

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 18: Emneth (G.34)**

**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

**18.1:**

**Is there evidence that any elements of the proposed development south of The Wroe (G34.1) 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. Introduction

1.1 The Council's Sustainability Appraisal (SA01) demonstrates that of all the proposed options for growth for Emneth, Site G34.1 Land south of The Wroe is considered the most sustainable option for development and therefore is chosen for allocation as set out in the SADMP. This is further explained in the supporting text accompanying the policy G34.1 within the SADMP. G34.1 also is capable of providing the desired dwelling numbers.

1.2 Site G34.1 comprises two sites, part of Site 421 and all of Site 1185, that are in separate ownership, the same agent is representing both parties. The Deliverability Form prepared by the agent on behalf of the landowners dated 14/03/2014 (Appendix 1) and two letters from the agent dated 25/10/2011 and 8/11/2011 emphasises this point (Appendix 2). The deliverability form states that the land is available now and deliverable within the first 5 years of SADMP adoption.

1.3 The SADMP, section B Minor Amendments to Core Strategy (page 10), proposes to reclassify the settlement of Emneth as a Key Rural Service Centre (KRSC) within the Core Strategy Policy CS02 – Settlement Hierarchy. This change impacts upon the direction and reasons for growth, as explained within the SADMP. Emneth parish was originally considered a potential location for growth as part of the Wisbech Fringe strategic allocation (F.3) with emphasis on facilitating and supporting sustainable growth for Wisbech. However, no dwellings were proposed for allocation within the Emneth parish as part of F.3. Therefore reclassifying Emneth as a KRSC enables sustainable growth to take place recognising Emneth's separation from Wisbech and supporting the local range of services and facilities within the village.

2. G34.1 – Highways Comments

2.1 The allocation (G34.1) comprises a combination of part of submitted Site 421, and whole of Site 1185. Site 421 was originally proposed as a growth option for Emneth on its own. The following comments were received from Norfolk County Council as Local Highway Authority (NCC HA), Source: '*Consultation Response to Local development Framework Site Allocations DPD Draft King's Lynn & West Norfolk District Council July 2012*'.

421	1. This allocation is well located. Subject to a safe access, visibility being achieved the Highway Authority would not object if this site were included in the plan.
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2.2 It was thought that access of the nature, as outlined above, could potentially prove difficult and so utilising Site 1185 as access to Site 421 was proposed as a solution. NCC HA provided the response below. Source: '*Consultation Response to Local development Framework Site King's Lynn & West Norfolk District Council January 2013*'.

**9. Emneth**

Sites 421 and 1185 (in combination),	Land on South of the Wroe.
Highway Comments	Site 421 - 1. This allocation is well located. Subject to a safe access, visibility being achieved the Highway Authority would not object if this site were included in the plan.  Site 1185 – to be used to improve access to site 421.
<b>Recommendation</b>	<b>We would not object to Site 421 being allocated in combination with site 1185 to ensure a safe access was achieved.</b>

2.3 At the Preferred Options Consultation Stage (2013) NCC HA provided the comments below. Note G34.1 was previously referred to as EMN1. Source: '*Consultation Response to Local Development Framework Preferred Option Highway Response King's Lynn & West Norfolk District Council October 2013*'.

## 7.0 Emneth

EMN1 (Part of site 421 and whole of site 1185)	<b>Acceptable for inclusion in the plan.</b> Subject to a safe access, visibility being achieved.
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2.4 The responses provided by NCC HA confirm that they consider G34.1 (part of Site 421 and whole of Site 1185) to be acceptable for inclusion in the SADMP. It is anticipated that the specific access arrangements and visibility splays will be discussed at the detailed planning application stage.

### 3. Comparison of Alternative Options

3.1 The Council's Sustainability Appraisal (SA01) details the consideration of alternative options and the reasons why these were not considered the most sustainable option for development. All of the sites proposed as growth options for Emneth have identified constraints due to the nature of the settlement (highway network, rural landscape, high grade agriculture land, etc.) and that in the interest of delivering development in a Key Rural Service Centre the Council have chosen the least constrained relative to others considered and therefore the most sustainable option for development, hence the allocation.

3.2 Site G34.1 offers a relatively central location in relation to the existing settlement and is within close proximity to a number of local amenities including the school, village hall, bus stops, public house, place of worship and retail etc. This could potentially encourage walking and would support the settlement and its services.

3.3 The location and positioning of the site would result in an allocation that is screened due to the unusual configuration of the settlement at this locality. It is therefore considered that development of the proposed allocation would have less visual impact upon the settlement than that of other growth options proposed. As Site G34.1 would be masked by existing development. Views that are available from the surrounding countryside / public rights of way would view the site in the context of the existing suburban area. Access and visibility splays being achieved may rely upon a single dwelling being demolished (which is within control of the

landowners) that provides part of a pleasant street scene, the building is not listed or within / could impact upon the setting of a conservation area

3.4 As Emneth received KRSC status later in the plan process than others, a number of sites proposed for growth fall within Emneth parish that do not relate well to Emneth and this is reflected by the scoring for the sustainability criteria 'Access to Services' within SA01.

3.5 The relationship between the settlement and the fertile nature of the surrounding land provides a number of constraints including the high grade of agricultural land that may be lost to development, and that a number of related businesses (e.g. horticultural) were proposed as options for growth. The latter would be resisted as stated within Core Strategy Policy CS10 The Economy.

#### 4. Proposed Minor Modification

4.1 Whilst the Emneth Parish Council have previously shown support for Site Ref. No. 421 being allocated at earlier stages of the SADMP. However, they have not shown support for Site G34.1. Therefore it is not correct to state that Emneth Parish Council support development of the allocated site G34.1 as stated within the SADMP. It is proposed that the last sentence of the first paragraph in the Site Justification is removed.

#### 5. Conclusion

5.1 The Council considers that the proposed allocation in Emneth is justified, sustainable, viable, available and deliverable. Whilst one dwelling may require demolition, thirty six new dwellings would be provided, resulting in a net gain of thirty five dwellings. However, there should be a minor amendment to the Site Justification text within the SADMP as proposed.

**Appendices Table of Contents**

Appendix 1 G34.1 Deliverability Form ..... 8  
Appendix 2: Two letters submitted by the agent of Sites 421 & 1185 ..... 13

**Appendix 1 G34.1 Deliverability Form**

Site Reference	1185 + 421 EMN 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	PETER HUMPHREY .
Relation to the site	<input type="checkbox"/> Landowner <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Other, please provide details
Company	PETER HUMPHREY ASSOCIATES LTD
Address	31 OLD MARKET WISBECH CAMBS
Postcode	PE13 1NB .
Telephone	01945 466 966
Email	peter.h@peterhumphrey.co.uk .
Ownership	



<p>Is the land under single ownership?</p>	<p><input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>If 'no' who are the other landowners?</p>	<p>Please list other owners: KEN LAWRENCE OWNS ACCESS. I ACT FOR KEN + HE IS HAPPY TO USE HIS LAND FOR ACCESS. BOTH PARTIES ARE CURRENTLY IN DISCUSSION. ∴ ONLY 2 LAND OWNERS (LAWRENCE + HARPER)</p>
<p>Is the access to the site under separate land ownership/s</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, please provide details ONE SIDE OWNED BY K. LAWRENCE - WHO HAS CONFIRMED IT CAN BE USED TO PROVIDE ACCESS. OTHER SIDE OWNED BY J.P.L MOTORS WHO ALSO HAVE CONFIRMED CAN BE USED AS ACCESS.</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> <p>1185 - ACCESS OWNED - KEN LAWRENCE 421 - LAND OWNED - MR HARPER.</p>	

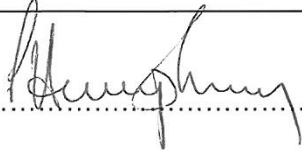
**Availability**

<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> <p><i>To be sold IMMEDIATELY SITE HAS PLANNING CONSENT.</i></p>

<b>Constraints</b>	
<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>DEMOLITION of SINGLE DWELLING.</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	
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? <p style="text-align: right;">NO</p>
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 .....	PETER HUNTLEY
Date .....	14. MARCH 2014

**Appendix 2: Two letters submitted by the agent of Sites 421 & 1185**



*Peter Humphrey Associates Ltd*  
ARCHITECTURAL DESIGN AND BUILDING

PH/JK/Policy Dept./421

25 October 2011

Forward Planning - Policy Department  
Borough Council of King's Lynn & West Norfolk  
King's Court  
Chapel Street  
KING'S LYNN  
Norfolk  
PE30 1EX

Dear Sirs

**RE: FORWARD PLANNING – POLICY TEAM, LOCAL PLAN**

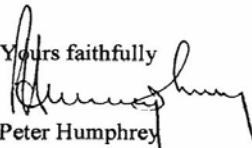
**SITE REF: 421 – SITE NORTH OF CHURCH ROAD, EMNETH**

Further to my letter of 19<sup>th</sup> October, 2011, advising that this site is still available and in the same ownership, I can reiterate this is the case and also confirm that the owner of the adjacent house and plot which is to the west of Elmside at the junction into Gaultree Square is also on-board with this application. The owner of this site is Ken Lawrence who has been speaking with Mr Harper – the owner of site 421. This could then allow for a wider access to Elmside and to service the land indicated by reference 421.

Indeed it could, should you so wish, allow for a larger area of development with an increased access. I would therefore request that you consider this as part of your appraisal.

We would also propose that we could make some changes to the road layout to eliminate the first bad bend on Elmside.

Could you please therefore take this into consideration when determining the suitability of this site.

Yours faithfully  
  
Peter Humphrey  
Principal



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*Peter Humphrey Associates Ltd*  
ARCHITECTURAL DESIGN AND BUILDING

PH/JK/Local Plan

8 November 2011

Policy Department  
Borough Council of King's Lynn & West Norfolk  
King's Court  
Chapel Street  
KING'S LYNN  
Norfolk  
PE30 1EX

For the attention of Natasha Ostler

Dear Madam

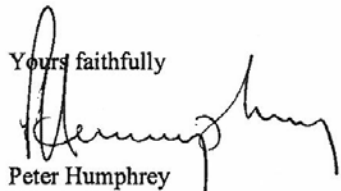
**RE: LOCAL PLAN FOR SITE AT ELMSIDE for MR HARPER**

SITE 421

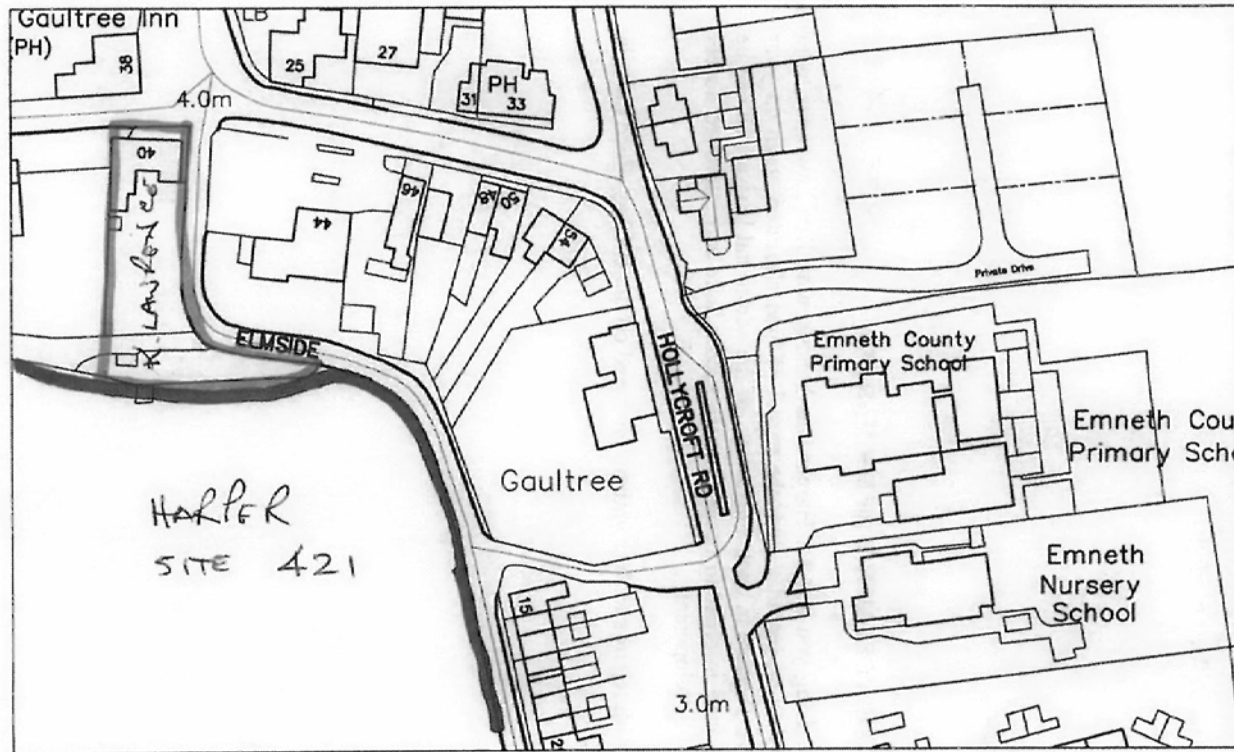
Further to my recent letter advising you that Mr Harper was liaising with Ken Lawrence, who owns No. 40 Gaultree Square, to be included with the parcel of land allocated green on your Consultation Maps, I now have pleasure in enclosing a copy of the additional land which can be joined with the already green land in order to ensure a more secure, safe and improved access onto Elmside and the proposed development.

This may also influence you with regards to the numbers proposed on the field as edged blue on the enclosed plan, as requested.

Yours faithfully

  
Peter Humphrey  
Principal

Encl.



LOCATION PLAN 1:1250

**Peter Humphrey Associates Ltd.**  
ARCHITECTURAL DESIGN AND BUILDING

PROJECT

LOCATION PLAN  
ELMSIDE  
EMNETH  
WISBECH

CLIENT

MR HARPER

DATE

SCALE 1:1250

JOB No

DO NOT SCALE FROM THIS DRAWING  
COPYRIGHT. THIS DRAWING MUST NOT BE ISSUED, LOANED OR COPIED  
WITHOUT THE CONSENT OF PETER HUMPHREY ASSOCIATES



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