

Examination of the

King's Lynn and West Norfolk Local Plan:
Site Allocations and Development Management Policies

Issue 14: Castle Acre (G.22)

Question 14.1

Is there evidence that any elements of the proposed development west of Massingham Road (G22.1) are not justified, sustainable, viable, available or deliverable? If such evidence exists what alternatives are available and have they been satisfactorily considered by the Council?

Statement by David Russell Associates

on behalf of Greene King plc
Respondent reference no: 744

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1 Introduction

1.1 This statement is made on behalf of Greene King plc, owners of land to the north of Back Lane to the rear of existing residential properties, as shown on the map at *Appendix A*. It is referred to as site 1193 throughout this representation. We have been promoting this site as a suitable allocation for residential development through the King's Lynn and West Norfolk Local Development Framework consultation process. Our first representations were submitted to the Site Allocations and Development Management Policies DPD Issues and Options Consultation in 2011. We understand that all previous representations have been made available to the Inspector.

1.2 Throughout the process we have emphasised the positive benefits of site 1193 as a residential development allocation, which are:

- the site's proximity to the village centre and its community and commercial facilities. Castle Acre Primary School adjoins the site
- its strong, defensible, physical boundaries; it is a contained site
- the site's development would have few, if any, consequences for the village's rich heritage of listed buildings and ancient monuments and their settings
- its topography and location in relation to the village's existing built-up area will minimise any visual impact on the open countryside to the north at West Acre Road
- the site is not agriculturally productive and is currently under-utilised. Its development would represent an efficient and effective use of the land
- it is easily accessible from the road that serves the Castle Acre Primary School.

2 The Selection of Residential Land Allocations

2.1 Our main contention is that our clients' site at Back Lane meets the Local Planning Authority's (LPA's) selection criteria in a materially better way than the proposed allocation of land west of Massingham Road.

2.2 The original methodology is set out in paragraphs 5.9 to 5.13 of the **Site Allocations and Policies DPD "your views, your vision..." document published in 2009**. It is the form of an "indicative list" of questions, against which sites can be assessed. The questions cover a wide range of factors under the main headings of:

- core strategy policy
- deliverability and availability
- landform and heritage
- infrastructure
- environment
- flood risk
- land contamination

- quality of life
- proximity to pollution
- economy.

In addition, the document contained a call for sites, details to be submitted on a standard form.

2.3 Sites submitted in response to the call were assessed in the **King's Lynn and West Norfolk Strategic Housing Land Availability Assessment 2010**. 29 criteria were used for assessing site suitability, and a further five related to availability, achievability and deliverability. Seven sites in Castle Acre were assessed in this way. Four were rejected leaving:

- Site 1131 which is part of the proposed allocation
- Site 508 which included land to the west and north of Site 1131
- Site 511 at Pales Green.

All three sites were considered as potentially acceptable.

2.4 The sites identified by the SHLAA were carried forward to the **Issues and Options Consultation in 2011**. The document said of site 508:

"... if the site area were to be reduced in size, a smaller part of the site could potentially be included in the comparative assessment to choose a preferred option for the settlement."

Site 1131, which is part of the proposed allocation, was described as garden land to the rear of a row of terraced properties. The one comment of significance in the consultation document was:

"The Highways Authority would not object if brought forward in combination with footway improvements to the centre of the settlement."

2.5 The next stage was the **Preferred Options Consultation in 2013**. The consultation document refers back to the public response to the 2011 Issues and Option consultation. It notes that sites 508, 511 and 1131 received more public support, including from the Parish Council, than other proposed sites. Given that the only sites included in the Issues and Options consultation were 508, 511 and 1131, it is difficult to understand what these "other proposed sites" were.

2.6 Site 1193 was an additional proposal made at the Issues and Options stage. There is no specific mention of it, or the reasons for rejecting it, in the Preferred Options Consultation document.

2.7 The preferred option was site 1131 plus a small part of site 508. The total area was 0.46 hectares with an estimated capacity of 8 dwellings. Referred to as CACRE1, the main reasons for selecting this option were given as follows:

- no important landscape features
- scores highly in terms of sustainability

- accessible and reasonably close to some village services
 - natural extension to existing development without detriment to the village's form and character
 - views from open countryside to the north and west will see the development within the context of the existing settlement.
- 2.8 The document acknowledged the site's sensitivity in relation to nearby Grade II listed buildings and its partial location within the Castle Acre Conservation Area. It also noted that new footpath links would be needed to ensure safe access to the rest of the village.
- 2.9 The first comparative analysis we have seen that includes site 1193 was presented to a meeting of the LPA's **Local Development Framework Task Group** held on 13 May 2014. This analysis compared six sites in Castle Acre including our clients' site, referenced 1193. The others were sites 508, 511 and 1131 that had been included in the 2011 Issues and Options Consultation, and for reasons that are not clear two sites, 509 and 953, that had been rejected as part of the 2010 SHLAA assessment.
- 2.10 Each site was subject to a 10 factor Technical Assessment/Sustainability Appraisal and a written summary of site characteristics, followed by a written analysis and recommendations for allocation. The 10 factor assessment appears to have been loosely based to the 29 factor Stage 1 and Stage 2 Suitability Matrix used in the 2010 SHLAA. However, the differences are significant enough to make any direct comparisons between the two assessments difficult.
- 2.11 The analysis ends with a table called "Castle Acre – Summary of Sites Considered" that includes all the sites contained in the 2010 SHLAA, together with site 1193. The report ended with a recommendation to allocate:
- part of site 1131 and part of 508 for 11 dwellings, **or**
 - part of site 1193 for 8 dwellings.
- 2.12 The final stage prior to the EIP was the **Pre-Submission Consultation** carried out in January-February 2015. This document proposed an allocation of 1.1 hectares on land west of Massingham Road, with a suggested capacity of 15 dwellings. This allocation is referred to as G22.1 and consists of all of site 1131 plus the eastern part of site 508. This is a larger site than that proposed in the Preferred Options document, but the main reasons stated for its selection are essentially the same.
- 2.13 Please see *Appendix B* for relevant plans.
- 3 The Site Selection Process and Sites 1193 and G22.1
- 3.1 Both sites were considered as potential allocations in the report to the 13 May 2014 meeting of the LPA's Local Development Framework Task Group. In our opinion there are significant flaws in the supporting arguments for G22.1. Insufficient weight has been given to material planning considerations that we believe swing the balance of these considerations in favour of site 1193.

3.2 The 10 factor analysis of both sites is set out in the following table, which also includes our reassessment using a simple positive/neutral/negative scoring system as follows:

++ very positive; + positive; o neutral; - negative; -- very negative.

The scores are applied to the effect of each site on each factor.

Site	Access to Services	Community and Social	Economy A Business	Economy B Food production	Flood Risk	Heritage	Highways and Transport	Landscape and Amenity	Natural Environment	Infrastructure Pollution and Waste
1193 original	++	+	o	x	+	o	§	§	o	?
1193 revised	++	+	o	o	+	++	+	+	o	o
G22.1 original	++	+	o	+/x	+	§	+	o	o	§
G22.1 revised	+	+	o	-	+	-	+	-	o	o

3.3 Our changes are explained as follows:

Access to Services – 1193 has better access so is scored ++ against + for G22.1

Community and Social – 1193 has better access to community facilities and is well-related to the school, which tends to act as a major social hub in villages of this size

Economy A Business – both sites are scored as being neutral in their effect on local business

Economy B Food production – site 1193 is not in active production and given its relationship with surrounding agricultural land is unlikely to be brought into production. On the other hand, G22.1 is currently in active production and better related to other agricultural land to be kept in production. See photographs at *Appendix C*

Flood Risk – both sites are located outside zones where residential development would be at risk

Heritage – G22.1 clearly has implications for heritage, including possible effects on listed buildings and the character of the Castle Acre Conservation Area. Site 1193 has no similar risks for the village's historic built environment. English Heritage have expressed support for G22.1 in relation to other sites in Castle Acre, but not in relation to site 1193. We have little doubt that if they had been aware of this site, it would have been their preferred option for allocation

Highways and Transport – both sites have issues in relation to highways access. However, G22.1 requires significant improvements to footpaths and a new vehicular access off the relatively busy Massingham Road. There will be little problem in providing an access to site 1193 to full public highway standards. See plan at *Appendix A* and photographs at *Appendix C*

Landscape and Amenity – this is an area where we consider that a significant misjudgement has occurred. G22.1 is clearly visible from the

surrounding countryside. It extends into an agriculturally productive field with no obvious physical boundaries to the north and west. This lack of defensible boundaries could easily lead to a considerably extended development to the north and west. Site 1193 can be seen from open countryside but against the background of the village centre. Its impact is not as significant as that of G22.1. This difference should be reflected in the scoring given to each site. See photographs at *Appendix C*

Natural Environment – both sites are scored as being neutral in their effect on the natural environment

Infrastructure, Pollution and Waste – both sites will have implications for all three, but we have assumed that the overall effect in both cases will be neither beneficial nor detrimental.

- 3.4 Our revised scoring would give G22.1 an overall positive score of plus 1 and site 1193 plus 8. The difference is mainly accounted for by the scores given to access to services, effect on heritage and effect on landscape and amenity. Impacts on heritage and landscape may be mitigated, but nevertheless far more mitigation will be required on G22.1 than site 1193.
- 3.5 The Local Development Framework Task Group report in discussing the analysis refers to public response to the Preferred Options consultation. The number of responses was small, but the report places considerable weight on the comments made by the Parish Council, the Highways Authority and English Heritage. It states that the first two of these supported the allocation of G22.1 (then referenced as CACRE1). However, the Highways Authority had reservations about both G22.1 and site 1193, and we believe it wrong to assume that the Authority supported one more than the other. Similarly, at that stage, English Heritage expressed a preference for G22.1 over the other sites included in the Preferred Options consultation, which did not include site 1193. It had some reservations over the possible effect of G22.1 on nearby listed buildings and the Castle Acre Conservation Area. We feel sure that if site 1193 had been in the Preferred Options consultation, it would have been English Heritage's preferred site.

4 Conclusions

- 4.1 The May 2014 Local Development Framework Task Group meeting, it appears, addressed a straight choice between part of site 1131 and part of site 508 as an allocation for 11 dwellings, or part of site 1193 as an allocation for 8.
- 4.2 In making the choice, considerable weight seems to have been attached to the views of the Parish Council, English Heritage and the Highways Authority. However, we feel that insufficient weight was given to specific land use and planning considerations such as proximity to services and effect on the open countryside. We believe that site 1193 scores significantly higher than the proposed G22.1 on these factors. It also scores higher on implications for local heritage and on food production.

- 4.3 The Parish Council's preference is clear. However, we do not believe that the Highways Authority has favoured one of these sites over the other. They support both, but have pointed out highways issues with both. The issues with site 1193 can be satisfactorily solved. Finally, English Heritage have expressed a preference for G22.1 of those that they were made aware of through the various consultation documents, as having the fewest consequences for local heritage. However, they still expressed concern about the site's potential effect on the setting of nearby listed buildings and for the Castle Acre Conservation Area. We believe that if they had been aware of site 1193, their conclusions may have been different.
- 4.4 The pre-submission document sets out its main justification points in paragraphs G.22.9, which we dispute. They are:
- The site will accommodate the number of dwellings sought at a density consistent with its surroundings
 - It will do so without detriment to the locality's form and character
 - It will form a continuation to the established residential development to the south
 - It is the Parish Council's preferred site
 - It is well located in relation to local services.
- 4.5 Paragraphs G.22.10 and G.22.11 note issues relating to highways and local heritage respectively.
- 4.6 In our opinion, site 1193 at the very least equals or exceeds the points set out in favour of G22.1, with the exception of the Parish Council's preference. There may be some minor access issues with site 1193, but these are more easily solved than those that apply to G22.1. Finally, site 1193 does not have the same issues as G22.1 in impacting on local heritage and the open countryside.
- 4.7 For all the above reasons and matters also set out in previous representations since 2011, we firmly believe that site 1193 represents a more appropriate way of accommodating growth within the village that ensures continuing distinction between the settlement of Castle Acre and its surrounding countryside.
- 4.8 We firmly believe that matters relating to Policy G22.1 at Castle Acre and as a consequence paragraphs G.22.7 to G.22.11 and Inset G22 are not appropriate, and therefore the Plan:
- is not sound for the reasons/criteria set out above and contained in previous representations and correspondence to the Council
 - is not positively prepared and therefore not justified or effective.
- 4.9 The Site Allocations and Development Management Policies Submission Document can be made sound with the following policy change.

5 Recommended Amendments to the Site Allocations and Development Management Policies Submission Document

5.1 We recommend the following amendments to the Submission Document:

- Change the wording of Policy G22.1 as set out below
- Change the Submission Document Inset Map accordingly.

PROPOSED REVISED WORDING OF POLICY G22.1

Policy G22.1 Castle Acre – Land North of Back Lane

Land amounting to 1.1 hectares to the north of Back Lane, as shown on the Policies Map, is allocated for residential development of X (*to be determined*) dwellings. Development will be subject to compliance with all of the following:

1. To achieve a development that preserves and enhances the character of this part of the village, the Council requires a coordinated scheme for the whole site that incorporates significant existing natural landscaping running through the development and reinforcing its existing northern and western boundaries if necessary to soften any impact on the wider landscape. Details shall be agreed by the LPA prior to commencement
2. Submission of details showing how sustainable drainage measures will be integrated with the development's design and how the drainage system will contribute to the development's amenity and biodiversity. The submission should also include a plan for future management and maintenance of the proposed SUDS
3. Development is subject to the provision of safe highway access, provision of appropriate footways and parking arrangements that are integrated with the needs of the adjoining school
4. Provision of affordable housing in line with current policy.

Appendices

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Appendix A

OSTRICH - CASTLE ACRE SITE PLAN



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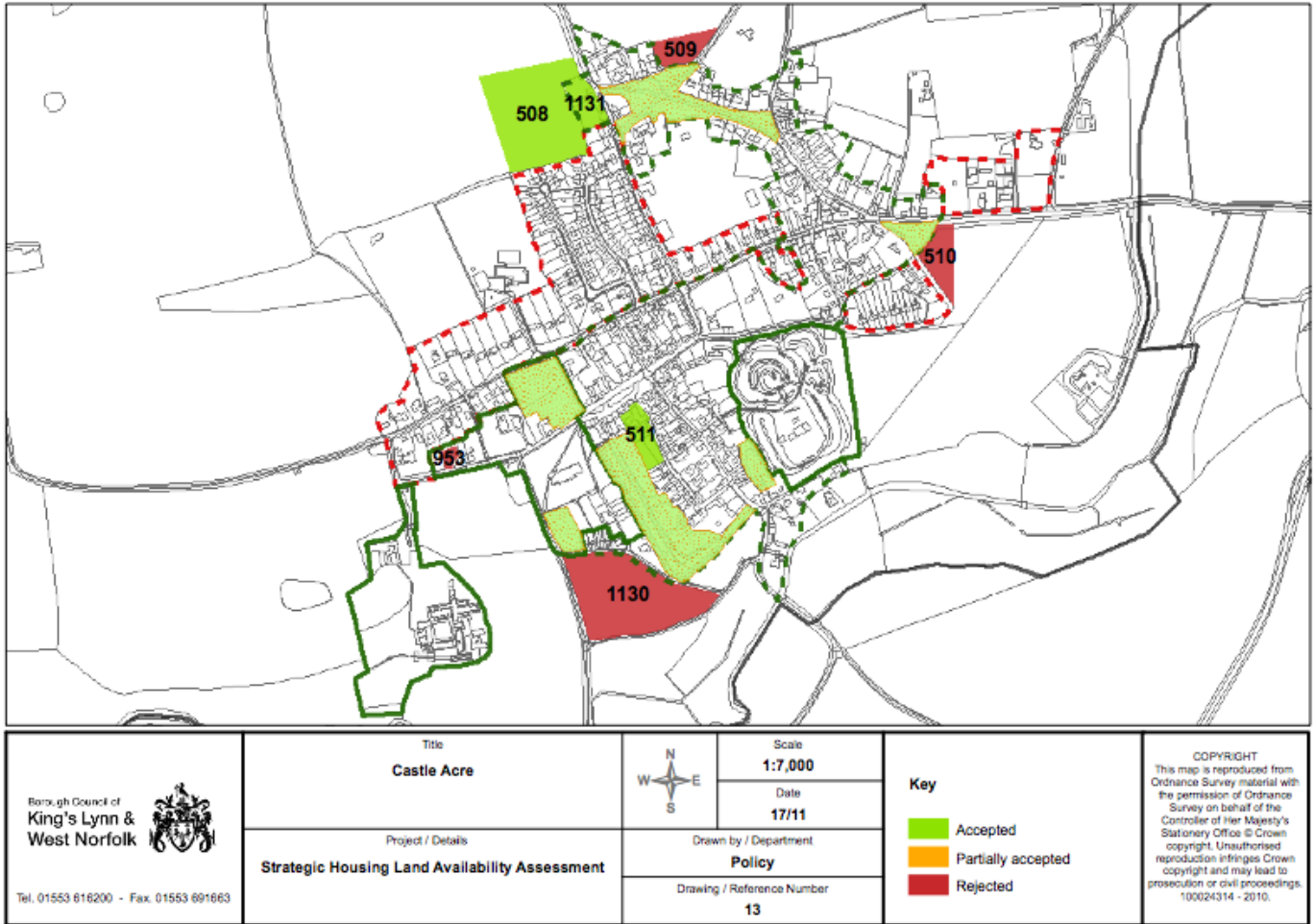


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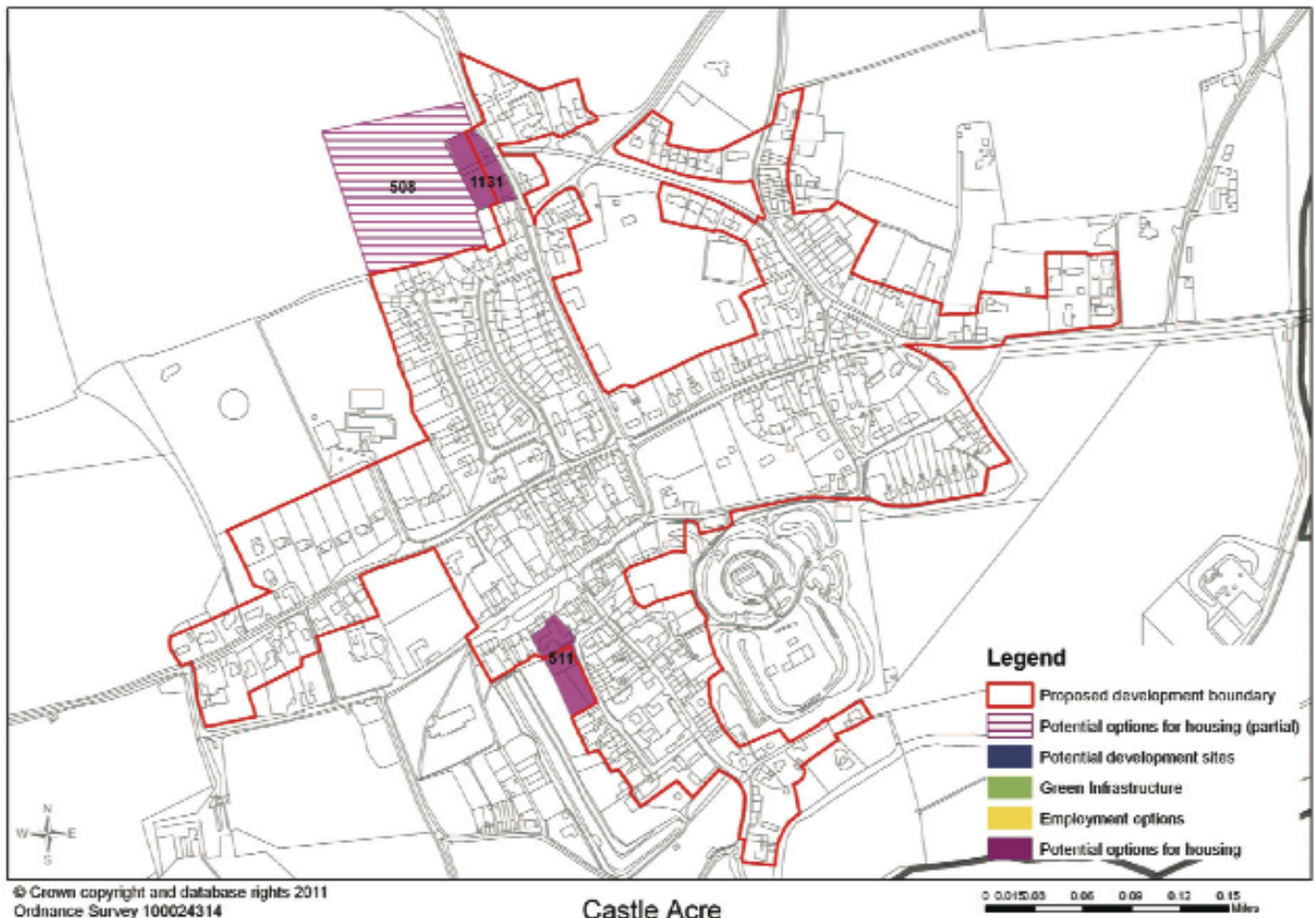


Appendix B

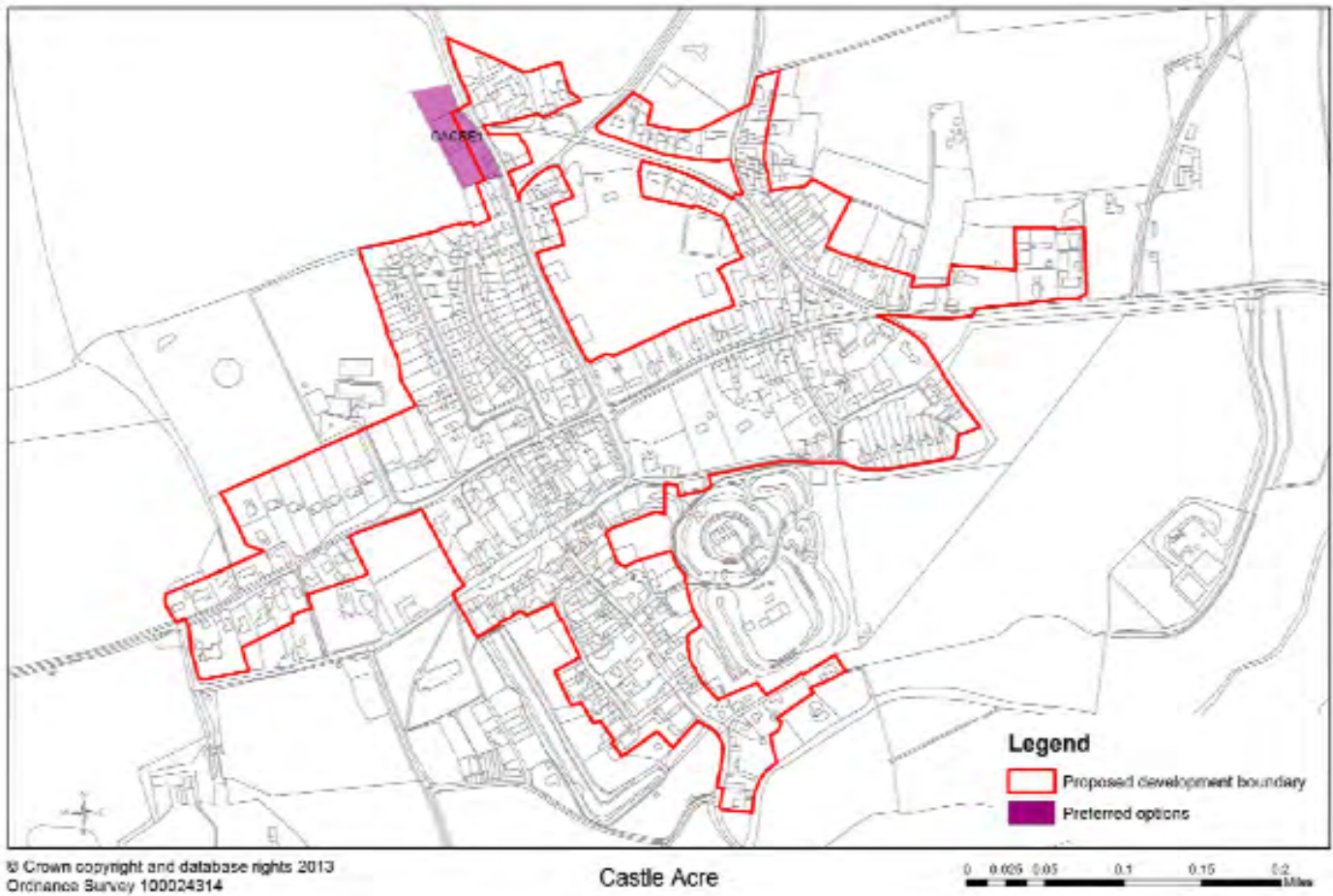
Castle Acre – sites assessed by 2010 SHLAA



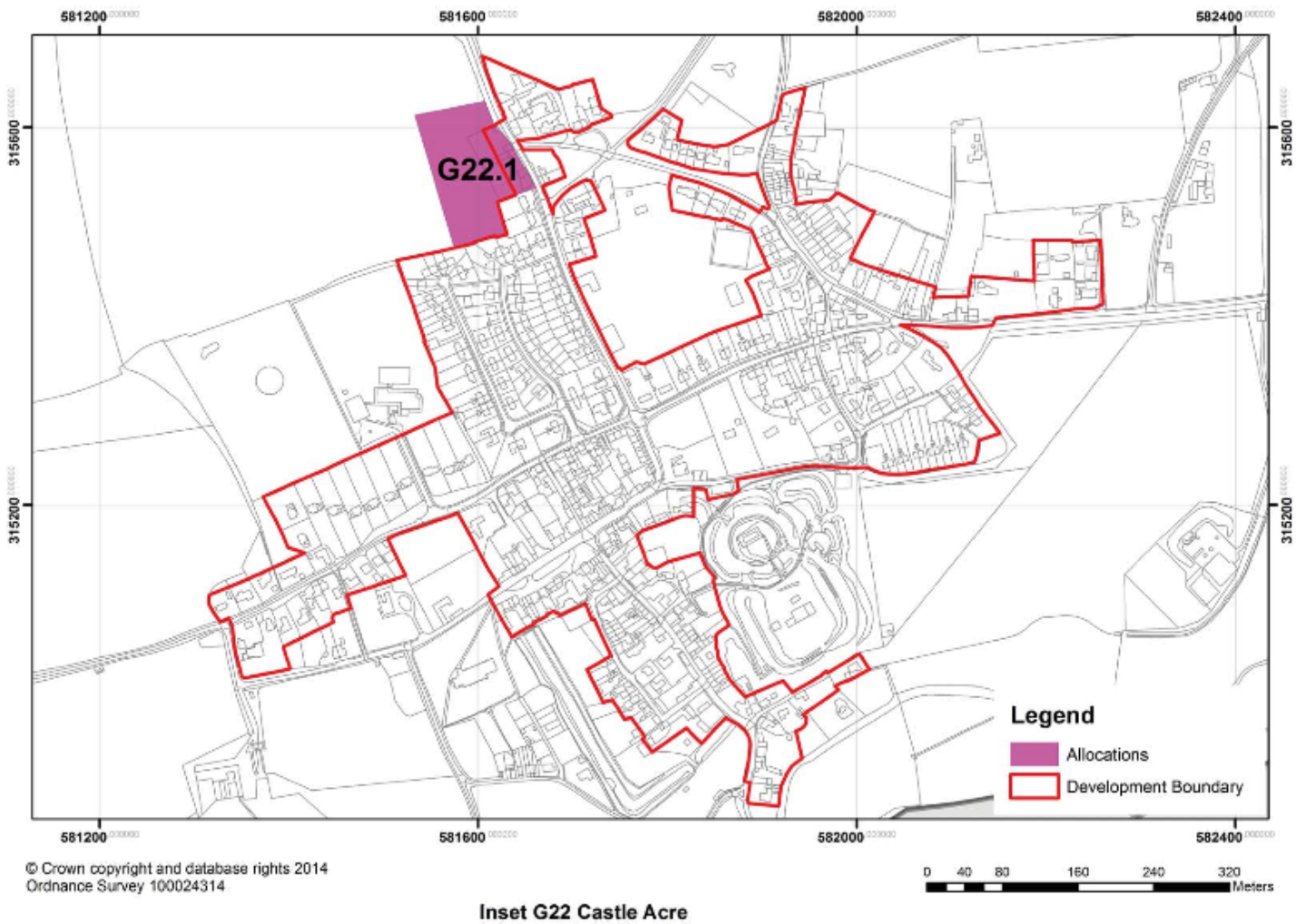
Castle Acre – sites included in the Pre-submission Consultation 2015



Castle Acre – site included in the Preferred Options Consultation 2013



Castle Acre – site included in the Pre-submission Consultation 2015



Appendix C



Views across site 1193 showing the mature, defensible boundaries on all sides (school to the east, backs of houses to the south) and the overgrown nature of the site. The site slopes down from south to north; new dwellings will have no adverse effect on the skyline



There is adequate existing access to site 1193 off Back Lane via the access road to the school



Views to site G22.1 showing it as part of a large field in productive agricultural use