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise".
- 6.12 In terms of the development plan, the County Planning Authority considers the relevant documents in relation to this application is the King's Lynn & West Norfolk Borough Council LDF Core Strategy (2011). Whilst not part of the development plan, policies within the National Planning Policy Framework (NPPF) (2012) is also a further material consideration of significant weight.
- 6.13 King's Lynn and West Norfolk Borough Council has prepared a Site Allocations and Development Management Policies document (SA&DMPD). Once complete and adopted this will sit alongside the existing adopted Core Strategy to form the Local Plan, to guide development in the Borough for the period up to 2026. The hearing sessions for the document have taken place and in light of a query by the Inspector the Borough Council have prepared a schedule of additional main modifications, for which the consultation period ended on 22 June 2016. Given the latter stage of the examination, the document is a material consideration and the policies afforded great weight.

- 6.14 Policy CS02 of the King's Lynn and West Norfolk Borough Council LDF – Core Strategy (KL&WNBC CS) sets out the settlement hierarchy for the Borough and identifies Kings Lynn (including West Lynn and Gaywood) as a sub-regional centre, which provides a significant neighbourhood level of function within Kings Lynn.
- 6.15 The proposed development would improve the operation of the established retained fire station, within an identified sub-regional centre, where development is encouraged to meet local needs and those of the surrounding area, which is considered sufficient to secure compliance with the aforementioned planning policies. The development is therefore considered acceptable in principle.
- 6.16 **Amenity (noise, dust, light pollution etc)**
- 6.17 The locality contains the existing fire station to the east (of the application site), residential properties opposite to the south and open fields to the north/west. Overall, the character remains predominately residential and agricultural surrounding the site. The nearest dwellings are those in Jeffrey Close, in particular no. 2. The front boundary of that dwelling is approximately 10m from the front boundary of the application site, although occupants of no's 3 and 4 will have views of the site from the front of their properties, due to the limited boundary treatment to the front.
- 6.18 Whilst the parking area would be visible from Jeffrey Close, as the proposal is for limited day time parking, it is considered that on balance the impact upon the amenity of the occupiers of the dwellings would be neutral. The Borough of King's Lynn & West Norfolk Council's Community Safety and Neighbourhood Nuisance Team and the Environmental Quality Team were consulted on the application and do not make any comments regarding noise, contaminated land or air quality. It is therefore considered that the proposal would not have a significantly adverse impact on the occupiers of neighbouring property, in accordance with Policies CS08 of the KL&WNBC CS, DM15 of the emerging SA&DMPD and Section 11 of the NPPF, relating to amenity on existing and future residents, by virtue of factors such as noise, odour, air quality, light pollution and land contamination.
- 6.19 **Design**
- 6.20 Policies CS08 of the KL&WNBC CS, DM15 of the emerging SA&DMPD and Section 7 of the NPPF all encourage development to be of good design and relate well in terms of design, scale, height, massing and materials to its surroundings.
- 6.21 Currently the area the subject of this application is grassed and unused. Submitted details show an asphalt surface car park area with formally marked accessible parking spaces, edging kerb and drainage channel down the middle. The primary function of the overall site remains as a fire station with the parking area in operation during normal working hours.
- 6.22 The level of parking would be of low density and not open to general members of the public for use. It would therefore be reasonable to expect NFRS be able to manage the parking on site.
- 6.23 Of a standard design and materials for such a development, the proposal is considered acceptable and in accordance with the aforementioned national and local design policies.

6.24 **Trees/Landscape**

- 6.25 Policy CS12 of the KL&WNBC CS seeks to protect and enhance the landscape character.
- 6.26 There are existing trees (a Field Maple and a Common Oak) and a bush (Snowberry Bush) within the application site and consequently the application is accompanied by a Tree Survey Plan and Tree Schedule. To facilitate the proposed development, the loss of the Field Maple and the Snowberry bush is required.
- 6.27 The Council's Natural Environment Team has reviewed the submitted application and do not raise an objection to proposal, subject to the imposition of conditions relating to the approval of an Arboricultural Method Statement setting out the methodology for the implementation of the development and how damage to the tree to remain will be avoided; and details of boundary treatments to help soften the development. The proposed development is therefore considered in accordance with Policy CS12 of the KL&WNBC CS relating to trees/landscape.

6.28 **Transport**

- 6.29 Policies CS11 of the KL&WNBC CS and DM17 of the emerging SA&DMPD relate to parking provision in new developments, providing safe and convenient access for modes of transport and promoting sustainable modes of transport for a particular location.
- 6.30 Access and egress onto the site is via the existing hammerhead on Jeffrey Close. Internally, a 6m wide access is provided with 29no. parking spaces (including 2no. disabled spaces) and manoeuvring space.
- 6.31 The Highway Authority have reviewed this application submission and in their consultation response do not raise a highway objection. This dedicated parking provision will ensure there is sufficient space on site to accommodate the parking demand and to ensure the fire services operation (drill area) are not compromised.
- 6.32 It is considered that the proposed development is acceptable in highway terms and unlikely to have a material impact on the highway network and provide a safe access/egress, in accordance with the relevant planning policies relating to highways.

6.33 **Flood Risk**

- 6.34 The application site lies within flood zone 3 (an area defined as having a high probability of flooding) on the Environment Agency flood maps, therefore policies CS08 of the KL&WNBC CS, DM21 of the emerging SA&DMPD and Section 10 of the NPPF and the Planning Practice Guidance (PPG) apply. The overall thrust of the policies is to reduce flood risk and avoid permitting development in areas at the highest risk of flooding.
- 6.35 The application is accompanied by a Flood Risk Assessment, together with a Flood Evacuation Plan. The applicant confirms that this particular fire station falls within the 'Less Vulnerable' classification defined within the PPG Flood Risk Vulnerability Classification table. On this basis the proposal is considered acceptable in terms of development within flood zone 3, as set out in the Flood Risk Vulnerability and Flood Zone Compatibility table in the PPG.
- 6.36 Given the nature and scale of development, the Environment Agency do not raise

an objection on flood risk grounds. It is recommended the applicant (NFRS) sign up to the Environment Agency's free flood warning service. Should planning permission be granted this will be imposed as an informative on the decision notice.

- 6.37 Given the above, it is therefore considered that the proposal would not cause any adverse effects in terms of flood risk, and the proposal complies Policy CS08 of the KL&WNBC CS, DM21 of the emerging SA&DMPD, the NPPF and the PPG.

6.38 **Surface Water / Ground Water**

- 6.39 As previously mentioned, Policies CS12 of the KL&WNBC, DM21 of the emerging SA&DMPD, the NPPF and the PPG relate to flood risk including areas which are vulnerable to surface water flooding.

- 6.40 With regard to surface water, the submitted application form states this will be disposed of by soakaway. The design of the car park incorporates a new drainage channel down the middle of the car park to enable rain water to drain. This will then lead to a new surface water soakaway to be constructed using plastic crates to be located within the adjoining grass area. An interceptor will be installed in the system to prevent contaminants entering the water course.

- 6.41 The King's Lynn Drainage Board has reviewed the application submission and do not raise an objection to the use of soakaway for surface water disposal, providing it is suitably sized to take account of the local water table and infiltration rates. This is to be dealt with by the imposition of an appropriately worded condition should planning permission be granted. In addition, the Borough of King's Lynn & West Norfolk Council's Environmental Quality Team do not make any comments regarding contaminated land.

- 6.42 There are no particular concerns with the surface water arrangements. It is therefore considered that the proposed development would not cause any adverse effects in terms of groundwater pollution or surface water management, in accordance with Policies CS12 of the KL&WNBC, DM21 of the emerging SA&DMPD, the NPPF and the PPG.

6.43 **Sustainability**

- 6.44 Policies CS08 of the KL&WNBC CS, DM1 of the emerging SA&DMPD and the NPPF promote sustainable development and minimisation of resource and energy consumption.

- 6.45 Given the nature of the proposed development as a car park, the sustainability elements are somewhat limited. However, this proposal would allow the use of an unused area of grassland during normal working hours to provide the NFRS with additional parking provision, freeing up the use of the existing drill yard.

- 6.46 Sustainability credentials for the proposed development, when taking into account the nature of the development, the constraints of the site and benefits of the proposal, are on balance, considered acceptable.

6.47 **Biodiversity and geodiversity**

- 6.48 Policy CS12 of the KL&WNBC CS requires development to avoid, mitigate, or compensate for any adverse impacts on biodiversity.

- 6.49 The application site consists of an area of grassland, therefore a Protected Species Survey accompanies the application. The Report concludes that an assessment of the site found little potential for the proposed development to negatively impact on protected species and other wildlife. No features were observed that could be used by roosting bats, therefore no further surveys for bats are required. Should any trees be removed to facilitate the development, it is suggested the removal is undertaken outside the bird nesting season.
- 6.50 The Council's Ecologist has reviewed the application submission and considers that the proposed development is not likely to have any adverse effect on ecology. It is therefore considered that the proposal is in accordance with Policy CS12 of the KL&WNBC CS.
- 6.51 **Appropriate Assessment**
The site is situated within 10 kilometres of the Wash & North Norfolk Coast Special Area of Conservation (SAC) and Roydon Common & Dersingham Bog SAC, The Wash Special Protection Area (SPA) and, The Wash RAMSAR, Roydon Common RAMSAR and Dersingham Bog RAMSAR, which are European protected habitat. The application has been assessed in accordance with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 and based on the information submitted to the County Planning Authority (CPA) it is considered that the development does not have a significant impact on the integrity of any protected habitat. Accordingly, there is no requirement for the CPA to undertake an Appropriate Assessment of the development.
- 6.52 **The Community Infrastructure Levy**
- 6.53 The local authority where the site is located does not have an adopted CIL charging regime.
- 6.54 **Responses to the representations received**
- 6.55 The application was advertised by means of neighbour notification letters and site notices.
- 6.56 Neighbour notification letter expiry date: 2 March 2016
Site notice expiry date: 5 March 2016
- 6.57 One letter of objection has been received from a local resident of Jeffrey Close. Issues raised, are as follows:
- The access via Jeffrey Close is owned jointly by NCC and 7 residents each holding a 7% share, (49% collectively) of the road
 - Can an action plan for the trees be made public
 - Will there be any lighting installed
 - Are NCC prepared to re-instate the grass cutting which the close has enjoyed until last year when it was cut once in the growing season
- 6.58 In response, the applicant (NFRS) makes the following comments:
- *Confirmation has been received from nplaw that NCC own 100% of the road. However, the residents are responsible for 49% of the maintenance of the road*
 - *It is proposed to remove the trees labelled on the Tree Schedule included in the application submission*

- *No lighting is proposed for the carpark*
- *At this stage there is no plans to cut the remainder of the grass area*

7. Resource Implications

- 7.1 **Finance:** The development has no financial implications from the Planning Regulatory perspective.
- 7.2 **Staff:** The development has no staffing implications from the Planning Regulatory perspective.
- 7.3 **Property:** The development has no property implication from the Planning Regulatory perspective.
- 7.4 **IT:** The development has no IT implications from the Planning Regulatory perspective.

8. Other Implications

8.1 Human rights

- 8.2 The requirements of the Human Rights Act 1998 must be considered. Should permission not be granted Human Rights are not likely to apply on behalf of the applicant.
- 8.3 The human rights of the adjoining residents are engaged under Article 8, the right to respect for private and family life and Article 1 of the First Protocol, the right of enjoyment of property. A grant of planning permission may infringe those rights but they are qualified rights, that is that they can be balanced against the economic interests of the community as a whole and the human rights of other individuals. In making that balance it may also be taken into account that the amenity of local residents could be adequately safeguarded by conditions albeit with the exception of visual amenity. However, in this instance it is not considered that the human rights of adjoining residents would be infringed.
- 8.4 The human rights of the owners of the application site may be engaged under the First Protocol Article 1, that is the right to make use of their land. An approval of planning permission may infringe that right but the right is a qualified right and may be balanced against the need to protect the environment and the amenity of adjoining residents.

8.5 Equality Impact Assessment (EqIA)

- 8.6 The Council's planning functions are subject to equality impact assessments, including the process for identifying issues such as building accessibility. None have been identified in this case.
- 8.7 **Legal Implications:** There are no legal implications from the Planning Regulatory perspective.
- 8.8 **Communications:** There are no communication issues from a planning perspective.
- 8.9 **Health and Safety Implications:** There are no health and safety implications from a planning perspective.
- 8.10 **Any other implications:** Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there

are no other implications to take into account.

9. Section 17 – Crime and Disorder Act

- 9.1 It is not considered that the implementation of the proposal would generate any issues of crime and disorder, and there have been no such matters raised during the consideration of the application.

10. Risk Implications/Assessment

- 10.1 There are no risk issues from a planning perspective.

11. Conclusion and Reasons for Grant of Planning Permission

- 11.1 The provision of 29no. parking spaces on an area of unused grassland would improve the current parking provision within the fire station site by allowing non-operational staff and visitors to park away from the drill area. By having a dedicated parking area, it will relieve pressure on the existing drill yard and enable the fire service to use the existing space for their practice drills and training.
- 11.2 Subject to the implementation of appropriate conditions, it is considered that the proposal would not create any adverse impacts and is in accordance with the development plan policies identified and national policy. There are no material considerations that indicate that the application should be refused.

12. Conditions

- 12.1 The development hereby permitted shall commence within three years of the date of this permission.
- 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.
- 12.2 The development must be carried out in strict accordance with the application form, plans and documents detailed below:
- a) Location plan; 01-06-15-3-1081 L01; dated Feb 16
 - b) Flood Evacuation Plan (v1) prepared by NPS Group; unreferenced; dated February 2016
 - c) Protected Species Survey prepared by Wild Frontier Ecology; unreferenced; dated September 2015
 - d) Design and Access Statement prepared by NPS Group; 01-06-15-3-1081; dated February 2016
 - e) Block Plan & Roof Plan; 01-06-15-3-1081 B01; dated Feb 16
 - f) Existing Site Plan; 01-06-15-3-1081 S01; dated Feb 16
 - g) Flood Risk assessment prepared by NPS Group; 01-06-15-3-1081; undated; received 3 March 2016
 - h) Parking Provision Assessment prepared by NPS Group; 01-06-15-3-1081; dated March 2016; received 22 March 2016
 - i) Proposed Drainage Plan; 01-06-15-3-1081 D01 Rev A; dated 22.4.2016
- Reason: For the avoidance of doubt and in the interests of proper planning
- 12.3 The proposed parking area on approved plan reference 01-06-15-3-1081 D01 Rev A shall only be used for parking provision by NFRS non-operational staff and visitors.

Reason: To ensure the availability of parking spaces, in the interests of highway safety, in accordance with Policy CS11 of the King's Lynn & West Norfolk Core Strategy (2011) and Policy DM17 of the emerging Site Allocations and Development Management Policies document.

12.4

Prior to the commencement of the use hereby permitted the proposed on-site car parking / turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for these specific uses.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety, in accordance with Policy CS11 of the King's Lynn & West Norfolk Core Strategy (2011) and Policy DM17 of the emerging Site Allocations and Development Management Policies document.

12.5

Prior to the commencement of development full details, in the form of an Arboricultural Method Statement (as set out in BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations), of how the development will be carried out without compromising the health of the existing trees shall be submitted to and approved in writing by the County Planning Authority. The development shall be carried out in full accordance with the approved Arboricultural Method Statement.

Reason: To ensure the protection of existing trees on the site and in the interest of the amenity of the area, in accordance with Policy CS12 of the King's Lynn & West Norfolk Core Strategy (2011).

12.6

Prior to the commencement of development full details of the location and specification of the proposed boundary treatment or replacement planting shall be submitted to and approved in writing by the County Planning Authority. The proposed planting shall be carried out within the first planting season (October to March) following the completion of the development. All planting shall be retained for a period of five years after initial planting has been completed and any trees and shrubs which are substantially damaged, seriously diseased or die shall be replaced within twelve months of removal or death with plants of a similar species and size.

Reason: In the interest of the satisfactory appearance of the development, in accordance with Policy CS12 of the King's Lynn & West Norfolk Core Strategy (2011).

12.7

Prior to the commencement of development, full details of the proposed soakaway system for the disposal of surface water from the development hereby permitted, including percolation test results, shall be submitted to and approved in writing by the County Planning Authority in consultation with the King's Lynn Drainage Board. Should the percolation test results be considered unacceptable by the County Planning Authority details of an alternative means of providing for surface water drainage shall be submitted for consideration. The approved means of surface water drainage shall be implemented in full before the development is brought into use.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding, in accordance with Policy CS12 of the King's Lynn & West Norfolk Core Strategy (2011) and Policy DM21 of the emerging Site

Recommendation

It is recommended that the Executive Director of Community and Environmental Services be authorised to:

- (i) Grant planning permission subject to the conditions outline in section 12.
- (ii) Discharge conditions (in discussion with the Chairman and Vice Chairman of the committee) where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
- (iii) Delegate powers to officers (in discussion with the Chairman and Vice Chairman of the committee) to deal with any non-material amendments to the application that may be submitted.

Background Papers

King's Lynn & West Norfolk Borough Council LDF – Core Strategy (2011)

<http://www.west-norfolk.gov.uk/pdf/Complete%20Core%20Strategy%202011.pdf>

King's Lynn & West Norfolk Borough Council Site Allocations and Development Management Policies – Pre-Submission Document

http://www.west-norfolk.gov.uk/default.aspx?page=27566#policies_map

The National Planning Policy Framework and technical Guidance (NPPF) (2012)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

DCLG Planning Practice Guidance (2014)

<http://planningguidance.planningportal.gov.uk/blog/guidance/>

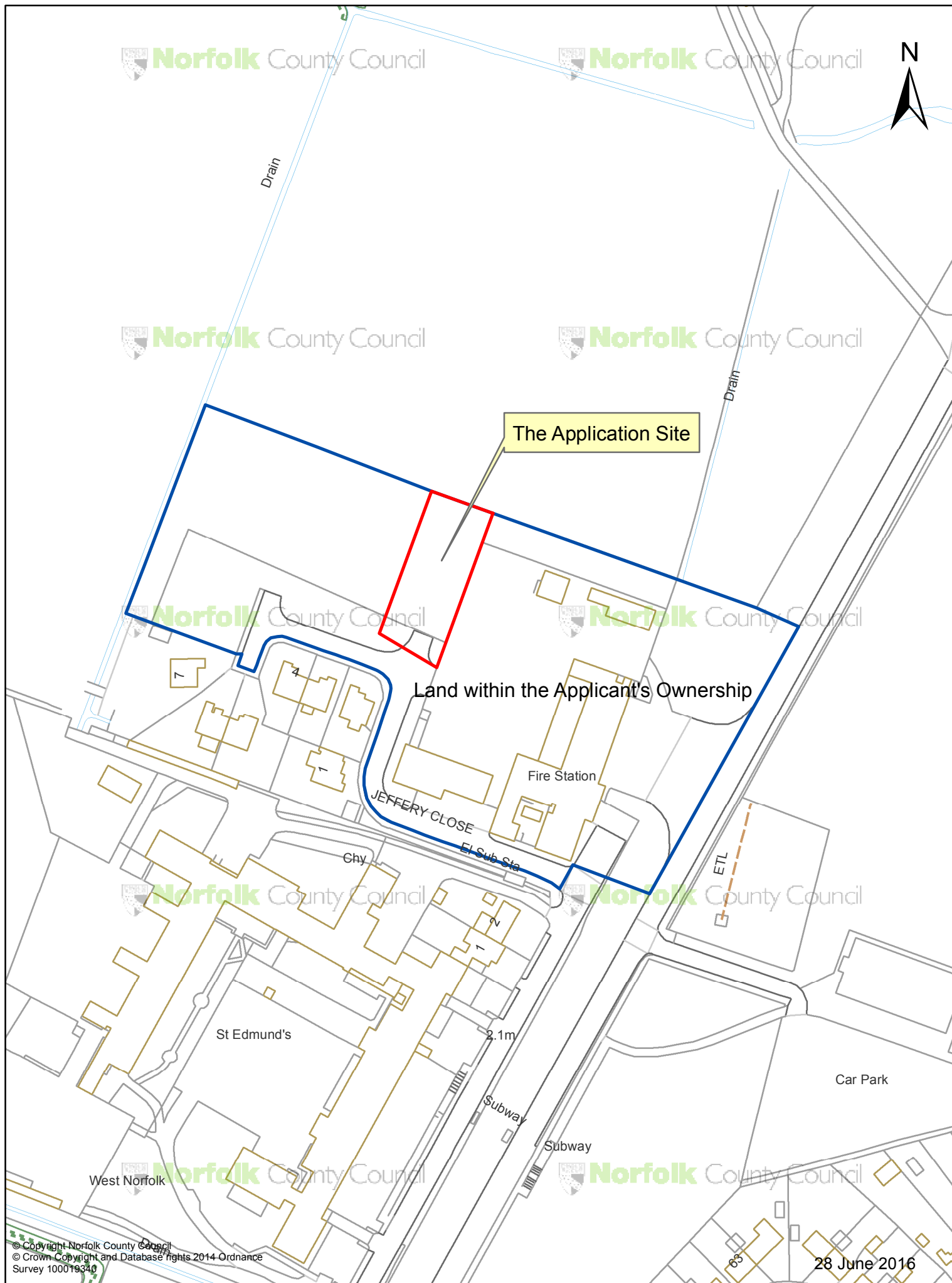
Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

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If you need this report in large print, audio, Braille, alternative format or in a different language please contact 0344 800 8020 and ask for Angelina Lambert or textphone 0344 800 8011 and we will do our best to help.



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