

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 7: Knights Hill (E.4)

**Examination
June 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	Unattributable Population Change

Response to Questions:

7.1

Is there evidence that any elements of the proposed development at Knights Hill (E4.1) 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?

Site Specific Issues

Justification

1. The adopted CS (GD01) identified Knights Hill as one of the three strategic 'urban expansion areas around King's Lynn'. Alternative sites involved development in the AONB or in areas of greater flood risk. The CS Inspector's conclusions (para. 75 of his report GD02) are relevant here: "King's Lynn: The 3 areas selected in the CS for urban expansion are the most appropriate to accommodate housing (plus a mix of some other neighbourhood uses) of the scale proposed at King's Lynn. Collectively, they have the best balance of planning merits, and are preferable to any alternatives of comparable size/housing capacity. Importantly, they are virtually free of any significant flood risk, while being capable of being connected by road, public transport and other links to the town centre and other parts of the town. They would not entail large losses of best quality farmland or woodland, and, with good and sensitive architectural and landscape design, their impact on the landscape would not be too intrusive or otherwise harmful."

2. Later in his report (GD02) (para. 94) the CS Inspector goes on to say that "the various proposed areas for urban and employment expansion have been selected with flood risk at the very forefront of the planning criteria. Thus some (footnote 19: e.g. land north east of Reffley Wood, King's Lynn; and land off Downs Road, east of Hunstanton) have been criticised for being too prominent in the wider landscape – perhaps an unavoidable consequence of their location on relatively high ground. But that seems to me a necessary and justified trade-off, and, in any event, is capable of mitigation through architectural and landscape design."

3. The NCC Highway Authority have commented that the transport impacts of this housing site will be assessed as part of any planning application and mitigation measures will be identified. The transport assessment will be required to take account of the other development sites so the cumulative effects will be considered.

4. There is a need to clarify in the Policy the need for a transport assessment in a similar way to that required for the Hall Lane, South Wootton housing allocation (E3.1) (i.e. including the cumulative impacts of other developments along the corridor). A modification to do this is suggested at the end of this statement.

Sustainability

5. The SA (SA01) shows that "The Knight's Hill allocation scores positively in relation to the indicators 'access to services', 'community and social' and 'highways and transport' as development will have access to existing, and provide access to new, services and community facilities. The site has an identifiable access point, supported by the Highway Authority. The site is at low risk of flooding (flood zone 1). The impact on the indicators 'landscape and amenity', 'natural environment' and 'infrastructure, pollution and waste' depend on how the scheme is implemented as potentially negative impacts could be mitigated through good design." This assessment is in line with the CS Inspector's conclusions as quoted above. An emerging masterplan is dealing with the detailed design issues as a prelude to a planning application.

Deliverability

6. Deliverability Forms were completed for the allocated site in 2014 by/on behalf of the landowners/developers – Ashdale Land (615), Mr C Collison (189), Clayland Estates and Camland Developments (563) (Examination Library documents) demonstrating that the site is deliverable (viable, available and achievable). A joint draft masterplan for the combined areas controlled by Camland Developments and Ashdale (29.9 ha and 4.6 ha respectively, a total of 34.5 ha out of the overall allocated area of 36.9 ha) has been prepared (included as Appendix 2 of Camland Developments' statement in relation to Issue 7). The remaining 2 ha controlled by Clayland Estates is likely to be brought forward separately, but it is understood that discussions have been held and the masterplan will be shared. It is

also understood that potential connection points between the two parts of the allocated area have been identified. Camland Developments have confirmed that a full suite of site investigations has been undertaken in relation to ecology, archaeology, silica sand and drainage. Camland Developments have also confirmed their intention to submit a joint planning application covering the Camland and Ashdale land areas in due course.

7. The silica sand issue has been resolved to the satisfaction of the Mineral Planning Authority (NCC) following the submission of a mineral assessment on 24 June 2013 (evidence included as Appendix 3 'Silica Sand Correspondence' of the Camland Developments' (563) hearing statement in respect of Issue 7).

Availability/Consideration of Alternatives

8. Developers/landowners have confirmed the availability of the land as set out above under 'deliverability'.

9. In relation to the consideration of alternatives the CS Inspector at para. 72 of his report (GD02) noted that the Council's Hearing Statement had assessed "the chief planning merits of, and constraints upon, the areas selected. It also considers the chief alternatives, and the reasons for their non-selection." He also stated at para. 73 that he had "considered all these areas with reference to this and the other representations, including various proposals (some worked up in detail, with indicative masterplans, etc.) for alternative sites (i.e. those which are clearly outside the areas indicated on the key diagrams). Some of these were promoted at the hearings. I have also visited all the locations on foot, to look in particular at their relationship with the existing urban area, existing and potential transport links, the effect on existing land uses, the likely landscape and visual impact of development, ecological matters, and residential amenity issues (the potential effect on existing dwellings)." He concluded at para. 75 as quoted above under 'Justification'.

7.2 Has proper regard been given to the protection of sites of nature conservation importance and to the protection and enhancement of heritage assets?

Sites of Nature Conservation Importance

10. The HRA (HR01) considers the effect of the Knight's Hill allocation, in common with other sites in King's Lynn, demonstrates likely significant effect on the Roydon Common and Dersingham Bog SAC, and is therefore submitted to appropriate assessment. It is generally agreed by a Statement of Common Ground that the scope and identified likely effects within the HRA are adequately addressed.

11. The HRA then states that developments around King's Lynn will need to consider and incorporate a package of measures associated with reducing recreational impacts on European sites including Roydon Common. These would be safeguarded by the performing of a project level HRA, which would effectively identify the extent of measures to be undertaken. There is a level of uncertainty, acknowledged within the HRA, concerning levels of visitation both currently, and from new housing developments, to the SAC. This is being at least partially addressed by a jointly funded study entitled "*Population Growth and Nature Conservation in Norfolk: A strategic geographical overview of recreational pressures and opportunities*" which is currently being undertaken. This aims to collect baseline visitation data to European sites within Norfolk, including the North Norfolk Coast and Roydon Common and Dersingham Bog. This is a partnership project, joint-funded by all the local authorities in Norfolk. There is broad agreement that this will help to inform mitigation and ongoing work to help prevent adverse effects.

12. Camland Developments, in preparing a draft masterplan (Appendix 2 of their statement in relation to Issue 7) have carried out a comprehensive suite of on-site biodiversity assessments. This has led to the site constraints being known and understood and the inclusion of appropriate measures in the draft masterplan in line with the policy requirements. Discussions have been held with stakeholders in relation to sensitive nature conservation locations off-site and appropriate mitigation measures have been committed to. These include 5.71 ha of open space (excluding landscape buffer areas); a circular on-site walking route of varying distances; and

direct access into Reffley Wood, with a new car park by agreement with the Woodland Trust. Camland Developments have also committed to a welcome pack for new residents making them aware of the sensitivity of nearby sites and the availability of alternatives. They have also committed to the production of a visitor pressure report to accompany a future planning application.

13. The policy requirement (E4.1 3.) for a 50m buffer around the Reffley Wood Ancient Woodland was included in response to a recommendation by the Woodland Trust made in their comments on the Preferred Options stage on 3 October 2013. No comments were received from the Woodland Trust at the Pre-Submission stage.

Protection and Enhancement of Heritage Assets

14. It should be noted that Historic England's view is that Policy E4.1: Knights Hill is sound stating that "While there is scope for development on this site, we are keen to ensure that proposals are sympathetic to the historic environment and specific heritage assets. As paragraph E4.3 notes there are several heritage assets in the surrounding area, and there may also be on-site archaeology. We welcome the requirement for a heritage assessment in paragraph E4.23 and part A (e) of the policy and the requirements for landscape planting along the east and north of the development. Care will need to be taken to ensure that development is not overly prominent along the north and east boundaries in order to lessen impact on nearby heritage assets." These are all matters that can be taken account of in the detailed plans for the site that will follow on from confirmation of the allocation.

15. Camland Developments have prepared a draft Heritage Statement, together with a Landscape Visual Assessment, as would be required by the policy. The draft Heritage Statement submitted as Appendix 4 to their statement in relation to Issue 7 concludes that the "development has a 'significance of impact' ranging from neutral to moderately adverse for heritage assets within the surrounding area", that it "is very unlikely that significant archaeology requiring preservation *in situ* lies on the site" and that "designated heritage assets and their settings in the vicinity of the site ... will not be significantly affected ... due to their distance from the site and proposed mitigation measures."

16. The Landscape and Visual Assessment submitted as Appendix 5 to Camland Developments' statement in relation to Issue 7 shows that the site is, on the whole, well concealed and where vantage points are provided the proposed mitigation planting will ensure the impact is either significant or minor adverse.

Conclusion

17. The proposed development at Knights Hill (E4.1) is justified, sustainable, viable, available and deliverable. There are no alternatives available to match the CS focus on development 'in' and 'adjacent to' King's Lynn, that would not involve development in the AONB or in areas of greater flood risk. Proper regard has been given to the protection of sites of nature conservation importance and to the protection and enhancement of heritage assets.

Proposed Modifications

18. There is a need to clarify¹ the requirement for transport assessment in the policy in line with Policy E3.1 2. e. – Hall Lane, South Wootton by adding to the list in Policy E4.1 A. "a comprehensive transport assessment of the impacts of the proposed development including consideration of the combined impacts with other planned development on Low Road/Grimston Road."

¹ Subject to confirmation