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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 39: Walpole Cross Keys (G.105),
Walpole Highway (G.106) and Walpole
St. Peter (G.109)**

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

39.1:

Is there any evidence that the Council's approach to development at Walpole Crosskeys; Walpole Highway; and Walpole St Peter is not justified, sustainable, viable, available or deliverable? 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 Walpole Highway (G.106.1); and Walpole St Peter (G.109.1 & G109.2) 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 Walpole Highway; and Walpole St Peter, 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 G106.1- land east of Hall Road, G109.1- land South of Walnut Road and G109.2 - land South of Church Road.
- 1.2. In the case of the proposed policy, G106.1, there are three landowners for the allocated site with each landowner submitting a deliverability form for their stake in the land. The Deliverability Forms, dated 07/08/14/ (Appendix 1), 11/04/14 (Appendix 2) and 11/08/14 (Appendix 3) are completed and state the land is available, vacant and deliverable within the first five years of the plan period to 2026. Similarly for sites G.109.1, dated the 31/03/14 (Appendix 4 and site G.109.2, dated 14/03/14 (Appendix 5); each of these sites are stated to be available, vacant and deliverable within the plan period to 2026.
- 1.3. No sites have been selected for allocation in Walpole Cross Keys. This approach is justified in the SA accompanying the SADMP.

2. Site Specific Issues

2.1. Walpole Cross Keys

2.2. No allocation has been proposed in Walpole Cross Keys because all submitted options for development were identified as constrained and therefore the Council has been unable to allocate any site to accommodate the 5 dwellings originally sought for Walpole Cross Keys.

2.3. Site WCK1 was formerly identified as a preferred option for 5 dwellings at preferred options stage. Due to objections from both Walpole Cross Keys Parish Council and the Highway Authority the site performed poorly in the

scoring of the SA and therefore there was considered not to be suitable to allocate. The site is subject to an outline planning application for development of 5 houses, therefore the Council will further examine material considerations in relation to the application in light of the lack of a proven 5 year housing land supply.

- 2.4. Representation from Mr. Peter Lonsdale (ID: 783890) objects to the non-allocation of site 1212 in Walpole Cross Keys on a number of grounds. The site could deliver a greater number of houses than was originally sought in Walpole Cross Keys and performs generally positively in the sustainability appraisal except for the score against criteria 'Economy A Business'. As the site is a former food processing factory it has a business use class and therefore conversion to residential use would result in a loss of employment land and therefore requires consideration against Core Strategy policy CS10 Economy. In developing the SADMP, the owner had failed to satisfy the council that the conditions of policy CS10 have been met. The owner's latest submissions set a detailed case for development of the site and whilst the period for development and consultation on the SADMP is now at an end the owner could enter into pre application discussions should they wish to pursue options for the site.
3. Proposed site allocation G.106.1- Land East of Hall Road is situated in the eastern part of the village and is well related to the existing form of development without encroaching into surrounding countryside. The site offers the opportunity to accommodate 10 dwellings close to services with good access.
 - 3.1. Representation by Mr. Frank Cahill (ID: 602938) objects to the development of ten dwellings on prime farmland at allocated site G.106.1. This representation further suggests extending the development boundaries to allow for infill, preventing the loss of farmland. However the site (Site 1215) put forward in Mr Cahill's representation is outside the development boundary in open countryside and was rejected in the Preferred Options for a Detailed Policies and Sites Plan document as the site is detached from the main built up area of the village. Development of the proposed allocated site will result in the loss of Grade 2 (Good quality) agricultural land but this also applies to the majority of the growth options put forward in the settlement. A further representation from Fergus Bootman (ID: 891831) propose site 238 for allocation, which they wish to replace the proposed allocated site in order to meet the housing need for the area. However, the allocated site of G.106.1 has the support of Walpole Highway Parish Council and site 238 was designated as non-preferred option due to the poor highway access and the potential negative impact on existing form and character of the village at the Preferred Options stage.

4. Proposed site allocation G.109.1-Land south of Walnut Road and proposed site allocation G.109.2- Land south of Church Road are both linear sites which form a continuation to the existing form of development. Both proposed site allocations offer the opportunity to accommodate 10 dwellings which are close to services in the settlement.

4.1. Numerous representations, (Mr Trevor Pritcher (ID: 401860), Mr Chris Dawson (ID: 875385) and Peter Humphrey (ID: 344942)); request the reassessment of their sites against site allocations G.109.1 and G.109.2. Mr Trevor Pritcher (ID: 401860) seeks the allocation of more housing numbers on the four areas marked in Inset G109 than are set out in the policy for each site. The SA notes that all site options impact negatively on productive agricultural land. The Council has allocated two sites, G.109.1 and G.109.2

4.2. Claire Sullivan of the Highways Authority objects to site G.109.1 due to the unsustainable nature of location to where the site is located. The concern details how the surrounding footpath network is inadequate and does not promote sustainable forms of transport and the site would rely on vehicles to access services. The concern that the reliance on private cars does not meet sustainable transport objectives. Development of this site would be subject to improved pedestrian facilities along the front of the site. The wider point about the village as a sustainable location was addressed in the original Core Strategy Settlement Hierarchy (policy CS02).

4.3. Emma Bateman of Walpole Parish Council (ID: 402167) object to the allocation of both sites G.109.1 and G.109.2 on the grounds of increasing pressure on already pressurised local service and the realignment of the development boundaries. This matter is principally addressed by policy DM2 – Development Boundaries which outlines the proposed policy approach to development boundaries. The Council does not consider that the proposed development boundary for Walpole St. Peter undermines the selection of sites for allocation and suggests this issue is addressed as part of the approach to development boundaries generally. An additional Topic Paper on development boundaries has been prepared by the Borough Council

4.4. The proposed site allocation G109.2 has received an outline application (Reference: 15/01520/OM) with some matters reserved for proposed 10 dwellings including 2 affordable dwellings located at Land West of Cedars Lodge. This proposal is pending consideration from the Borough Council's DC officers and is supported by a Flood Risk Assessment.

5. Comparison of Alternative sites

- 5.1. The SA presents the detailed assessment of alternative options for the areas of Walpole Cross Keys, Walpole Highway and Walpole St. Peter's.
- 5.2. Site WCK1 was chosen as an allocated site at the Preferred Options stage for Walpole Cross Keys. However, the proposed SADMP document ultimately did not allocate a suitable site in the settlement due to constraints in terms of form, character, highway and access. Walpole Cross Keys Parish Council and the Highway Authority both objected to the site WCK1 on grounds of inadequate road and footpath network. Based on the highway comments, the Parish Council objections and the modest number of dwellings sought in the settlement, the Council considers that the benefits of allocating the site does not outweigh the constraints.
- 5.3. Site 1213 (WPH1) was the site put forward for allocation at the Preferred Options stage, however, Walpole Highway Parish Highway and the Highway Authority both object to site 1213/(WPH1) on grounds of its remoteness from the centre of the village and highway constraints. The site allocation put forward with allocation G.106.1 is favoured by the Parish Council due to its location and its location adjacent to the development boundary, constituting in-fill development.
- 5.4. The SA notes that all site options in Walpole St. Peter's will impact negatively on productive land and no site option scores highly in terms of access due to the dispersed nature of the settlement. As is noted in the SA, both of the allocated sites fit in with the existing form of development and relate adequately to existing linear frontage form of development characteristic of the settlement.
- 5.5. Sites in Walpole Cross Keys, Walpole Highway and Walpole St. Peter are subject to issues with flood risk, loss of agricultural land and issues related to the sporadic nature of development and the wide open views of the countryside afforded by the low lying landscape. In this context the Council have selected the more sustainable sites which present the greatest opportunity for sustaining Walpole Cross Keys, Walpole Highway and Walpole St. Peter as Rural Villages.

6. Conclusion

- 6.1. The Council considers that the proposed allocations in Walpole Cross Keys, Walpole Highway and Walpole St. Peter are justified, sustainable, viable, available and deliverable. The Council have considered representations made during the pre-submission consultation and the Council does not

consider that evidence has been presented which suggests more sustainable options are available.

Table of Contents

Appendix 1: Deliverability Form..... 9
Appendix 2: Deliverability Form..... 15
Appendix 3: Deliverability Form..... 20
Appendix 4: Deliverability Form..... 28
Appendix 5: Deliverability Form..... 34

Appendix 1: Deliverability Form

Site Deliverability Form

- Please complete this form to the best of your knowledge and return to the Council by post by **15th August 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	122
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	DIANE CHILVERS
Relation to the site	<input checked="" type="checkbox"/> Landowner <input type="checkbox"/> Agent <input type="checkbox"/> Other, please provide details
Company	
Address	2 SYCAMORE CLOSE BOURNE LINCOLNSHIRE PE10 9RS
Postcode	PE10 9RS
Telephone	01778 423840 / 07718 240342
Email	dianechlivers@aol.com
Ownership	

<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>

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

Availability

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	<i>Diane Chivers</i>
Print name	DIANE CHIVERS
Date	7/8/14

Appendix 2: Deliverability Form



Site Reference	122
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	GARY + ROBERTA DOUGHTY.
Relation to the site	<input checked="" type="checkbox"/> Landowner <input type="checkbox"/> Agent <input type="checkbox"/> Other, please provide details
Company	✓
Address	The Lindens, MILL ROAD, WALPOLE HIGHWAY, WISBECH, CAMBS.
Postcode	PE14 7QW
Telephone	01945 780096
Email	gary420@bbtinternet.com
Ownership	

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

Availability

<p>Is the site occupied?</p>	<p><input checked="" type="checkbox"/> Occupied <input type="checkbox"/> Part occupied <input type="checkbox"/> Vacant</p> <p>If occupied, please provide details <i>Currently used as the garden for our property - The Lindens.</i></p>
<p>When is the site available?</p>	<p><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+)</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 <input type="checkbox"/> 2019/20-2032/24 <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>

Constraints	
<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 <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 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No </p> <p>If yes, please provide further details or state 'see submission for full details'</p> <p>i believe the site is in a flood risk area, but a full flood risk assessment would be carried out prior to any development.</p> <p>n.b. The area hasn't actually been flooded within the last 50 years, but still seems to be a flood risk area!?!'</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?

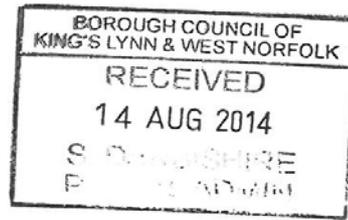
Other

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)

The site reference no 122 seems to be attached to a site in Hall road, Walpole Highway. Our site is actually adjacent to the Linders, mill road, Walpole Highway. I have spoken to Wendy Hague in the LDF team regarding this slight oversight. I don't know if the site Ref. No. is incorrect or the site itself is not relating to our own!. Advised to address this to MR ALAN GOMM.

Signature	
Print name	GARY JAMES DOUGHTY
Date	11-4-2014

Appendix 3: Deliverability Form



Dear Sir / Madam,

Without prejudice

King's Lynn & West Norfolk Local Plan Site 934, Walpole Highway

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 22nd August 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.