STUDIO11
architecture

waller
planning

town and country
planning consultants

Planning, Design & Access Statement

Revised Proposals for New House
Rear of 15 King Street, King's Lynn

July 2017

Contents

Introduction

1.1 This Planning, Design and Access Statement accompanies a planning application for a new house on land to the rear of 15 King Street, King's Lynn. The application is made on behalf of Mr J England, the site's owner, who wishes to construct a new home for himself.

1.2 The application site benefits from a previous planning permission for a single dwelling, granted in 2002. This planning application was implemented and as such the planning permission was preserved, and the house which was permitted could be constructed at any time now or in the future.

1.3 The application site has recently received planning permission for a revised proposal for a new house with residential annex (16/01412/F). This too remains a live alternative. The current proposals make some modest revisions to those granted approval under this permission, increasing the area of the main building, and removing the residential annexe.

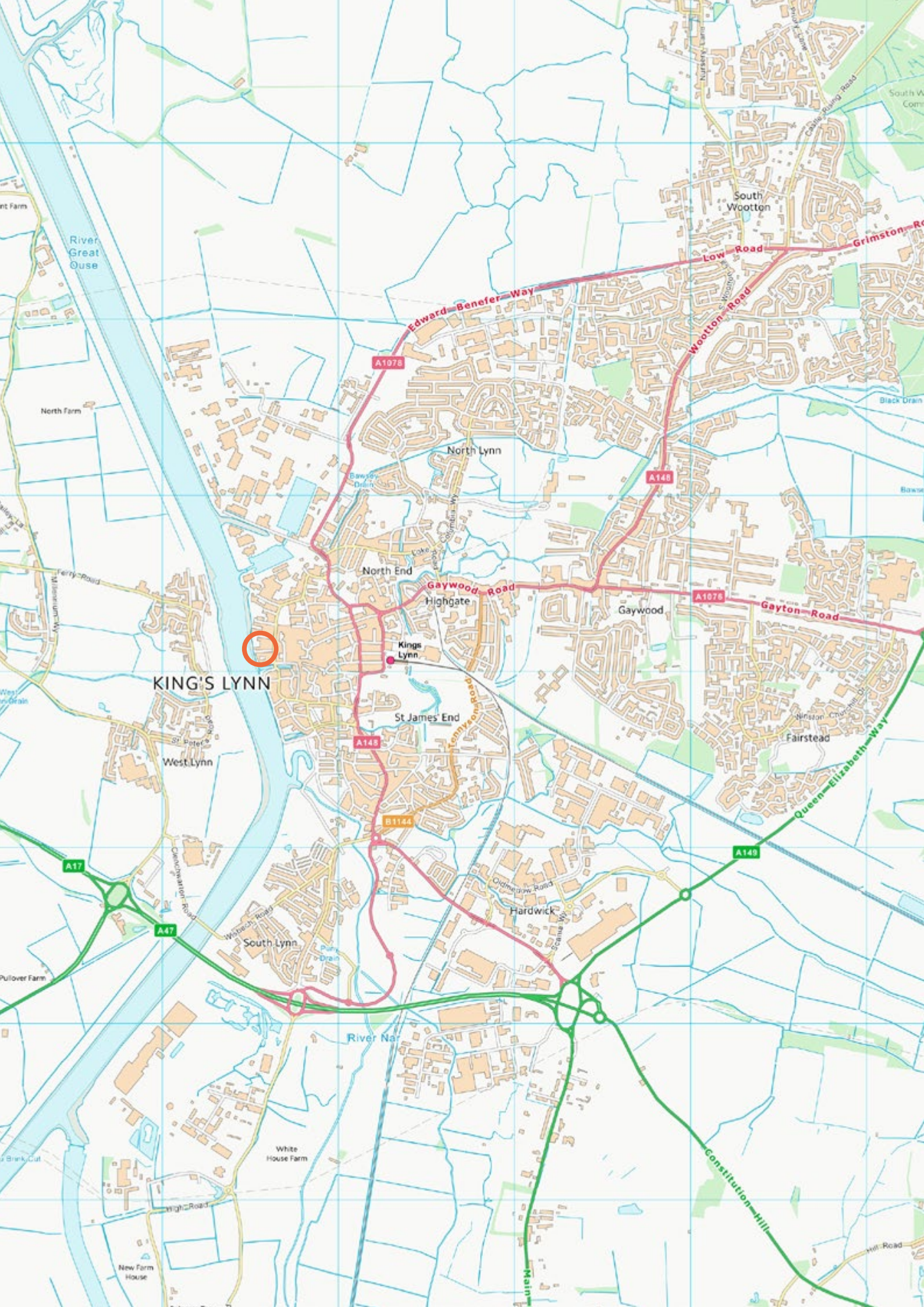
1.4 The application site is located within the St Nicholas conservation area, and close to a number of listed buildings, including the Grade II* listed 15 King Street. The new house would be built to the rear of this building, and access would be via a passageway which runs through that property.

1.5 The proposed house would be of a contemporary design, but it would use materials which are representative of the local area. The new house has been designed with care, to ensure it would be a suitable addition to the conservation area, and in close proximity to listed buildings.

1.6 The proposed development would make use of vacant land, and provide a home in a highly accessible location. The site is within the town centre and there is an excellent range of services and public transport connections nearby.

1.7 The current proposals include the same measures to prevent flooding as those permitted in 16/01412/F. As such they represent a significant improvement on the original permission (2/02/1920/F), the design for which would place residents at risk of flooding. The current proposals would result in a significantly reduced risk. Issues relating to flooding are considered in this statement, and in further detail by a Flood Risk Assessment from Geoff Beel Consultancy, which accompanies this application.

1.8 We believe that this would be an entirely suitable and sustainable form of development, which would comply with local and national policies. As such, it would benefit from the presumption in favour of sustainable development.


KING'S LYNN
River Great Ouse
South Wootton
Low Road
Grimston Road
Edward Benefer Way
Wootton Road
A1078
North Farm
North Lynn
A148
Bawsey Drain
North End
Gaywood Road
Highgate
Gaywood
A1078
Gayton Road
Kings Lynn
St James' End
Lynn Road
A148
West Lynn
Fairstead
Queen Elizabeth Way
B1144
A149
A17
A47
Hardwick
South Lynn
Pullover Farm
White House Farm
New Farm House
Constitution Hill
Black Drain

Contextual Appraisal

The Site's Location

2.1 The application site is located within 5–10m minutes' walk of the majority of the town centre, which provides a wide range of services and facilities. It is also within 10 minutes' walk of King's Lynn bus and railway stations, which provide regular bus connections to local towns, and fast hourly train services to London King's Cross, via Cambridge. The site is therefore in one of the most sustainable locations for development in the Borough.

The Site's Relationship with Heritage Assets

2.2 The application site is located within the St Nicholas conservation area, a designated heritage asset. This area is located immediately to the west of the historic town centre, and focussed on the east bank of the River Great Ouse. King Street is an important element of the conservation area, and accommodates an impressive collection of buildings, many of which are former merchants' houses, and the majority of which are listed buildings.

2.3 King Street has developed over several centuries as an area for trade, utilising its connection to the River. The area to the rear of the houses on the western side of King Street, including the application site, was reclaimed from the river between the 15th and 18th centuries. This land accommodates a number of former warehouses, which are hidden behind the more formal buildings which front King Street.

2.4 The Heritage Statement considers the relative significance of the King Street frontage, and the land to the rear, which includes the area of the proposed development, as follows:

'The buildings along the east bank of the river tell a story. They have all been subject to change as part of their conversion and have also been extended in places. They tell the story of this part of Kings Lynn and, importantly, have retained a sense of the past. The very nature of the land on which the Site is located is transient. It was reclaimed due to the needs of the time and has developed accordingly ever since. What has remained largely unchanged is the King Street frontage and this will continue to remain wholly unaffected by proposals.'[1]

.....

1. Heritage Statement, paragraph 4.31.

An annotated extract from the Council's map of the St Nicholas part of the conservation area.

Conservation Area Boundary

Listed Buildings

Important Unlisted Buildings

2.5 This suggests that the King Street frontage is therefore clearly the most significant element of this part of the conservation area, in terms of its value as a heritage asset. The area proposed for development, which lies relatively isolated from the street frontage, is of less significance, and is better able to accommodate change without causing any notable change to the significance of the conservation area.

The Application Site

2.6 The application site is located immediately to the rear of 15 King Street, and it is accessed through a passageway running through that property. Given the history of the site, it is clear that it was originally part of the same property as no. 15. However, this historic link between the properties has long since ended, and today they are in separate ownership.

2.7 Whilst the site is accessed via the house at no. 15, once inside the site there is limited inter-visibility between the properties. Views of no. 15 are limited by a brick wall which now marks the end of that property's back garden, whilst the house itself is largely hidden by a tree in that garden. This point is also recognised in the Heritage Statement, which notes the clear visual distinction between the application site and the land to the east[2].

2.8 The eastern part of the application site is around half of a gravelled courtyard area, enclosed to the north by a boundary wall, and to the south by the flank wall of the former warehouse building which runs along the majority of the site's southern boundary. Neither of these walls contain any openings, with those in the warehouse building's wall having previously been bricked up. To the east of the site, the rear boundary of the garden for 15 King Street is also marked by a brick wall, in front of which is a wooden shed.

The former warehouse building, which presents a blank brick wall on the site's southern elevation.

2. Heritage Statement, paragraphs 3.3 and 3.4.

The wall on the northern boundary.

Looking towards 15 King Street, to the east.

The remnants of the building which once covered much of the back of the site, with the damaged sycamore tree beyond.

2.9 2.9 The courtyard is enclosed on its eastern side by the remnants of a 19th Century building which once covered much of the site. It is now a ruin, without a roof. This building was to be restored and rebuilt under the approved application proposals from 2002 (see below). It contains a modern concrete floor, which is a result of that planning permission having been implemented. However, the building is in a poor condition, and it has little value from a heritage perspective[3].

2.10 Historic maps, included within Section 2 of the Heritage Statement, show that the remainder of the site has previously accommodated built development. At present, the site is undeveloped, and it appears to have been used most recently as a garden. It contains a mature and self-seeded sycamore tree, which currently fills a large part of the site, but which has unfortunately been damaged by a fire. The tree has been inspected by an Arboricultural Consultant, who has determined that it is unlikely to survive for much longer.

.....

3. Heritage Statement, paragraph 3.2.

2.11 The site's western boundary is marked by a low wall, beyond which is the River Great Ouse. Across the river, a raised pathway runs along the west bank, from the West Lynn ferry terminal, from which the application site is visible. It is also visible, although to a lesser degree, from the ferry which crosses the river at this point.

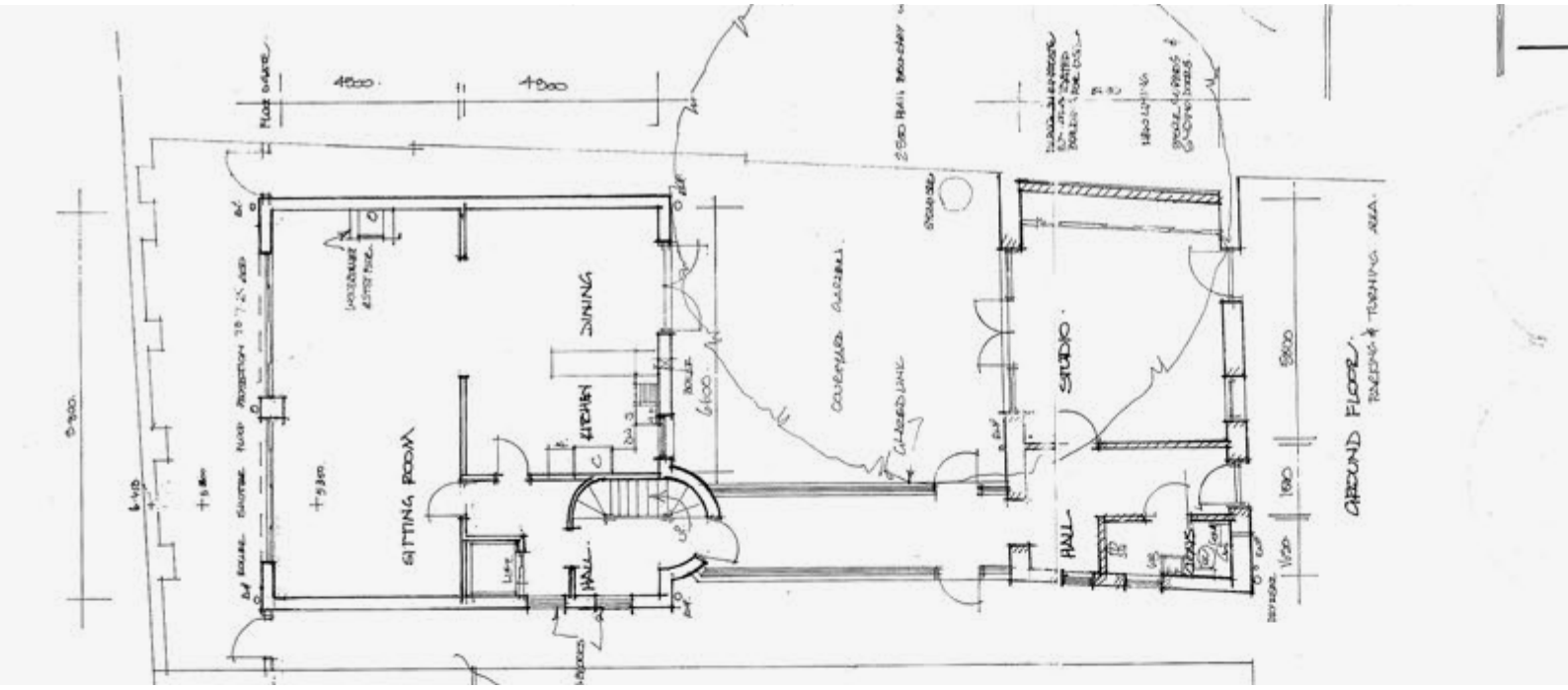
The western part of the application site, with the river beyond.

Looking east across the site, towards King Street.

The River Great Ouse, looking north, viewed from the site's western boundary.

A view of the application site, from the walkway on the western side of the River Great Ouse.

The Ferry crossing the river, with the application site in the background.

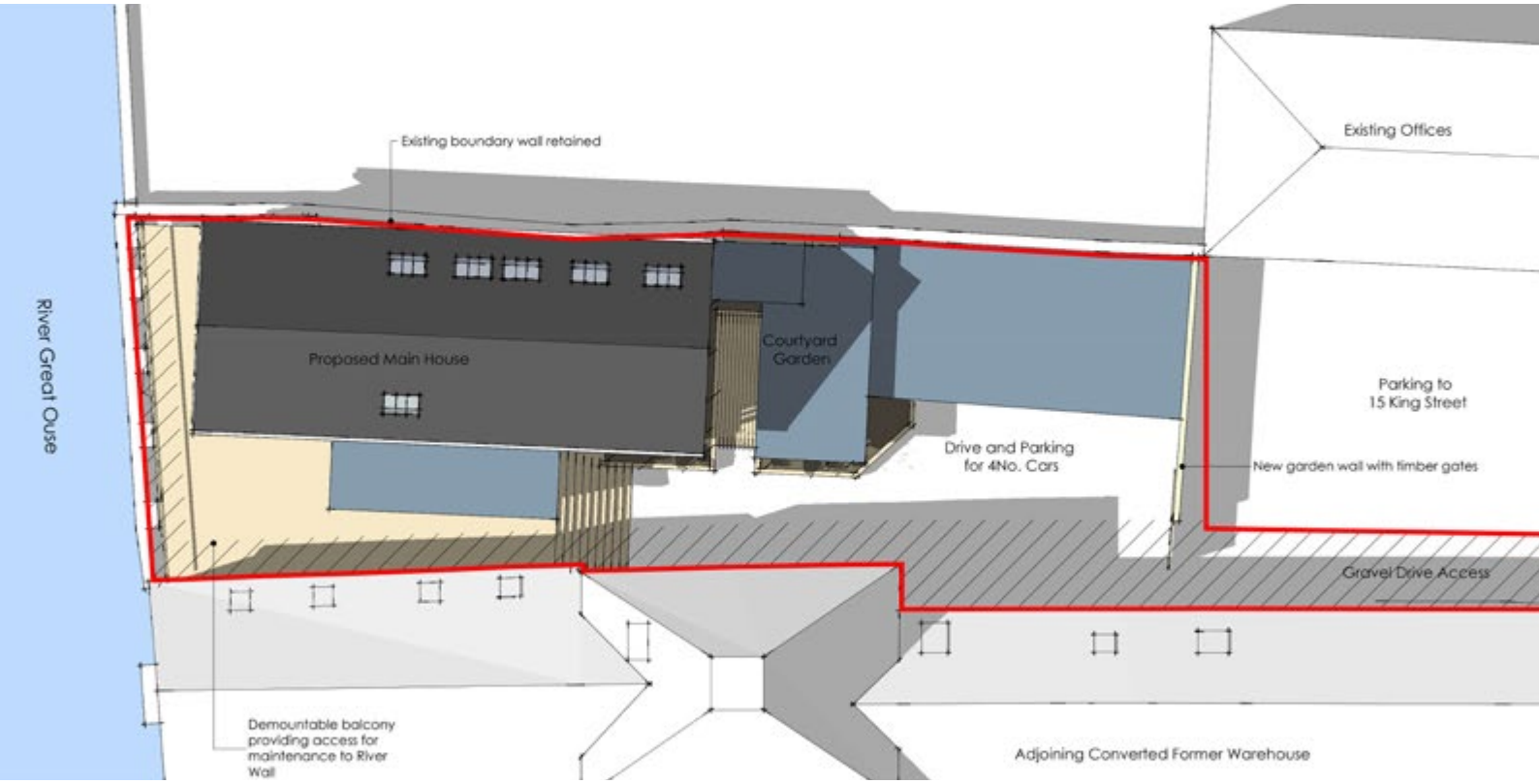


An extract from the approved drawings, showing the layout of the new house

Planning History

2.12 The application site was the subject of a planning application for a single house in 2002 (2/02/1920/F), on a similar footprint to that proposed by this planning application. This proposed a house at the site's western end, close to the river frontage, with a courtyard area to the east of this, and a link running along the southern boundary, to the existing structure, which would be converted to form further accommodation. The building would thus form a C-shape, and it had been designed to wrap around the tree.

2.13 These proposals were granted planning permission, and works were subsequently undertaken to implement that planning consent. This constituted the laying of foundations and a concrete floor slab, within the existing structure, which was to be retained. This point was confirmed by the Council in their granting of a Certificate of Lawfulness (14/01306/LDE). As such, the site continues to benefit from this planning permission, and it could be constructed at any time. It therefore represents a realistic alternative to the current application proposals.



The Proposed Site Plan

2.14 More recently, planning permission was granted on 17 October 2016 for a house of a revised design, also including a two-bedroom residential annex (16/01412/F). Among other benefits, these revised proposals would raise the floor level for the building and so significantly reduced the risk of it flooding.

2.15 The Officers' Report on this recent planning application noted the following points:

- **'The dwelling and associated annexe is considered to sustain the character of the Conservation Area, 13 King Street – grade II listed and 15 and 15a King Street – Grade II listed.'**
- **'The proposed design in this application is in conformity with the building characteristics of the existing built form.'**
- On the impact on Trenowath Place, the Council concluded: **'The views of Trenowath place are not detrimentally affected'** by the proposals and **'neighbours... would not be detrimentally affected by the proposals.'**

2.16 In each of these cases, the Council note that the proposals in 16/01412/F marked an improvement on those already permitted by the 2002 decision.

The Proposed Development

3.1 This planning application proposes a new house on land to the rear of 15 King Street, King's Lynn. These proposals are very similar to those already approved in 16/01412/F. The new proposals however remove the residential annex, and instead extend the main house to the east to incorporate two extra bedrooms. As with the previous application, the new house would be located towards the back, or west of the site, close to its frontage with the River Great Ouse. The house would look out over the river, but it would be orientated to be end-on, in a similar manner to a number of former warehouses in the area. There will be a courtyard garden immediately adjacent to the house, and beyond that at the eastern side of the house would be a covered carport and storage area. At the eastern boundary of the site there would be a new garden wall, made from reclaimed bricks taken from the existing building within the site, which is to be removed, and also matching bricks where necessary.

3.2 The site currently contains a large, mature tree. The 2002 planning application for this site proposed a house which would be located along the site's southern boundary, so as to allow for the retention of this tree. However, as noted in the most recent application, this is no longer necessary, as the tree is dying. It was badly damaged in a fire within the site, which burned off much of its bark. It has been assessed by a suitably qualified Arboricultural Consultant, who has confirmed that it is currently living off stored carbohydrate and moisture; it is unlikely to survive much longer, and is to be removed in due course. This is regrettable, but it has allowed the new proposals to be designed to make a more efficient use of the space within the site.

3.3 Access to the site would be through a passageway within the frontage of 15 King Street. This is the way in which the site has always been accessed, as explained in Section 2.

The proposed access route into the development, which passes through 15 King Street—the application site is barely visible from the street.

Planning Policy Review

4.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise[1]. The development plan for the Borough of King's Lynn and West Norfolk comprises the saved policies of the Local Plan 1998, the Adopted Core Strategy (2011) and the Adopted Norfolk Minerals and Waste Plan (2011). In addition, the policies of the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) constitute important material considerations.

National Planning Policy Framework (March 2012)

4.2 The National Planning Policy Framework (NPPF) sets out the Government's policy with regard to planning, and it is the basis for all planning decisions today.

4.3 Paragraph 6 of the NPPF states that **'The purpose of the planning system is to contribute to the achievement of sustainable development'**. This emphasis on the need for sustainable development is echoed throughout the NPPF. Paragraph 7 summarises the three dimensions of sustainable development as follows:

- **'an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;**
- **a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and**
- **an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.'**

1. See Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

4.4 The fundamental precept of the NPPF is a presumption in favour of sustainable development. Paragraph 14 states that for decision-taking, this means:

- **'approving development proposals that accord with the development plan without delay; and**
- **where the development plan is absent, silent or relevant policies are out of date, granting permission unless:**
  - **any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or**
  - **specific policies in this Framework indicate development should be restricted.'**

4.5 Footnote 9 then clarifies that the policies in the NPPF which may indicate that developments should be restricted relate to a number of issues, such as the protection of designated wildlife sites, heritage assets, landscapes or Green Belt, none of which relate to this application.

4.6 As discussed throughout this Statement, we believe that the development accords with the local development plan taken as a whole, and there are no policies in the NPPF which indicate that development should be restricted on the application site. As such, we believe that this application benefits from the presumption in favour of sustainable development.

4.7 Paragraph 17 states that **'Every effort should be made to meet the housing and other development needs of an area, and respond positively to wider opportunities for growth.'**

4.8 Paragraph 19 states that planning **'should operate to encourage and not act as an impediment to sustainable growth'**.

4.9 Paragraph 47 requires local planning authorities to **'boost significantly the supply of housing'**.

4.10 Paragraph 49 states that **'housing applications should be considered in the context of the presumption in favour of sustainable development'**.

4.11 With regard to flood risk, Paragraph 100 states that:

'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.'

4.12 With regard to the historic environment, paragraph 128 requires applicants to **'describe the significance of any heritage assets affected, including any contribution made by their setting.'** Paragraph 129 states that local planning authorities should assess the significance of a heritage asset, and the effect of a proposal, including on the setting of the asset, and seek to **'avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal'**.

4.13 Paragraph 131 sets out matters for local planning authorities to take into account in making decisions, which include **'the desirability of new development making a positive contribution to local character and distinctiveness'**.

4.14 Paragraph 132 concerns any potential harm which a proposal may have on the significance of a heritage asset, and states that **'great weight should be given to the asset's conservation'**. Paragraphs 132 and 133 concern proposals which would lead to **'substantial harm'**, which is likened to the loss of the heritage asset. Paragraph 134 concerns proposals which would lead to **'less than substantial harm'**, whereby any such harm must be considered in **'a balanced judgment'**, having regard to the scale of harm to the heritage asset.

King's Lynn and West Norfolk Local Plan (1998)

4.15 The Saved Policies Proposals Map identifies the application site as lying within an area designated as **'Built Environment Type C'**. This is defined at paragraph 4.47 of the Local Plan as follows:

'4.47) Built Environment Type C: Areas defined on the Proposals Map as Built Environment Type C also relate to development which largely pre-dates 1914. However, they are areas of higher density, or more compact development forms such as the old cores of villages. The built form usually comprises continuous frontages of buildings on streets or around formal open spaces and they exhibit characteristics which spring from a reliance on local building materials and craft techniques. Development in these areas may be possible, even desirable, but in order to safeguard the character of these older parts of towns and villages it is important to ensure that new development can be undertaken in such a way as to be in harmony with the distinctive building characteristics of its surroundings. In determining applications, regard will be paid to the scale, massing, form and materials of the development together with its relationship to existing buildings or spaces, to ensure that the essential character of these areas will not be harmed.'

4.16 Following this, Saved Policy 4/21 allows for development in this area, **'which has regard for and is in harmony with the building characteristics of the locality'**. It also states that **'development which damages the appearance of its built surroundings will not be permitted'**.

King's Lynn and West Norfolk Core Strategy (July 2011)

4.17 Policy CS01, Spatial Strategy, seeks to promote King's Lynn as the Borough's main centre, and provide a minimum of 7,510 new dwellings (in the period 2001-2021). Whilst this Policy also seeks to guide new development away from areas at risk of flooding, it also acknowledges that **'...development may be required within flood risk areas to deliver regeneration objectives within King's Lynn...'**.

4.18 Policy CS03 clarifies that **'at least 1,000 of these dwellings will be provided as part of the regeneration of the central part of the town'**. This Policy also goes on to state that:

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

4.19 Policy CS08, Sustainable Development, contains a number of requirements for new development, including that it should **'protect and enhance the historic environment'**, optimise the use of previously developed land, minimise energy and water use, look to re-use or recycle materials and provide green spaces.

4.20 With regard to flood risk, Policy CS08 states that the findings of the Council's Strategic Flood Risk Assessment will be used to guide planned growth and future developments away from areas of high flood risk. Following the recognition in Policy CS01 that some new development may be required in areas at risk of flooding, Policy CS08 sets out the following requirements for such development:

- **'the type of development is appropriate to the level of flood risk identified in the Strategic Flood Risk Assessment, or;**
- **if the development vulnerability type is not compatible with the flood zone as set out in PPS25, proposals will need to demonstrate that the development contributes to the regeneration objectives of King's Lynn or the wider sustainability needs of rural communities;**
- **the development is on previously developed land, or, where proposals are for development of greenfield sites, the development must demonstrate a contribution to the regeneration objectives of Kings Lynn or the wider sustainability needs of rural communities;**
- **flood risk is fully mitigated through appropriate design and engineering solutions.'**

4.21 Policy CS12, Environmental Assets, states that **'the Council will preserve, and where appropriate enhance [the]... qualities and characteristics'** of the historic and built environment. It also states that:

'Development should seek to avoid, mitigate or compensate for any adverse impacts on biodiversity, geodiversity and heritage as well as seeking to enhance sites through the creation of features of new biodiversity, geodiversity and heritage interest. The design of new development should be sensitive to the surrounding area, and not detract from the inherent quality of the environment.'

Material Planning Considerations

Previous Planning Consent

5.1 The previous planning consents relating to this site (see Section 2), are a significant material consideration which is of great relevance to this planning application. If this application were to be refused, either the 2002 or the 2016 proposals represent realistic alternatives which can reasonably be expected to be constructed instead.

Effect on Heritage Assets

5.2 As we have noted in Section 2, the application site is within the St Nicholas area of the King's Lynn conservation area. The site also includes an existing access passageway which runs through 15 King Street, and the area proposed for development lies to the rear of this property, which is a Grade II* listed building. In addition, the majority of the frontage buildings on King Street are listed buildings. Conservation areas and listed buildings are designated heritage assets. The Council's Conservation Area Appraisal for the St Nicholas area also identifies the former warehouse building on the site's southern boundary as being an **'important unlisted building'**, and as such, it can be considered a non-designated heritage asset.

5.3 We have noted the requirements of national policy in Section 4 above. These are considered by the Heritage Statement which accompanies this application. That Statement draws the following conclusion with regard to the proposed development's effect on heritage assets::

'It is the conclusion of this Statement that the redevelopment of the Site will bring about a positive change that enhances the wider settings of these buildings. There will be no harm caused to their significance due to proposals and each of the buildings mentioned will still be understood and appreciated in the same way as they are today. The proposals introduce a high quality building, in an appropriate use, on a previously developed Site will bring about a positive change.'[1]

5.4 We agree with this expert opinion, and believe that it demonstrates that the proposed development would be entirely acceptable with regard to its effect on local heritage assets. We consider the design of the proposed development further in Section 7 below.

.....

1. Heritage Statement, paragraph 4.26.

Sustainable Development

5.5 As we have noted in Section 2, the application site is in one of the most sustainable locations within the Borough, due to its proximity to a wide range of services, facilities and sources of employment in King's Lynn, and excellent public transport connections. There is a good prospect that residents living within the site would make many journeys by walking, cycling or public transport, rather than using private motor vehicles. This likelihood is further increased by the fact that the site's access is narrow and would be unsuitable for the majority of motor vehicles. The proposed dwelling is therefore unlikely to lead to a high level of carbon emissions through transport.

The Need for Housing

5.6 There is an ongoing need for housing in the Borough. We note that the Council's most recent assessment[2] explains that the current need for housing, including the buffer required due to non-delivery against previous targets, and the backlog, is now 992 dwellings per annum (dpa) over the next 5 years. This is a high target, and whilst we note that the Council believes it can demonstrate a 5 year housing land supply, this remains a minimum requirement.

5.7 Where it is possible to provide housing above and beyond this target, these opportunities must be taken. This is because of the many social and economic benefits which housing brings, which are recognised by national planning policy.

5.8 The provision of new housing in town centre locations such as this is supported in principle by local and national policies, as we have noted in Section 4. In particular, proposals for new housing benefit from the presumption in favour of sustainable development (NPPF, paragraph 49).

The Presumption in Favour of Sustainable Development

5.9 The presumption in favour of sustainable development applies to proposals for residential development, as directed by paragraph 49 of the NPPF. Paragraph 14 states for decision making this means:

- **'approving development proposals that accord with the development plan without delay**
- **where the development plan is absent, silent or relevant policies are out of date, granting permission unless:**
- **any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or**
- **specific policies in this Framework indicate development should be restricted.'**

5.10 We believe the proposed development is compliant with the development plan. We note that there are no specific policies within the NPPF that indicate development should be restricted, given the conclusions set out elsewhere in this statement with regard to heritage and flood risk matters. As such, we believe that the presumption in favour of sustainable development applies and planning permission should therefore be granted without delay.

2. 2016/17 Housing Trajectory Commentary, King's Lynn and West Norfolk Council, June 2017.

Flood Risk and Drainage Issues

Context

6.1 The application site is classified on the Environment Agency's Flood Map for Planning as lying within Flood Zone 3. It is therefore defined as **'land having a 1 in 100 or greater annual probability of river flooding and a 1 in 200 or greater annual probability of sea flooding'**[1]; this is also expressed as a 'high probability'. The site is shown as lying on the edge of the flood zone, with adjacent land within Flood Zone 1, and so at a **'low probability'** of flooding.

6.2 The Council's Strategic Flood Risk Assessment (SFRA) also defines the site as lying within Flood Zone 3, along with all of the land west of King's Street.

6.3 The SFRA also indicates that the application site, and much of the centre of King's Lynn, would be within Flood Zone 3, subject to a **'High probability'** of tidal flooding, by 2115.

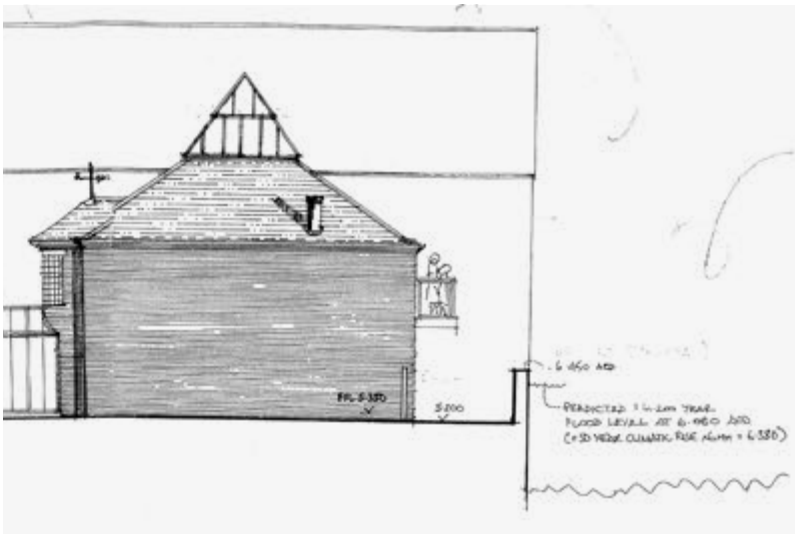
Extract from the Council's Strategic Flood Risk Assessment Map, for the present day.

Extract from the Council's Strategic Flood Risk Assessment Map, for the year 2115.

1. Table 1 of the National Planning Practice Guidance, Reference ID: 7-065-20140306.

6.4 The NPPF requires that, where new development would be at risk of flooding, the proposals should be subject to a sequential test. Paragraph 100 of the NPPF sets out the following guidance for new development, in relation to flood risk:

'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.' (our emphasis)



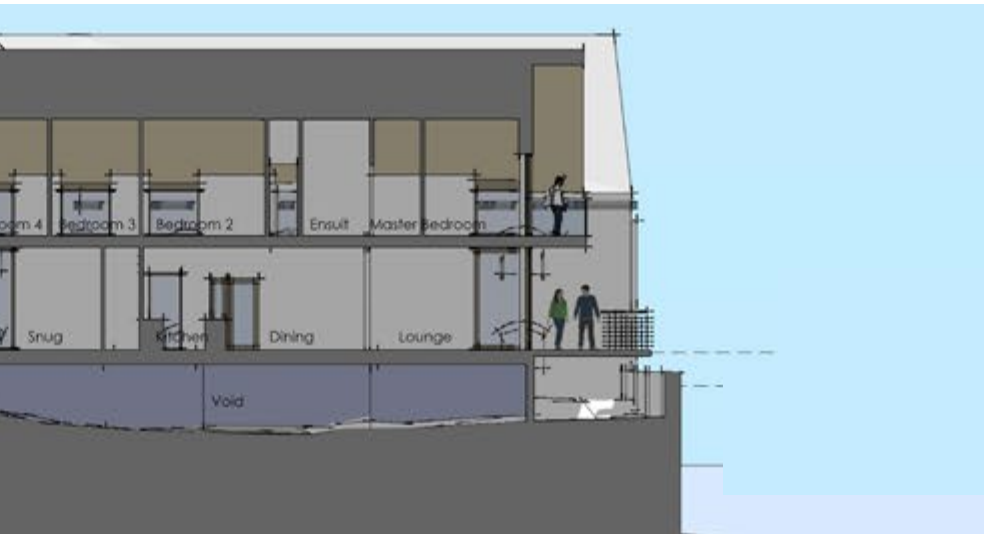
Extract from the approved application drawings.

Consideration of the Application Proposals

6.5 As we have noted in Section 2, the application site already benefits from an implemented planning permission for a new house, and a further permission granted in 2016. Either house could be constructed at any time. The current application proposals must be considered in light of this. The Applicant purchased the site in order to build himself a new home, and so it must be assumed that this will happen, either in the form of the current application proposals, or in the form of the previous permissions.

6.6 We have noted above that paragraph 100 of the NPPF recognises that housing will sometimes be necessary (or in this case inevitable) within an area which is at risk of flooding. National policy therefore directs that this housing should be designed so as to be safe, and without increasing the risk of flooding elsewhere.

6.7 The 2002 proposals were for a house which would be located below the level of the flood defence wall. Should these defences be breached in the event of an extreme flood event, the proposed house would flood. The approved application drawings illustrate that the level of Flood Zone 2 (a 1 in 100 chance flood event) was well above the ground floor level, and only a little below the top of the flood defence wall.



Section drawing of the proposed house.

6.8 We understand that in December 2013 there was a tidal surge which was approximately 1m higher than the ground floor level of the permitted house would be, close to a 1 in 200 year tidal flood event. A breach in the flood wall at that time would therefore have led to the site and house flooding.

6.9 When considering the recent planning application for a new house on the site, the Council did not raise any objection to the principle of housing within the site on grounds relating to flood risk. The Officers' report concluded as follows:

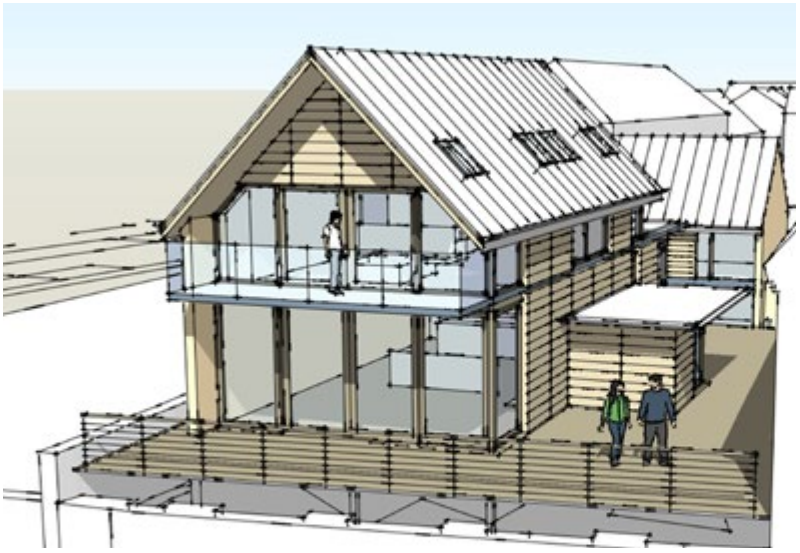
'The EA have no objection to the proposal, especially given that the 2002 permission can still be implemented. Surface water has been identified as being dealt with by Soakaway.'

6.10 In keeping with the proposals approved in 2016, the currently proposed house would be set above the level of Flood Zones 2 and 3. This would effectively place the living accommodation within Flood Zone 1, where there is considered to be a low risk of flooding, and residential development is acceptable in principle. By these means, the new house would be made safe.

6.11 This statement is accompanied by a Flood Risk Assessment conducted by Geoff Beel Consultancy, which concludes that risk of flooding from the river is very low (less than 0.5%) and that the elevation of the habitable floors of the currently proposed building to 7m AOD places it above **'any predicted breach scenario water level of the 1 in 200 year flood event'**.

6.12 We believe that these proposals would be acceptable in principle, because of the reduction in the risk to people and property, and the reduction of built structures within the flood plain.

6.13 With regard to Policy CS8 of the Council's Core Strategy, relating to Sustainable Development, we note that this allows for development within the central area of King's Lynn. It also allows for development which would utilise previously developed land, such as the application site. CS08 also requires proposals to contribute towards the regeneration of the town centre, and the proposals would do this by making a good use of a vacant site, and providing additional activity and trade within the centre. The proposals would also comply with the requirement to fully mitigate flood risk.



TOP
A drawing of the proposed house, presented at the pre-application stage.

MIDDLE
The 2016 application proposals.

BOTTOM
The current application proposals.

Design

Context

7.1 The Applicant sought pre-application advice from the Council prior to the formulation of the 2016 application proposals. The focus of the Council's advice was that a building was required that related well to the form and design of the area. English Heritage did, however, note that a building which largely filled the plot would not be out of keeping with the character of the area, where many plots are fully developed.

7.2 As noted above, in the Officer's Report accompanying the granting of planning permission in August 2016, the Council noted that:

- **'The dwelling and associated annexe is considered to sustain the character of the Conservation Area, 13 King Street – grade II listed and 15 and 15a King Street – Grade II listed.'**

- **'The proposed design in this application is in conformity with the building characteristics of the existing built form.'**

7.3 The current proposals have benefitted from the Council's advice. The key elements of design and form approved by the Council in 2016 remain in place in the current application.

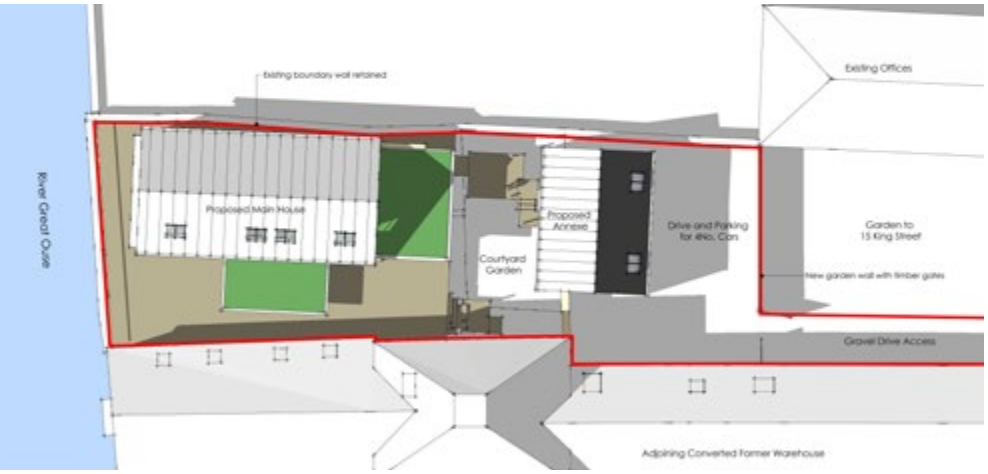
7.4 These revised proposals have also taken into consideration the feedback from Historic England on the 2016 application. In particular, in his letter of 6 September 2016, the Inspector of Historic Buildings and Areas wrote as follows:

'The annexe building might be better placed on the same orientation to reinforce the linear form seen at the King Street end of these plots.'

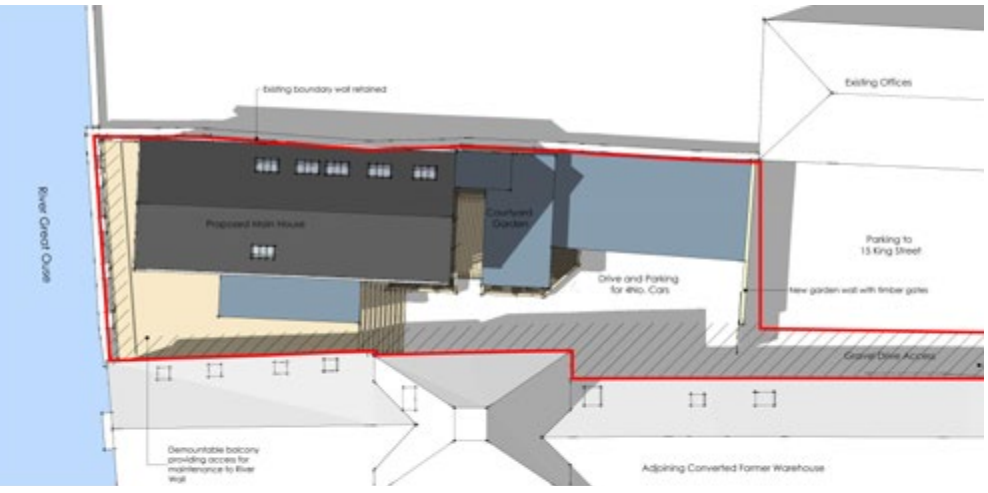
7.5 This new application has given the architect the opportunity to respond to this advice, by removing the annexe and extending the house in a linear form towards the front of the site – in keeping with the established pattern of riverside development.

Amount

7.6 The proposed development would create a single new four-bedroom dwelling.



Site Plan showing the new house approved in 2016.



The proposed development.

Use

7.7 The application site would be put into residential use. It does not currently have an active use, but it was previously thought to have been used as a residential garden. Most recently, the site has been used for storing compost, until a recent fire, which damaged the sycamore tree within the site. It is possible that the site has become a focus for antisocial behaviour, which may have caused the fire, and its development for residential use would preclude the possibility of such a use continuing.

Layout

7.8 The site has been laid out in a similar way to the historic pattern of these waterfront sites, which typically contained warehouses orientated end-on to King Street and the river. Historic maps demonstrate that the site previously contained a building which was arranged in a C-shape.

7.9 This form of development was largely replicated by the 2002 planning consent, which sought to wrap buildings around the self-seeded sycamore tree, in a C-shape.

7.10 As we have noted in Section 3, due to the necessary removal of the sycamore, there is now greater flexibility for the layout of new development within the site. The 2016 application made use of this by creating a mirror image of the 2002 proposals, whilst maintaining the C shape visible on maps in the early 20th century.

7.11 The current proposals position the new house on the northern boundary. The proposed car port extends away to the eastern side, creating a long slender pattern of built development that remains evocative of the site's previous warehouse uses.

7.12 We believe that this approach is entirely suitable in this context. The form of the 19th Century building, which filled much of the back part of the site, was consistent with other plots along King Street, including that immediately to the south of the site, where a former warehouse is built to the plot's edges. We also note that this is consistent with observations made by English Heritage during pre-application discussions leading to the successful 2016 application.

Location of the proposed wall, within the courtyard to the east of the proposed new house.

7.13 At the site's eastern end, a new private courtyard would be provided through the sub-division of the open area; a new brick wall would be constructed on the boundary of the Applicant's ownership, which lies around half-way across this courtyard. This new wall would meet the wall to the north of the site at the point where it joins the corner of the adjacent building, and we believe that this would be a logical and planned location for a dividing boundary wall. It is intended that this wall would be constructed of reclaimed bricks, and that it would provide a harmonious element of the site, which would also perform the function of reducing the visibility of the new house from the street.

7.14 The site would be accessed via a passageway running through the property of 15 King Street, and so the application site has been drawn to include this area, running up to the edge of the street.

Scale

7.15 The proposed house would be of a similar scale to that which was previously approved in 2016. It has again been designed with the intention that it would appear smaller than, and subservient to, the former warehouse building to the south of it. The main building is modestly longer than in the 2016 proposals, but this remains entirely in keeping with the character of the area, and has no effect on its clear visual subordination to the listed building. It would also be set back from the river frontage, helping to make it less prominent when viewed from the walkway on the west bank of the river.

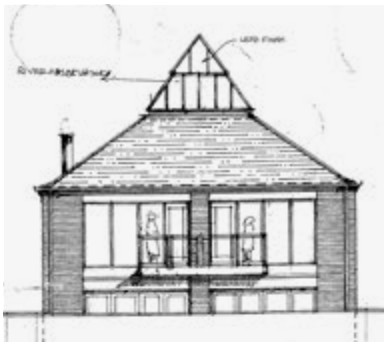
7.16 The increase in the length of the dwelling, as compared to the 2016 proposals, does not reflect a further intensification of building on the site, but rather the incorporation of space that was allocated to the annexe into the main structure. A building of this scale is appropriate for this site, as Heritage Collective note, the **'overall massing of the building, although differing in footprint, is similar to that of the original warehouse development on the Site'**.[1]

7.17 The extension of the building eastwards is in keeping with the historic pattern of the built environment in this location. It will also not be obtrusive, masked as it will be by the building itself, in views from across the river, and by the passageway and the boundary wall when viewed from King Street.

Appearance

7.18 The proposed house has been designed with the intention that it would clearly be of its time, a modern building, but with carefully considered references to the conservation area and surrounding buildings.

7.19 The form of the building has been designed as an echo of the former warehouse buildings which are typical behind the frontage properties on King Street. These tend to have a long, thin form, presenting a gable end to the river frontage, and this is most strikingly exemplified by the former warehouse immediately to the south of the application site. The new building would have a strong visual relationship with that building due to its proximity, and it has been designed to be complementary in its basic form, and details such as the pitch of its roof.

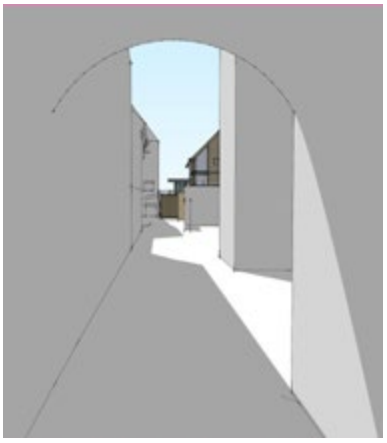


Front elevation as previously proposed (top) and new front elevation (below).

1. Heritage Statement paragraph 4.13.

The current proposed elevations (above) compared to the elevations of the dwelling permitted in 2016 (below).

The proposed annexe (right), with the house behind, as seen from the entrance passage and of the dwelling permitted in 2016 (left).



The view from King Street of the 2016 proposals (left) and the current proposals (right).

7.20 The primary visual differences between the current proposals and those approved in 2016 are the extension of the length of the main building, discussed above, and the rearrangement of windows on the southern, northern and eastern sides. These changes reflect alterations to the internal layout of the dwelling. We believe these maintain the overall aesthetic quality and coherence of the proposals, and they will have a negligible impact on the primary views into the site, from the river and the entrance passageway, when compared to the 2016 proposals.

7.21 The proposed materials are primarily traditional and reflect the surrounding buildings. The proposed slate roof is a reference to traditional building materials – and was the material preferred by the Council and Historic England in discussions of the 2016 application.

7.22 Timber weatherboard is a traditional building material, and an echo of the site's more distant past, when buildings on the site and surrounding land are likely to have been constructed of timber, as it was a relatively cheap and plentiful material when compared with brick. The fact that brick buildings now typically survive in this area is likely to reflect the robust nature of that material, and its use reflects the growing affluence of this port town over time, something which is also reflected in the fine houses which face King Street, and which will have replaced earlier buildings.

7.23 We believe that it is entirely appropriate to take a contemporary approach to the design of the new house, rather than producing a pastiche of past styles. We believe that the new house would be distinctive and attractive, and would sit in harmony with its surroundings. We note that this view is echoed in the Heritage Statement by Heritage Collective.

7.24 We believe that the proposed house would be more attractive than the house which could be constructed under the 2002 planning permission. We also note that the orientation of the new proposals are more in keeping with Historic England's recommendations when consulted on the 2016 proposals, where a preference was stated for orientating the annexe to face King Street in the same style as the main building. This more linear approach to development has now been achieved, through the removal of the annexe and the reorganisation of the courtyard, car port and storage area. The current application proposals are for a house which would be entirely in keeping with the character of the area, due to its visual references to the typical form of buildings in this location.

Landscaping

7.25 We have noted above that the unfortunate damage to the sycamore tree within the site means that it will need to be removed. The proposed buildings have been designed to sit around a courtyard garden, which will allow for the provision of new landscaping features. We envisage that there will not be a need to control the details of this landscaping through the planning process, as these will be private garden areas, and will not be particularly visible from publicly accessible locations.

Residential Amenity

7.26 The proposed house would not harm the amenity of any neighbouring residents. It would look into the site, and over the river. It would not look directly towards the nearby housing to the east of the site, which is well separated, and in the case of 15 King Street largely screened, from the proposed development. The site has no meaningful relationship with the building to the south, which presents a blank façade on its northern elevation. On the northern side, the current proposals provide dormer windows in the roof. These will provide light to the landing, bathroom and en-suite bathrooms and due to their elevation will not afford views over the adjacent plot. Otherwise, the proposals would be similar to many other existing developments within historic residential areas, where buildings are typically close together.

7.27 As we have noted above, the Council's response to the 2016 proposal concluded that there was no detrimental effect on neighbour amenity caused by the proposals. We believe the same is the case for these modestly revised plans.

Security

7.28 The site currently represents a potential security risk, as it is vacant, and it has the potential to attract antisocial behaviour. This is demonstrated by the recent fire which killed the sycamore tree, the cause of which is unknown, but which may have been started by people trespassing within the site. The site's redevelopment for residential use would make it secure, and greatly reduce the risk of similar incidents occurring.

A section through the middle
of one of the new house.

Access

Highway and Pedestrian Access

8.1 Highway and pedestrian access would be taken from King Street, through no. 15 King Street. This is the historic route by which the site has always been accessed, as it was previously an extension to that property, projecting into the river.

8.2 The access route is sufficient for pedestrian and cycle use, and it could also be used for small vehicles. The site already benefits from an implemented planning permission for residential use, which is not limited with regard to the use of this access. Due to this, Officers accepted in discussions relating to the 2016 proposals that it would not be possible to seek to limit the use of this access to vehicular traffic.

8.3 The site is very well located, with a great range of services and facilities within 5–10 minutes' walk, a distance which encompasses most of the town centre.

Car and Cycle Parking

8.4 There would be space for the parking of 4 vehicles, as well as bicycles, in the carport area to the east of the site. Alternatively, vehicles can be parked in Tuesday Marketplace, with parking permits available to residents.

Public Transport

8.5 The application site is very well connected by public transport. It is around 500m walk from the bus station, and around 750m walk from the railway station, and so both are within a 10 minute' walk. The bus station provides regular services to many towns, including Spalding, Peterborough and Norwich, as well as the local area. The railway station provides a fast hourly service to London King's Cross, via Cambridge. The application site is therefore in one of the best connected locations within the Borough.

Conclusions

9.1 This application proposes a new house, on land to the rear of 15 King Street. This house is an alternative proposal to the planning permission for a new house which was approved in 2002, which remains extant, and the subsequent permission granted in 2016. The proposed development simply represents some modest amendments to the design of the house permitted in 2016.

9.2 The proposed house would be located to the rear of 15 King Street, a Grade II* listed building, and within the King's Lynn conservation area. These are designated heritage assets, and the proposals have been designed with careful regard to their integrity and special character. This application is accompanied by a Heritage Statement, produced by Heritage Collective, which concludes that the proposals comply with local and national policy, and that they would provide a positive change, which would not result in harm or loss of significance to heritage assets.

9.3 The new house would be raised higher than the original proposals, to the same level as the 2016 proposals, and so would be above the projected level of a 1 in 200 probability flood event. A tidal surge in December 2013 reached this level, and would have flooded the house permitted in 2002, thus indicating that there is a tangible benefit in raising the level of the proposed house well above it. The application proposals would place the property and residents at a far lower risk of flooding than the house which was originally approved, and the proposals would comply with national policy relating to flood risk.

9.4 The application site is located in a very well-connected location, which is entirely suitable for new residential development. It is within a few minutes' walk of a wide range of services and facilities in the town centre, and both the bus and train stations. It is in one of the most suitable locations for new residential development within the Borough. It would also make an efficient use of a previously developed and vacant site.

9.5 We have demonstrated through this Statement that this would be a highly sustainable form of development. It would comply with local and national planning policy requirements. As such, we believe that the proposals benefit from the presumption in favour of sustainable development, and we respectfully request that this application is approved without delay.

waller
planning

town and country
planning consultants