

Borough Council of
**King's Lynn &
West Norfolk**



**Borough Council of King's Lynn and West Norfolk's
Response to
the Issues and Questions raised by Inspector David
Hogger
in relation to the
King's Lynn and West Norfolk Local Plan:
Site Allocations and Development Management
Policies**

Issue 43 West Walton/Walton Highway

**Examination
November 2015**

Table of abbreviations used with the Council's Statements

Abbreviation	Full Wording
AONB	Area of Outstanding Natural Beauty
BCKLWN	Borough Council of King's Lynn and West Norfolk
BDC	Breckland District Council
CLG	Communities and Local Government
CITB	Construction Industry Training Board
CS	Core Strategy
DM	Development Management
DPD	Development Plan Document
EA	Environment Agency
FDC	Fenland District Council
FRA	Flood Risk Assessment
GI	Green Infrastructure
GTANA	Gypsy and Traveller Accommodation Needs Assessment
ha	Hectare
HELAA	Housing and Economic Land Availability Assessment
HLF	Heritage Lottery Fund
HRA	Habitats Regulation Assessment
HSEHA	Health and Safety Executive Hazard Areas
IDB	Internal Drainage Board
KRSC	Key Rural Service Centres
KLATS	King's Lynn Area Transportation Strategy
LDS	Local Development Scheme
LLFA	Lead Local Flood Authority
LPSO	Local Plan Sustainability Objectives
NCC	Norfolk County Council
NE	Natural England
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
NORA	The Nar Ouse Regeneration Area
NWT	Norfolk Wildlife Trust
OAN	Objectively Assessed Need
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
RV	Rural Village
RAF	Royal Air Force
RLA	Residential Land Assessment
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SADMPP	Site Allocation and Development Management Policies Plan
SCI	Statement of Community Involvement
SEA	Strategic Environmental Assessment
SFRA	Strategic Flood Risk Assessment
SHMA	Strategic Housing Market Assessment
SHLAA	Strategic Housing Land Availability Assessment
SMP	Shoreline Management Plan
SPA	Special Protection Area
SSF	Site Sustainability Factors
SSSI	Site of Special Scientific Interest
SuD	Sustainable Drainage systems
SVAH	Smaller Villages and Hamlets
SWMP	Surface Water Management Plan
THI	Townscape Heritage Initiative
UPC	Un-attributable Population Change

43.1:

Is there evidence that any of the following proposed residential sites in West Walton and Walton Highway are not justified, sustainable, viable, available and deliverable:

- Adjacent to Common Road (G120.1)
- North of School Road (G120.2)

If such evidence exists what alternatives are available and have they been satisfactorily considered by the Council?

1. Introduction

1.1. West Walton and Walton Highway are designated a joint KRSC and the Council have identified an allocation for 20 dwellings (originally seeking 23) in the SADMP. The Sustainability Appraisal details the consideration of options for development in West Walton and Walton Highway and provides justification for allocating site G120.1 Land adjacent Common Road and G120.2 Land north of School Road over alternative options.

1.2. The deliverability form (Appendix 1) prepared by the agent Peter Humphrey Associates Ltd. for site G120.1 states that the site is under separate ownerships (a number of charities) and provides a map outlining the boundary for the landowners. The site is identified as vacant, available now and deliverable within the first five years of the plan period (2014/15-2018/19). The deliverability form (Appendix 2) prepared by the landowner for site G120.2 states that the site is currently used by the landowner for fruit growing but is available now and deliverable within the first five years of the plan period.

2. Land adjacent Common Road (G120.1)

2.1. As detailed in the SA, site G120.1 scores relatively highly in relation to sustainability objectives and provides the opportunity for a linear development which would respond positively to the form and character of the surrounding area. Objections have been raised including a petition from local residents which identifies issues relating to residential amenity, loss of countryside and agricultural land, impact on wildlife, poor access and drainage.

2.2. As the site is adjacent to existing residential development the site is well located in terms of access to the village centre. However, because the site is well integrated with surrounding development there would be some impact on occupants of neighbouring properties, which has led to objections from local

residents. On balance, only a limited number of properties would be directly affected by development at Common Road North and new development could be designed to be sympathetic in form and scale to existing properties. The site is sufficiently spacious for generous plot sizes enabling gaps and glimpse views, and most of Common Road North would still remain undeveloped with open views of surrounding countryside. Whilst neighbouring residents are understandably concerned about the impact of new development, any of the alternative more central sites are constrained for other reasons; many are existing employment land. Alternative outlying sites have greater potential to harm the landscape and appear as isolated development with poorer connections to central areas. In selecting a sustainable location for development it is inevitable that there will be some impact on surrounding neighbours, however other policies in the plan- DM15 considered localised amenity but this must be balanced in the overall context of the need for more housing.

2.3. In terms of highway access, there is an established junction on Lynn Road serving Common Road North which may be improved as the development would need to meet minimum requirements for visibility and access, and would need to consider measures to improve pedestrian and vehicular access in response to comments from the Highways Authority. Significantly, the Highway Authority did not object to development of the site and it is considered that safe access can be achieved.

2.4. The land is low lying as represented by its location in tidal flood zone 2. The policy has specific conditions relating to flood risk and sustainable drainage which will ensure that these issues must be addressed in any planning application.

2.5. The site is greenfield, however no alternative suitable and available brownfield sites have been identified in the village. Land west and south of the site would remain as open agricultural land, potentially attractive to wildlife. A modest development of 10 dwellings would mirror existing development to the east of Common Road North and would not appear incongruous in the landscape.

3. North of School Road (G120.2)

3.1. Site G.120.2 scored relatively well overall in the SA. Development of the site would lead to a natural extension to the existing residential development to the east and would infill the gap between development to the east and the bungalow on the west. The site is supported by the parish council, but has received one objection. The objection raised from the agent of previously preferred option WWAL1 relates to the potential impact on the visual amenity of the surrounding

countryside and states that the reason for the site being considered a non-preferred option has not been overcome. Over 100 objections were raised during the preferred options consultation to site WWAL1 including from Norfolk County Council Highways Authority in addition to concerns raised by the neighbouring school. This caused the Borough Council to reconsider the non-preferred sites and new information submitted in support of those sites during the preferred options consultation. Site G120.2 is unused overgrown land in a small plot bordered to the east by existing development, to the west a bungalow and curtilage with mature hedgerow and trees and to the north by an orchard. The site is accessible from School Road to the south and the field opposite is flat and open in nature and forms attractive countryside. Upon closer inspection of the site, development in this location would not appear incongruous in the landscape because of its position between a bungalow and the main built up village of Walton Highway. It would amount to an infill plot which would not affect views towards Walton Highway from West Walton as the existing bungalow provides a visual break in the natural landscape and forms the western edge of Walton Highway village.

4. Comparison of alternative options

4.1. Site WWA1 (986) was selected as a preferred option but subsequently not allocated in the SADMP. The Council received a high level of public opposition during the preferred options consultation which predominantly related to highway safety, congestion and parking concerns due to the nature of the road and due to its location serving two schools. In the light of this, the Council considered that the site was not a sustainable location for further development and therefore did not select the site for allocation.

4.2. Site 754, favoured by the Parish Council, was originally submitted for consideration in the Councils SHLAA 2010. The site was one of number of sites which were not further considered as it failed early suitability criteria 'stage 1' – namely it was not as close to the built up area of the settlement than alternative options. Appendix 3 shows a map of the site which appears slightly removed from the settlement and is not immediately adjacent to development other than linear development north of Lynn Road which is screened by high hedges. Development of 754 would constitute a rather more isolated development which would jut out into the landscape and not reflect the form and character of the neighbouring area. Consequently the Council do not consider site 754 to be a more sustainable option than the proposed allocations.

4.3. Site 52/432 Land adjacent to the Poplars submitted by Andrew Campbell on behalf of Mr and Mrs Jewson – The site was not considered to be the most

sustainable of all options based on objections made by the Highways Authority (which the owners consider could be overcome). Notwithstanding this issue, the site scored negatively for the criterion 'landscape and amenity'. The decision for refusal of planning application 08/02396/O at land adjacent to The Poplars issued 3rd March 2009 states that the proposed residential dwellings in close proximity to agricultural buildings and uses would be detrimental to the prospective occupiers. The decision further states that the proposal to develop the site with single and two story dwellings would be a different form of development which would impact upon the open rural character. No new information has been submitted which adequately addresses these issues or proves the site to be a more sustainable and justifiable option than the proposed allocations.

4.4. The Council's SA details the consideration of all alternative options and the reasons why these were not considered the most sustainable option for development. Most other submitted sites scored less well in the Sustainability Appraisal, particularly in relation to categories 'flood risk' and 'landscape and amenity'. In the interest of delivering development in a Key Rural Service Centre the Council have chosen the least constrained and most sustainable options for development

5. Implications of site assessment of a joint Key Rural Service Centre

5.1. Representations from Mrs. Sonia Bishop (ID: 590255), Mr. Roy Groom (ID: 785413), Mrs. Emma Bateman (ID: 603777) and Mr. and Mrs. Jewson (ID: 401857) express concerns regarding the designation of a joint KRSC for the separate settlement areas of West Walton and Walton Highway and the implications this has on site selection in the two villages. The settlements were designated as a joint KRSC in Core Strategy policy CS02 because the settlements are considered to have a close functional relationship due to the services and facilities shared between the settlements. The KRSC designation has enabled a greater proportion of development to be sought for allocation in the two villages, and that could come forward in the future as windfall, than would otherwise be the case if they had been treated separately and designated as lower tier Rural Villages in the settlement hierarchy.

5.2. The SADMP is linked to, and builds upon policies established in the Core Strategy. Therefore the policy approach taken by the Council to treat Key Rural Service Centres as one area for the purposes of allocation, whilst recognising their individual identities in the supporting text is justified by CS02 The Settlement Hierarchy. Flood risk is one of the criterion in the Sustainability Appraisal. Where there are a number of sites which are deemed broadly sustainable in the SA and are otherwise unconstrained, the

Council has adopted the sequential approach to allocating development in flood risk areas in accordance with the NPPF. The consequence in this instance is that no sites have been identified for allocation in West Walton, however the villages are geographically very close and new residents in Walton Highway will both support services and facilities in West Walton and be living in an area that is not determined to be at the highest risk of flooding (flood zone 3).

5.3. It would be appropriate to reconsider issues relating to the settlement hierarchy as part of the review of the Local Plan.

6. Conclusion

6.1. The two sites selected for housing in West Walton and Walton Highway were among the least constrained and most suitable options according to the Sustainability Appraisal. Whilst issues have been identified in connection with Land at Common Road North, in the view of the Council the evidence presented by other parties does not represent compelling reasons to suggest that the allocation is not justified, sustainable, viable, available and deliverable. Only one concern was raised in relation to Land at School Road regarding the impact on visual amenity. The Borough Council have assessed the visual impact of development in this location in detail and have justified the allocation of the site. The Councils SA supports the selection of the sites for allocation.

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Dear Sir / Madam,

Without prejudice

**King's Lynn & West Norfolk Local Plan
Preferred Option Site WH1 (Site Ref No: 428)**

The Borough Council published the Preferred Options for the Detailed Policies and Sites Plan on July 29th 2013. In preparation for the final submission version, we are seeking to contact landowners and agents of sites considered as potential options for allocation. We hold your contact details as the landowner or representative for a site. If this is not the case, please contact me directly or return the form provided.

It is important for us to be able to show, at the Plan examination, that the development promoted is 'deliverable' (viable, available and achievable). Therefore we wish to understand, as far as possible, the likely prospects for development of each of the sites under consideration before making final decisions on what allocations to include in the Plan. I am therefore writing to encourage you to submit further information about the site, in order to help us decide whether to include such an allocation in the final 'Proposed Plan'.

The proposed Plan will be submitted for examination, where an independent planning inspector will decide whether it is legally compliant and 'sound' and can therefore be adopted by the Council. Deliverability is one of the key tests the Inspector will be applying to the Plan.

We request that you please return the form by the **deadline 1st April 2014**. Please complete the form, even if you have previously provided this information to us at any stage. The Planning Inspectorate requests that any evidence to support an examination of plan documents is up to date and provided in a clear format. In the case that more detailed information has previously been submitted there is no requirement to repeat this. We would appreciate if you could complete the basic questions and tick box answers and refer to your submission for further details.

[Type text]

Disclaimer

The Council is still assessing all potential options for housing allocation. Completion of this form will be used to consider whether a site is deliverable within the plan period (to year 2026). However, completion of this form does not guarantee that any site will continue to be identified for housing allocation at the submission stage.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alan Gomm', with a horizontal line underneath.

Alan Gomm
LDF Manager

[Type text]

Site Deliverability Form

- Please complete this form to the best of your knowledge and return to the Council by post by **1st April 2014**. If you would prefer to complete these electronically please contact the LDF team on LDF@west-norfolk.gov.uk or 01553 616443 to receive an electronic version.
- If you have previously sent more detailed information to the Council, for example, in response to the preferred options consultation (29/07/13 – 04/10/13) please indicate this on the form.
- Where more detailed information has been submitted previously, there is no requirement to repeat this information. The Council appreciates you taking the time to complete basic questions on the form and indicating that more detail is available elsewhere.
- The form provides the Council with an overview of the deliverability of any site, and will be collated as evidence to support the Detailed Policies and Sites Plan.

Return Address

Please return completed forms to:

Planning Policy Team (Deliverability Form)
Environment and Planning
Borough Council of King's Lynn and West Norfolk
King's Court, Chapel Street
King's Lynn, Norfolk
PE30 1EX

Data Protection and Freedom of Information

The information collected in this response form will be used by the Borough Council to inform the Detailed Policies and Site Plan and subsequent components of the Local Plan.

By responding you are accepting that your response and the information within it will be in the public domain, and that it may be disclosed if requested under the Freedom of Information Act.

Site Reference	WH1 site ref 428
Are you the correct person/company to contact about the site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <p>If no, please explain why you are no longer the contact person/company for the site and please provide the correct contact details, if known, on the form below</p>

Contact details	
Name	PETER HUMPHREY
Relation to the site	<input type="checkbox"/> Landowner <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Other, please provide details
Company	PETER HUMPHREY ASSOCIATES LTD
Address	31 OLD MARKET WISBECH
Postcode	PE13 1NB
Telephone	01945 466966
Email	peter h@ peter humphrey . co . uk .
Ownership	

Is the land under single ownership?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If 'no' who are the other landowners?	<p>Please list other owners:</p> <p>ROBERT HALL TRUST (c/o J. BALL HARROLD AUBURN)</p> <p>CANCER / CAT / DOG CHARITY (c/o KNIGHT FRANK)</p>
Is the access to the site under separate land ownership/s	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <p>If yes, please provide details</p>
<p>In the case that the site, or access to the site is owned by more than one landowner, the Council may contact you to establish which part of the site is under your control. If it is possible to indicate this on the attached map, or you have previously detailed this in documentation to the Council, please confirm this by providing details below.</p> <p>DETAILS ATTACHED .</p>	

Availability

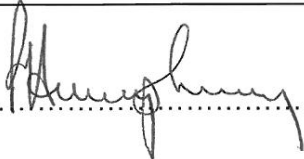
<p>Is the site occupied?</p>	<p><input type="checkbox"/> Occupied</p> <p><input type="checkbox"/> Part occupied</p> <p><input checked="" type="checkbox"/> Vacant</p> <p>If occupied, please provide details</p>
<p>When is the site available?</p>	<p><input checked="" type="checkbox"/> Available now</p> <p><input type="checkbox"/> Not immediately available but could be developed within the plan period (before 2026)</p> <p><input type="checkbox"/> not within the plan period (2027+)</p>
<p>If the site were allocated for development, when would you intend to develop the site?</p>	<p><input checked="" type="checkbox"/> 2014/15-2018/19</p> <p><input type="checkbox"/> 2019/20-2032/24</p> <p><input type="checkbox"/> 2024/25-2025/26</p> <p>Please provide any comments you may have on how firm the indicated dates are, and what would cause this to change.</p>

<p>Constraints</p>	
<p>Are there any financial considerations that you are aware of that may influence whether or when the site would be developed?</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p> <p>If yes, please provide details</p>

<p>Are you aware of any abnormal costs associated with bringing forward this site for development, e.g. contaminated land?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, please provide details</p>
<p>Are there any other constraints that may prevent or delay development of the site? (see examples)</p>	<p>e.g. access issues, land contamination, ecology issues, land covenants, heritage issues, flood risk, legal issues, infrastructure requirements, hazards, land use, occupation of land, market demand, other?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, please provide further details or state 'see submission for full details'</p>

Further Information	
If the site was identified by the Council as a preferred option, have you read the draft policy relating to it?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Do you have any comments on the requirements and consideration set out in that draft policy?
YES	

Other
Please provide details of any other viability issues in relation to the site that the Borough Council should be aware of that has not been covered in your submission or this form (use separate sheets if necessary)

Signature	
Print name	P. Humphrey
Date	20 March 2014