

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 36: Terrington St. Clement (G.93)
and Terrington St. John (G.94)**

**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 |
| SADMP | 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 |
| SuDs | Sustainable Drainage systems |
| SVAH | Smaller Villages and Hamlets |
| SWMP | Surface Water Management Plan |
| THI | Townscape Heritage Initiative |
| UPC | Un-attributable Population Change |

36.1:

Is there any evidence that any of the following proposed residential development sites in Terrington St. Clement are not justified, sustainable, viable, available or deliverable:

- Church bank, Chapel Road (G93.1)
- Adjacent to King Williams Close (G93.2)
- West of Benn's Lane (G93.3)
- East of School Road (G94.1)

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

1. Introduction

1.1. The proposed residential development site allocations in Terrington St. Clement (G.93.1, G.93.2 & G.93.3) and Terrington St. Johns (G.94.1) are chosen and justified for the SADMP proposed document following the comparative assessment in the SA. Each of the sites are considered the most sustainable options for development in Terrington St. Clement and Terrington St. John after being compared to other sites which were put forward in both areas. Further justification and explanation for these decisions being made can be found in the supporting text accompanying the proposed policy G.93.1 Terrington St. Clement- Church bank, Chapel Road, G.93.2 Terrington St. Clement - land Adjacent to King Williams Close, G.93.3 Terrington St. Clement- land West of Benn's Lane and G.94.1 Terrington St. John- land East of School Road.

1.2. In the case of the proposed policy, G93.1, the Deliverability Form; completed by the landowner dated 07/03/14 (Appendix 1) states the land is available, vacant and deliverable within the plan period to 2026. Similarly for sites G.93.2, dated the 26/05/15 (Appendix 2), G.93.3, dated 22/07/14 (Appendix 3) and site G.94.1, dated 08/04/14 (Appendix 4); each of these sites are stated to be available, vacant and deliverable within the plan period to 2026.

2. Site Specific Issues

2.1. Terrington St. Clement

2.2. Level of housing

2.2.1.1. A number of representations (Sutton Partnership (ID: 784282) and Dene Homes (ID: 602997)) dispute the amount of housing

allocated in Terrington St. Clement and seek to increase the level of allocated dwellings to optimise the sites. The Council has planned positively and have proposed 62 new dwellings in Terrington St. Clement which the council considers are commensurate with the level of services and facilities provided by this KRSC.

2.3. Development boundaries

2.3.1.1. Representations made by Mr Henry Cockerton (ID: 890771) seeks to amend the policy to include the site reference 533, from the Preferred Options Consultation, within the proposed development envelope for Terrington St. Clement and Sutton Partnership (ID: 784282) seek modest changes to the development boundary in order to deliver a larger, mixed use allocation surrounding site G93.3 stating that this would deliver sustainable development across, and to the benefit of, a greater number of people. This matter is principally addressed by policy DM2- Development Boundaries. The Council does not consider that the proposed development boundary for Terrington St Clement undermines the selection of sites for allocation and suggests this issue is addressed as part of the approach to development boundaries generally.

2.4. Allocations

2.4.1.1. Terrington St. Clement

2.4.1.2. Proposed site allocation G93.1- Land at Church Bank, Chapel Road is located centrally in the settlement, adjacent the proposed development boundary. This site is situated in a built up part of the village and offers the opportunity to accommodate a residential development of 10 dwellings in close proximity to a number of services that the village has to offer.

2.4.1.3. Representation from Ms. Karen Treacher (ID: 504767) of Terrington St Clement Parish Council objects to the proposed site allocation at G.93.1 on grounds of the access to the site and the loss of Grade 1 Agricultural land. The preferred options stage of this document had allocated 1.6 hectares for 38 dwellings but the Council has reduced this to 0.5 hectares for 10 dwellings which uses less Grade 1 Agricultural land and therefore will be less of a concern in terms of taking productive land. The Highway Authority identifies the site to be well located and made no objections to the allocation of 10 dwellings on the site subject to localised improvements to the road network.

- 2.4.1.4. Proposed site allocation G93.2- Land adjacent King William Close is located to the north of the settlement, immediately adjacent the proposed development boundary. Development of this site would allow the reuse of this previously developed land and thus reducing the pressure to build on productive agricultural land. The proposed allocation offers the best opportunity to accommodate 17 dwellings as the site scored highest in our SA, with its proximity to services, well located with good links and the opportunity for residents to walk or cycle to the village services.
- 2.4.1.5. Tom Gilbert- Woolridge (ID: 56252) of Historic England welcomes the recognition in policy G.93.2 of the conservation area neighbouring the site allocation. Jonathan Astwick (ID: 781646) considers the document to be unsound due to access constraints to site allocation G.93.2. However, the promoter of the site, Dene Homes (ID: 602997), proposes improving access onto Churchgate Way to an adoptable standard for the Highways Authority.
- 2.4.1.6. Proposed site allocation G93.3- Land West of Benn's Lane is located to the north-east of the village of Terrington St. Clement, with its eastern boundary neighbouring the development boundary. Development of this site reduces the pressure to build on productive agricultural land and offers the opportunity to build 35 dwellings on this brownfield site, which is within reasonable distance to Churchgate Way and the majority of local services.
- 2.4.1.7. Norfolk County Council (ID: 784926) initially opposed the allocation of site G.93.3 due to the substandard nature of the neighbouring local highway network. A transport statement and updated response to comments received from the highway authority, ecology surveys and a flood risk baseline appraisal report have been prepared by the landowners and submitted to the Council in evidence to support the allocation of site G.93.3. The landowners of site G.93.3 are in dialogue with the Highways Authority to come to common ground relating to an appropriate access point. However the Borough Council concludes that the site as proposed in G93.3 should be accessed from Benn's Lane. This is supported by detailed work by agents for the Sutton Partnership. If alternative access locations as proposed by the County Council were to be used (i.e. from the north) it would compromise the layout/ location of housing development. In that situation residential traffic would be using an accepted current employment premises with a length of road across previously developed land. Direct access to Benn's Lane better relates the new allocation to existing housing. The buffer proposed

further reinforces the intended detachment from the employment uses.

2.4.1.8. Terrington Parish Council (ID: 504767) support the development of site G.93.3 as they note the brownfield usage of the land in question and support removing an eyesore from this area. Support for the site from the Parish Council is in place only if the access to the site is not from Benn's Lane.

2.4.1.9. A number of representations, (Mr. Wayne Skipper (ID: 890994), Mr. Henry Cockerton (ID: 890771)) put forward sites which they consider to be more modest and sustainable sites. The SA sets out the justification for the non-allocation of these selected sites.

2.4.2. Terrington St. John

2.4.2.1. Proposed site allocation G94.1-Land east of School Road, Terrington St. John performed positively in the SA as it is well integrated in the settlement, immediately adjacent to the school, and further from the A17 than most alternative options and therefore not subject to amenity issues associated with a strategic road. The proposal would offer the opportunity to relocate and improve the infrastructure of the schools playing field.

2.4.2.2. The applicants have demonstrated their intent to develop the site by submitting a planning application. The latest application (15/00438/OM) is currently pending consideration but is supported by a specific Flood Risk Assessment, an Ecological Report, Highway Authority conditions and Sport England's approval. Whilst the planning application has raised some issues, these can be resolved through the application, which is pending consideration at the moment and there is no evidence to suggest that the site is not deliverable.

2.4.2.3. Representations made by Mr K. G. Brown (ID: 605418) contest that the allocated site is the most sustainable site for development on the grounds that it is greenfield, productive agricultural land and development would be visually intrusive in the landscape. Like many of the submitted sites the site borders open countryside. However it is adjacent to development to the north and east and was not considered to result in an adverse impact on the wider landscape, as from further viewpoints it would be seen in the context of the existing settlement. The alternative brownfield site represented by K. G. Brown is considered not to require allocation to be developed due to

the planning permission for 23 dwellings granted on appeal in PINS Ref: APP/V2635/A/2181075, application reference 11/01923/OM. The Council sought to find additional housing land beyond existing commitments.

2.4.2.4. Representations by Pat Dawson (ID: 321959) note a number of reasons against allocating site G94.1, some of which are issues that are being addressed through the planning application, including that the allocated site G.94.1, does not comply with Development Management Policy 9- Community Facilities. However, the Council has a clause, point 3, in the policy attached to the allocation of site G.94.1 which states the provision of an appropriate replacement school playing field must be included in any proposed development. Application 15/00438/OM includes a replacement playing field and as a result complies with policy DM9. The Council understands local concerns but does not consider there is any evidence that the site is not justified, sustainable, viable, available or deliverable and any issues can be discussed at the hearing session.

3. Comparison of Alternative sites

3.1. The SA presents the detailed assessment of alternative options. Most sites in Terrington St. Clement and Terrington St. Johns are subject to issues around the amount of housing, loss of agricultural land and in this context the Council have selected the more sustainable sites which present the greatest opportunity for sustaining Terrington St. Clement and Terrington St. John as KRSCs.

4. Conclusion

4.1. The Council considers that the proposed allocations in Terrington St. Clement and Terrington St. John are justified, sustainable, viable, available and deliverable. The Council have considered representations made during the pre-submission consultation which highlight issues with the selected sites as well as with the proposed development boundary, flood risk and level of housing. The Council does not consider that evidence has been presented which suggests more sustainable options are available.

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Appendix 1: Deliverability Form

| | |
|---|---|
| Site Reference | TSC 1 |
| Are you the correct person/company to contact about the site? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 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 |

| Contact details | |
|----------------------|---|
| Name | EO BUNNY, Brown + Co |
| Relation to the site | <input type="checkbox"/> Landowner <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Other, please provide details |
| Company | Brown + Co |
| Address | MARKET CHAMBERS, 25-26 TUESDAY MARKET PLACE KING'S LYNN, NORFOLK |
| Postcode | PE30 1JJ |
| Telephone | [REDACTED] |
| Email | [REDACTED] |
| Ownership | [REDACTED] |

| | |
|---|--|
| Is the land under single ownership? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If 'no' who are the other landowners? | Please list other owners: |
| Is the access to the site under separate land ownership/s | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide details |
| <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> | |

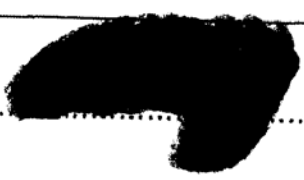
Availability

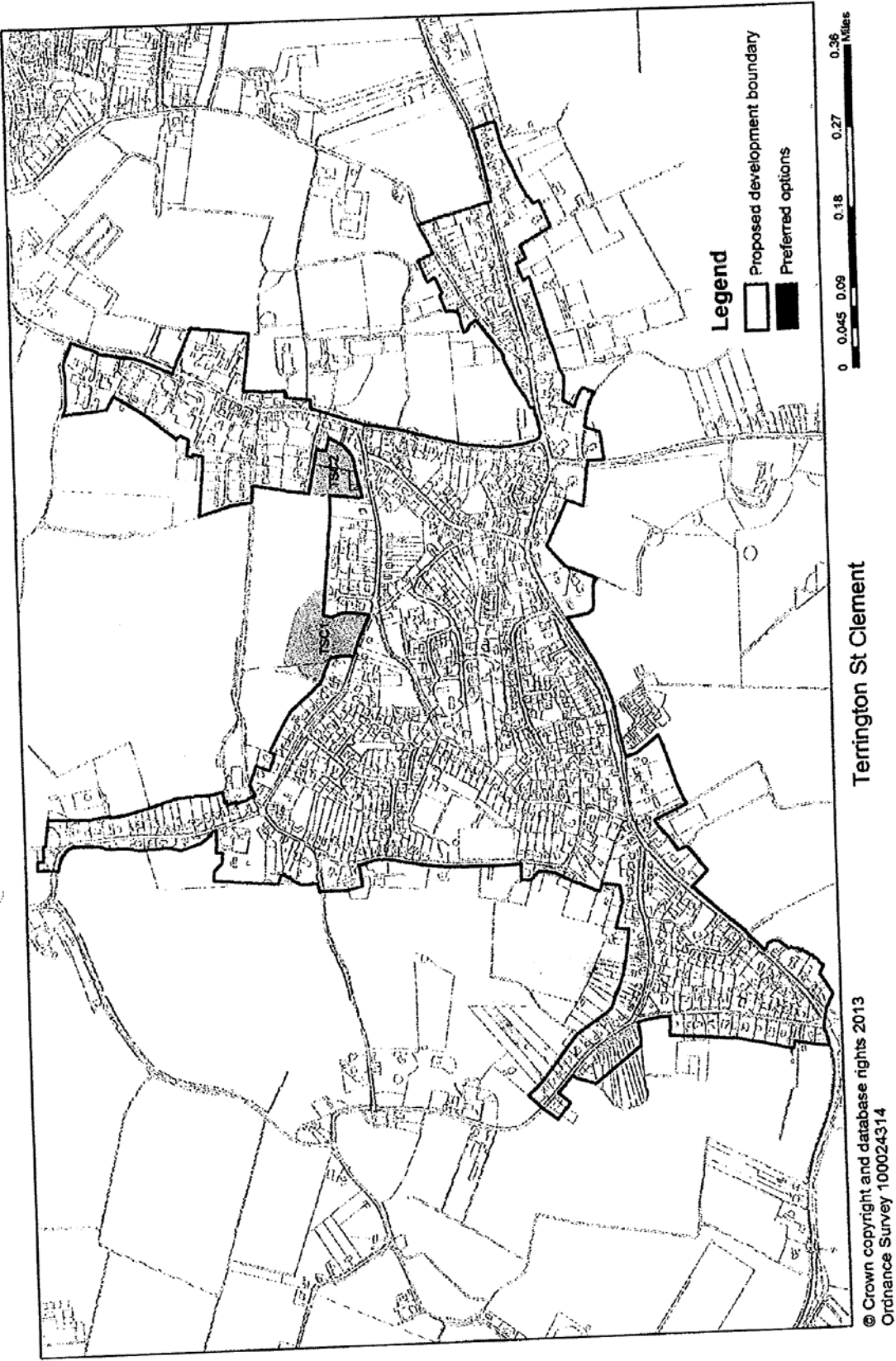
| | |
|--|--|
| Is the site occupied? | <input checked="" type="checkbox"/> Occupied <input type="checkbox"/> Part occupied <input type="checkbox"/> Vacant If occupied, please provide details AGRICULTURAL TENANCY SEE AGENT FOR FURTHER DETAILS, IF REQUIRED. |
| When is the site available? | <input checked="" type="checkbox"/> Available now <input type="checkbox"/> Not immediately available but could be developed within the plan period (before 2026) <input type="checkbox"/> not within the plan period (2027+) |
| If the site were allocated for development, when would you intend to develop the site? | <input checked="" type="checkbox"/> 2014/15-2018/19 <input type="checkbox"/> 2019/20-2032/24 <input type="checkbox"/> 2024/25-2025/26 Please provide any comments you may have on how firm the indicated dates are, and what would cause this to change. This would depend on how quickly Planning Permission was to be granted by the LPA and then how long the consented site would take to sell, once offered for sale to a developer with permission to develop. |

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

| | |
|--|--|
| | |
| <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> <p>NONE AS FAR AS WE ARE AWARE, HOWEVER 12 MONTHS NOTICE <u>MAY</u> BE REQUIRED TO RECOVER POSSESSION FROM AGRICULTURAL TENANTS, IF THERE IS ONE AT THE RELEVANT TIME.</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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No Do you have any comments on the requirements and consideration set out in that draft policy? |
| 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 | EDWARD BUNNOY |
| Date | 7 / 3 / 14 |



**Andrew S
Campbell
Associates Ltd**
Chartered Town Planners &
Development Consultants



Quay Cottage Studio
6 Bull Lane
St Ives
Cambridgeshire PE27 5AX

tel: 01480 393844

email: campbellplanning@aol.com

Mr A Gomm LDF Manager
C/o Ms M Nwosu
Graduate Planner
Kings Lynn & West Norfolk Borough Council
Kings Court
Chapel Street, Kings Lynn
Norfolk. PE30 1EX

26th February 2014
ASC/tf/10/14

Dear Mr Gomm

Re: Terrington St Clement.

I refer to my email of 19th February, since which I have discussed the question of the development of the site at Terrington St Clement, known as TCS2, in detail and have visited the site. We again spoke to your officer today.

I now attach for your information the required information in respect of the Kings Lynn & West Norfolk Local Plan preferred option site TCS2 (site reference 67,486 & 696). This site is included in the preferred options published in July and October 2013, and I am able to confirm that this site is fully available for development, subject to the access being improved in accordance with the details set out in plan 3088-PI10 prepared Peter Humphrey Associates. The land is suitable for the construction of 21 or so dwellings, as set out in the attached plan prepared by ourselves and in accordance with drawing number CKM/ASCA/07/20/2. The only alterations to that plan will be to accommodate specifically all social dwellings in accordance with the requirements of the housing association, and to ensure that there was a 1.8 metre footpath on both sides of the highway, as now shown in the highway access drawing attached.

The planning drawing shows the retention of the walls and fences and hedges along boundaries and extended as proposed in the attached site layout plan. Site TSC2 lies at the heart of the village, close to the shops, public house, playing fields and schools and we would ask that the site is confirmed in the forthcoming submission Local Plan. We therefore attach the site deliverability form as required by your latest communication. Development of the site can commence this year.

We have discussed the access proposals with the County Council and sent them a copy of these submissions for information. I have asked the County Council to confirm the access proposals and will of course inform you accordingly.

It does seem to us that the ability to accommodate an access road from Churchgate Way which itself leads directly to Sutton Road and the A17. It is our view that this access can also service further housing land that could be accommodated to the west of site TSC2, as shown in the attached indicative plan. Part of this site is allocated as TSC1, which has access off Chapel Road. It is our view that development should be limited, given the inadequate road access that serves that site and which leads to the main part of the village and to Churchgate Way, particularly in terms of the absence of footpaths. It is our view that the potential land that lies between allocations TSC1 and TSC2, and which could be allocated in the forthcoming Local Plan and could therefore be developed through our client's site at TSC2. We therefore ask, as a second stage, that consideration be given to the allocation of this site in the forthcoming Local Plan and which can be developed in the mid to longer term, once the site at TSC2 has been developed over the next 2-3 years.

We would be grateful if you would confirm that you now have all the necessary information in order to move forward with the allocation of our clients site TSC2. We understand that from April 1st this information will be open to the public and we have no objection to that disclosure. As you know our client already has planning permission for the first part of the site, and we would hope to move forward with the submission of planning applications in the next few months, and a start on site this autumn. We look forward to your confirmation accordingly.

Yours sincerely



af · **ANDREW S CAMPBELL**

Andrew S
Campbell
Associates Ltd
Chartered Town Planners &
Development Consultants

Quay Cottage Studio
6 Bull Lane
St Ives
Cambridgeshire PE27 5AX

01480 393844
campbellplanning@aol.com

Ms C Sullivan
Transport Officer
Norfolk County Council
County Hall
Marineau Lane
Norwich
NR1 2DH

ASC/tf/10/14

26th February 2014

Dear Ms Sullivan

Re: Terrington St Clement: Kings Lynn & West Norfolk Borough Council..

I refer to our email sent to Maryann Nwosu at the Borough Council Kings Lynn regarding Terrington St Clement, regarding TSC2, land intended to be allocated in the Kings Lynn & West Norfolk Local Plan.

I now enclose more detailed information sent to the District Council, as requested in respect of the site and which shows the deliverability of the site. The intention is to develop the site at an early date.

First, I would be grateful if you would confirm the access details for the site to TSC2 to Churchgate Way. This has been prepared by Peter Humphrey Associates and is shown at a scale of 1:200 in plan 3088-PI10. It shows the removal of the access to Churchgate Way from the public house and a new access, now agreed, to the public house off the new roadway. The road will be constructed as a residential distributor road at a width of 5.5 metres and two 1.800 metre footpaths linking to the existing footways in Churchgate Way. This is a significant improvement to the site and overcomes your concerns regarding access via the present more constricted roadway.

I would be grateful if you would confirm that the highway authority could support the full development of site TSC2, in accordance with the attached site layout plan for 21 dwellings which will be revised to show a footway on both sides of the highway.

Our submission to the Borough District Council also indicate a potential second phase to the west of TSC2 on land that also adjoins the proposed allocation TSC1. It is our view that the provision of the adopted residential distributor road to Churchgate Way provides the best means of highway

| | |
|---|--|
| Site Reference | TSC2 - Ref: 67,486 & 696 |
| 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 | ANDREW S. CAMPBELL |
| Relation to the site | <input type="checkbox"/> Landowner <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Other, please provide details |
| Company | ANDREW S CAMPBELL ASSOCIATES LTD |
| Address | QUAY COTTAGE STUDIO 6 BULL LANE ST IVES HUNTINGDON CAMBS PE27 5AX |
| Postcode | 01480 393844 |
| Telephone | campbellplanning@aol.com |
| Email | |
| Ownership | |

| | |
|---|--|
| Is the land under single ownership? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If 'no' who are the other landowners? | Please list other owners: |
| Is the access to the site under separate land ownership/s | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please provide details |
| <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> | |

Availability

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

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