

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 21  
Great Bircham and Bircham Tofts  
(G.42)**

Examination  
June 2015

## Table of abbreviations used in the Council's Statements

<b>Abbreviation</b>	<b>Full Wording</b>
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

## Response to Questions:

### 21.1

**Is there evidence that any elements of the proposed development adjacent to 16 Lynn Road (G42.1) 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?**

1. The proposed development is justified by the settlement's designated role in the CS, provides a sustainable scale and form of development appropriate to the locality. While the relative merits of some of the range of available options available in this settlement were finely balanced, site G42.1 is the most contained, well screened by established vegetation, and is not productive agricultural land.
2. The amount of housing development identified for designated 'Rural Villages' by the CS equates to an average of 6 dwellings to be allocated in each. The 'proportional by population' method used as a guide for the SADMP (see section D, 'Distribution of Development') would indicate 4 dwellings for Great Bircham and Bircham Tofts (combined). This number was increased in response to the Bircham Parish Council's request early in the Plan preparation. The 10 dwellings now proposed is appropriate to the settlement's designated role in the strategy, and responds to community wishes.
3. The allocated development would increase the extent of development and have some impact on occupants of neighbouring properties, as almost any development would, but such impacts are modest. The relationship with neighbouring properties is satisfactory, and the depth and layout of the development results in only a marginal increase in developed road frontage, and does not result in the loss of an important gap which contributes to the rural character of the village. The site is largely screened from view approaching the village from the south by the trees to the south of the site and the hedgerow to the frontage. The development would result in a change of public views into the site from Dersingham Lane, but would be seen in the context of further development to the north and be interspersed with retained trees and hedgerows, and new planting.
4. The Ecological Appraisal (Wild Frontier Ecology, April 2012) submitted by the agent provides a detailed overview of the ecology of the site. No significant negative impact was found, and a series of mitigating measures are proposed to address species of value. These measures are required by the Policy.
5. The Highways Authority has no objection to development of the site (ID 1448), and the owner's agent has indicated that its requirements will be met (ID 527), including footway provision. It is understood that the latter would include improved pedestrian access to

neighbouring properties immediately to the north and some distance to the south, and use materials and detailing sympathetic to the area's rural character.

6. The Parish Council has not objected to the allocation.
7. The land is vacant, available now and deliverable within the first 5 years of the plan, the landowner has advised (see Appendix 1).
8. That the allocation provides the whole 10 dwellings intended for Great Bircham and Bircham Newton is fortunate in the light of the changes to affordable housing provision introduced by Ministerial Statement on 28<sup>th</sup> November 2014. Though this came too late to influence the allocation choices made by BCKLWN, a single allocation of 10 units will enable the Council to continue to seek a contribution to affordable housing provision, whereas that would now no longer be the case for two developments of 5 dwellings. (Bircham Parish is one of the parts of the Borough with section 157 designation, and BCLWN is able to collect contributions on developments of 6 dwellings and upwards.<sup>1)</sup>

#### Other sites and their assessment

9. The SADMP SA Report (pages 176-80) makes clear that there are a range of potential development sites around Great Bircham, and that none has an overwhelming advantage in terms of sustainability. Selecting a site, or sites, for allocation was therefore inevitably a matter of judgement.
10. That some do not agree with the planning authority's judgement is unsurprising, especially in the case of those who have promoted a site not chosen for allocation, or who have never agreed with the CS settlement hierarchy as it applies to the various parts of Bircham Parish. It is notable that there is no consensus as to which site should be favoured over the allocated site. The Parish Council has indicated no clear preference.
11. The SA Report shows that a broad range of relevant factors have been assessed. In response to consultation on the earlier Draft SA Report (at the Preferred Options stage, 2013/14), and following further consultation with Anglian Water, the assessment of sites was adjusted to address concerns that proximity to sewage treatment works had been weighted too heavily.
12. Site 1229 was unfortunately omitted from the Preferred Options document published on 29<sup>th</sup> July 2013, but this was soon drawn to BCKLWN's attention, and a correction notice issued<sup>2</sup> on 2<sup>nd</sup> September, over a month before the close of the Preferred Options

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<sup>1</sup> <http://www.west-norfolk.gov.uk/pdf/20150408%20Changes%20to%20NPPG%20and%20implications.pdf>

<sup>2</sup> <http://www.west-norfolk.gov.uk/pdf/Erratum%20for%20Preferred%20Options%20for%20a%20Detailed%20Policies%20and%20Sites%20Plan-%20Great%20Bircham%20new%2002.09.13.pdf>

consultations on 4<sup>th</sup> October. Site 1229 is included in both the 2013 Draft SA Report<sup>3</sup> and the final SADMP SA Report. The allocation G42.1 in the proposed SADMP was made in the full knowledge of site 1229's existence and SA appraisal.

13. Bircham Parish Council is preparing a neighbourhood plan (a neighbourhood area was designated by BCKLWN in 2013<sup>4</sup>). BCKLWN have advised the Parish Council that the neighbourhood plan could potentially include revised development boundaries and/or alternative or additional development allocations, provided these were broadly consistent with the CS. BCKLWN wish to support the Parish Council in addressing its aspirations for the area, and has offered further advice and assistance should the Parish Council wish this. .

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<sup>3</sup> [http://www.west-norfolk.gov.uk/pdf/Draft%20Sustainability%20Appraisal%20Report%20\(Revision%201a\)%2011th%20Dec%202013.pdf](http://www.west-norfolk.gov.uk/pdf/Draft%20Sustainability%20Appraisal%20Report%20(Revision%201a)%2011th%20Dec%202013.pdf)

<sup>4</sup> <http://www.west-norfolk.gov.uk/pdf/Bircham%20NP%20Map%201.34mb.pdf>

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Site Reference	BIRCH 1
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	
Relation to the site	<input type="checkbox"/> Landowner <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Other, please provide details
Company	The Sandringham Estate
Address	The Estate Office Sandringham Norfolk
Postcode	PE35 6EN
Telephone	01485 545400
Email	ann.butcher@sandringhamestate.co.uk
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**



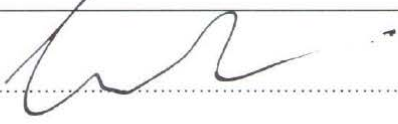
<p>Is the site occupied?</p>	<p> <input type="checkbox"/> Occupied  <input type="checkbox"/> Part occupied  <input checked="" type="checkbox"/> Vacant </p> <p>If occupied, please provide details</p>
<p>When is the site available?</p>	<p> <input checked="" type="checkbox"/> Available now  <input type="checkbox"/> 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         </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>

Further Information	
<p>If the site was identified by the Council as a preferred option, have you read the draft policy relating to it?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Do you have any comments on the requirements and consideration set out in that draft policy?</p>

Other
<p>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)</p> <p>The Sandringham Estate is considering setting up a "For Profit registered provider" to administer the affordable homes for any future developments on the estate.</p>

Signature .....	
Print name .....	M. J. O'Loone
Date .....	21st February 2014