

Sandra Homcenko

From: Michael Burton
Sent: 29 October 2024 08:38
To: Stuart Carruthers
Cc: Luke Brown; luke brown; Alex Fradley; Planning Policy email
Subject: RE: Local Plan Review Part 2 main modifications Part 2

Dear Stuart

Further to our previous email exchanges and telephone conversations in recent days, I will add your email below to your representation, in response to the current (Schedule of Main Modifications Part 2) consultation. As with other documents, this will be submitted to the Inspectors following the close of consultation (29th November) for their consideration.

Regarding other matters about which you are currently engaging with the Borough Council, these will be dealt with separately through our internal processes.

Regards and best wishes

Michael Burton, Principal Planner

Borough Council of
King's Lynn &
West Norfolk



The above information is informal and without prejudice to any future decisions made by the Local Planning Authority.

From: Stuart Carruthers [redacted]
Sent: Monday, October 21, 2024 10:11 AM
To: Michael Burton [redacted]; Borough Planning <borough.planning@West-Norfolk.gov.uk>
Cc: Luke Brown [redacted]; Cllr James Moriarty [redacted]; [redacted]@heineplanning [redacted]; Local Plan Review <lpr@west-norfolk.gov.uk>; Alex Fradley [redacted]; Communications@west-norfolk.gov.uk; Keith Wilkinson [redacted]
Subject: Re: Local Plan Review Part 2 main modifications Part 2

Hello Michael

Many thanks. Issues, 2, 3 and 4 were as expected. There is dispute about the ORS identified need.. and there is a need for a criteria based policy for new sites.

I have a planning application in for issue 3 - **24/01561/F**. I am still waiting for clarification from Planning as to why a GIRAMs payment is needed. The land is within what the Council identifies as zones of influence for the Wash and Norfolk Coast SAC. These are both marine SAC sites and are not Local Land Charges. There can be no recreational pressure (dog walking etc). I am still trying to learn how to walk on water. Marine SACs are not local land charges so there is no jurisdiction for GIRAMs. This is related to the Local Plan but also is a planning issue.

Issue 1 is becoming a real problem. I have just taken out a 7000 ha no build zone in Wiltshire (Bat SAC claim). This involved use of Local Land Charges and is a bit of a disaster for the LPA (wipes out a lot of its local plan) and

Breckland just refused gun running Rhys 'Mitty' planning consent with enforcement notice based on 3 policies derived from SACs and BNG (he even paid his GIRAMs). This is at appeal - and I am seeking to have river Wensum for starters removed from any designation as English Nature had identified to it by the Centre for Ecology and Hydrology (GOV.uk) that it could never attain favourable conservation status prior to its designation. This should sort out nutrient neutrality.. and wipe out 3 of the grounds for refusal of planning and issue of enforcement notice - and I am doing an application on the YARE!!! Breckland will have about 40% of its local plan identified as being out-of-date. They have so many SAC policies.

It would appear that Natural England never forwarded the Sec of States designations to Breckland so they could become Local Land Charges - the designations held by Natural England are out of date and need to be reviewed. Simply because LPAs agree that the sea is a Local Land Charge is a mistake.

The same has happened with Burnham Beeches in Bucks (which is much more contentious).. I used to have a watching brief on this site for the GLC (many years ago).. and the City of London by deed identified that it would pay for all management to maintain the nature. Open Spaces and MPGCTBS v Natural England and Berks wildlife trust.

Anyway the Council should identify with justification for application **24/01561/F** (issue 3) why it is charging GIRAMS in West Walton when the site is outside of any zoi for a Local Land Charge. I quite literally cannot understand why KLWNBC are charging GIRAMs for marine SACs when this is not part of the district, and they can't be used for recreation.

I have no problem with tax system (and neither do my clients). but it should be used for something meaningful.. not to fund something that can't have an impact, and is merely a money grab by nature conservation organisations following them receiving Brexit benefits (loss of structural funds).

I have copied this mail to planning so they can respond on the GIRAMs issue for Local Plan issue 3.

Stuart HC

On Mon, 21 Oct 2024 at 09:20, Michael Burton [REDACTED] wrote:

Good Morning Stuart

Representation received, with thanks. This (including all the attachments), will be packaged up following the end of the consultation (29 November) and passed onto the Inspectors for their consideration.

In respect of points 1 and 2 that you raise in your email below, please note:

1. Regarding the link from Facebook, I have passed this issue onto our Comms team for their consideration.
2. The 2021 Footprint Ecology HRA was submitted with the Local Plan in March 2022, as a Core Document ([A4 - Habitats Regulations Assessment \(May 2021\)](#)). On the matter of the Wild Frontier Appropriate Assessment, to which you refer, this will be treated as part of your submission to the current (Main Modifications Part 2) consultation and be passed onto the Inspectors accordingly.

All other points you have made will be considered by the Inspectors in due course.

Regards and best wishes

Michael Burton, Principal Planner



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King's Lynn &
West Norfolk



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From: Stuart Carruthers <[redacted]>
Sent: Sunday, October 20, 2024 5:14 PM
To: Local Plan Review <lpr@west-norfolk.gov.uk>; Annette Feeney <[redacted]>
Cc: Michael Burton <[redacted]>; Luke Brown <[redacted]> Cllr
James Moriarty <[redacted]>; heineplanning <[redacted]>
Subject: Re: Local Plan Review Part 2 main modifications Part 2

[External Email]

[Confirm the senders email address is genuine, before clicking on links and replying]

Attached again as there seems to have been a glitch

1. The KLWNBC portal on facebook does not work!?

2. I have attached a copy of the Footprint Ecology HRA 2021 for the local plan and a copy of the Wild Frontier Appropriate Assessment as these do not seem to have found their way into the examination library.

3. There is probably a need to explain the origins of the environmental movement. It originates from Medical Officers of Health and a number of charities. These created the sewer, water and public open spaces infrastructure of most urban areas. This included areas like Burnham Beeches (public open space for public recreation). Out of these initiatives came modern local government as it was soon discovered that neither philanthropy or the market could provide the required infrastructure. Organisations like what are now County Wildlife Trusts, RSPB, etc were very much fringe 'crazy' initiatives. The Nature Conservancy Council started to try to become involved in nature in the city in the 1970s with limited success.

4. The crazy fringe initiatives are now running the show.. as there have political decisions made over the water and sewage industry and cuts in funding for public open spaces.

5. The main issue that gets raised by Natural England's intervention into common good services is its claim that a designation (whatever that means) trumps a local land charge. Local Land Charges were established to deal with corruption in Local Government - this was mainly requiring purchasers of land to pay for water, sewage and roads (lots of court cases). The only reason that Natural England has not properly provided copies of the sec of States designations to

6. There has been a total failure of the consultants to examine Local Land Charge registers nationally and they have instead based their conclusions only on information controlled by Natural England

Stuart H CARRUTHERS



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