

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 33: Southery (G.85)

**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

33.1

Is there evidence that any elements of the proposed development off Lions Close (G85.1) 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?

33.2

Is the route of the development boundary in the vicinity of 9, Upgate Street, justified?

1. Introduction

1.1 The Council's Sustainability Appraisal (SA01) demonstrates that of all proposed options for growth Site G85.1 Southery – Land off Lions Close is considered the most sustainable options for development in Southery, out of all the sites submitted for consideration.

1.2 This is further explained in the supporting text / justification accompanying the proposed policies, within the SADMP.

1.3 A Deliverability Form, dated 12/03/14, has been prepared by the agent of the site (CIV13) this indicates that the site is vacant, available now and there is desire to deliver the site within the 2014/15 – 2018/19 time period.

2. Site G85.1 Access

2.1 Access arrangements for the proposed allocation has previously been an issues, however this has been overcome and is discussed below.

2.2 The policy for the chosen allocation contains four clauses. The third clause relates to the site access being gained from Lions Close and this being adopted to the satisfaction of the local highway authority. This clause was added to the policy following comments from Norfolk County Council Highway Authority (NCC HA) received at the Preferred Options Consultation (2013).

2.3 NCC HA were going to raise similar concerns and object to the site being included with the SADMP at the representation stage however, the agent provided the Deliverability Form and letters (Appendix 1) detailing the standard and status of the road. This information was passed onto NCC HA who removed objection to the site (Appendix 2) and reflected this in their representation (1174).

3. Comparison of Alternative Options

3.1 The Council's Sustainability Appraisal (SA01) details the consideration of all alternative options and the reasons why these were not considered the most sustainable option for development. All sites in Southery have identified constraints due to the nature of the settlement (landscape, grade of agricultural land and highways issues, etc.) and that in the interest of delivering development in a Rural Village the Council have chosen the least constrained and therefore most sustainable option for development.

3.2 As stated within SA01, Southery Discussion (page 278, third bullet point), Site G85.1 and Site 55/1227 have been assessed and the sustainability appraisal indicates that no one option results in a highly positive effect in the majority of categories.

3.3 Access to Site G85.1 has been discussed earlier in this statement. Access to Site 55/127 would require improvements to the footway and the junction with the B1160. It would also require Highway Land being available, that has current amenity value for the Parish, in order to secure appropriate visibility (Appendix 3).

3.4 Due to the configuration of the existing settlement Site G85.1 would be concealed by existing residential development with limited open countryside views being lost. Views into the site would be mainly from the rear of existing properties, and medium to long term views that are available from the Ringmore Road would view the site in the context of the existing settlement. Development of Site 55/1227 would result in short, medium and

long distance views of the countryside from a relatively central location being lost. These are mentioned within the landscape character assessment (DCS04). Development here would also have an impact upon the amenity land that is currently used by the Parish.

3.5 Members of the Local Development Framework Task Group were made aware of the options and sites proposed for growth and made their decisions based upon the information provided in the SADMP process.

4. The Development Boundary in the Vicinity of 9 Upgate Street

4.1 The SADMP development boundaries generally follow quite closely those defined in the 1998 Local Plan (saved Policy 4/21), as these have generally stood the test of time, proving both useful and accepted. However, their division into 'Built Environment Types C and D' (and relationship to Built Environment Types A and B in Policy 4/20) was considered complicated and a new approach is taken to simplify the planning process, as outlined in SADMP DM2 Development Boundaries (SADMP page 18). In the case of this locality the 1998 Local Plan (saved Policy 4/21) has been followed (Appendix 4).

4.2 The proposal for a change to the development boundary includes land put forward as Site 55. Site 55 has been subject to a sustainability appraisal and consultation. It has been found not to be the most sustainable option and therefore not chosen for allocation within this plan. Site 55 has unsuccessfully been promoted as a potential allocation and should not be included within the development boundary. It would not be appropriate to include the site via a change to the development boundary. Careful considerations should be given to the relative merits (as is done through the SA work) of sites and for this relatively large scale development a positive allocation is the consistent basis for choosing.

5. Conclusion

5.1 The Council considers that the proposed residential development site for Southery, and the elements of this, is justified, sustainable, viable, available and deliverable. The Council also considers that sites unsuccessfully promoted for allocation within Southery should not be included within the development boundary.

Appendix1. Site G85.1 Agent Correspondence Relating to the Access Road

ADRIAN PARKER PLANNING

Adrian G. Parker, MA, MSc, DMS, MRTPI

33 Grimston Road
South Wootton,
KING'S LYNN
Norfolk PE30 3NR

tel : 01553 675574
e-mail : adrian@parkerplanning.co.uk

Mr Alan Gomm,
Planning Policy Manager
KLWNBC

13 December 2013

Dear Alan,

Preferred Options – Southery site 452 / SOU1 off Lions Close

My client Mrs Annette Osler has spoken with you and we have sent documentary evidence that the access to this site is safeguarded along Lions Close by the vendors' covenant with Broadland Housing.

As you will know, the road exists and appears to be adopted, but we have sought confirmation from County Highways and from Broadland Housing. I have taken up the matter with County Highways, and Mrs Osler directly with Broadland, and both sources have confirmed verbally that the access road has been inspected for adoption under the Sec.38 Highways Act procedures, and is currently in the defects period immediately prior to formal adoption.

I am told that there are some elements of the street lighting to be adjusted, and Broadland is now ensuring its contractor is timetabled to remedy this. We expect written confirmation of these details from Broadland within the next week.

Yours sincerely,

Adrian Parker

The King's Lynn & West Norfolk Borough Council's response to the Issues and Questions paper from Inspector David Hogger

BROADLAND
HOUSING GROUP

13th December 2013

Mrs A Osler
Wellington House
Station Road
Ten Mile Bank
Downham Market
Norfolk
PE38 0EP



Dear Mrs Osler

Lions Close, Feltwell Road, Southery

Further to our conversation I am writing to advise where we are with adoption of the access road serving our housing development at Lions Close. I note this serves your retained land that I understand that you are promoting through the Local Plan site specific allocation process.

When Broadland Housing Association acquired the land it contracted with you to provide an adoptable road to the site boundary, so as to serve your retained land. Broadland Housing Association then contracted with RG Carter (West Norfolk) to progress the road adoption as part of the wider development works.

I have reviewed the file and can advise that the road was designed and constructed to adoptable standards. The necessary Section 38 legal agreement was executed with Norfolk County Council.

The usual process is then for Norfolk County Council highways department to inspect the road after 12 months to ensure it has been constructed in accordance with its requirements. It is also usual for them to identify a few defects that the contractor then needs to rectify before the road is formally adopted.

I can advise that the highways department did inspect and identified a number of outstanding items requiring attention to the road and street lighting. I enclose an e-mail from the Maintenance Officer and letter from the Senior Street Lighting Technician outlining the issues. However, these works have not been actioned by the contractor. I can confirm that we have now taken this up with the contractor and shall press them to undertake the remedial works so that the road is adopted as soon as possible.

Contd..../

Broadland Housing Group
NCFG, Jarrod Stand
Canow Road
Norwich
NR1 1HU

Customer Services
t: 0303 303 0003
f: 01603 750222
e: enq@broadlandgroup.org
www.broadlandhousing.org

Broadland Housing Group incorporates Broadland Housing Association Limited, Broadland Meridian and Broadland St Benedicts LPHs, Broadland Housing Association Limited, registered office: NCFG, Jarrod Stand, Canow Road, Norwich, NR1 1HU. Registered under the Industrial and Provident Societies Act 1969 in England and Wales as a profit making housing association with charitable status. Company No. 0962749, TSA Reg. No. 133039. Broadland Meridian, registered office: NCFG, Jarrod Stand, Canow Road, Norwich, NR1 1HU. Charity Commission No. 290300. Company No. 01847463. Registered in England and Wales. Broadland St Benedicts Limited, registered office: NCFG, Jarrod Stand, Canow Road, Norwich, NR1 1HU. Company No. 00794118. Registered in England and Wales.



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IN PEOPLE | Silver



AAEP
This may be supplied
in a format suitable for
visually impaired people

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Inspector David Hogger

/2

I can only apologise that this slipped our attention. I trust the Borough Council of Kings Lynn and West Norfolk will understand the situation and that this will not prejudice your land being allocated for development.

Please do not hesitate to contact me should you require any further information.

Yours sincerely



Ed Mumford-Smith
Head of Development
Email: Ed.Mumford-Smith@broadlandgroup.org

Enc.

9/2/04/0902



Environment, Transport, Development
County Hall
Martineau Lane
Norwich
NR1 2SG

Broadland Housing Association
NCFC
Jarrod Stand
Carrow Road
Norwich
NR1 1HU

NCC general enquiries: 0344 800 8020
Textphone: 0344 800 8011

cc: Miss M Melton - Developer Services

Your Ref:
Date: 21 August 2012

My Ref: KHU Southery/LV
Tel No.: 0344 800 8020
Email: laura.vincent@norfolk.gov.uk

Dear Sir or Madam

Development off Feltwell Road, Southery

An inspection of the lighting for Interim certificate purposes has been carried out on the above development and the following defects were noted:-

Lions Close:

- The column at the side of 25D (SL1 on the plan) has been installed behind the footpath and is tight against a low level fence and the fence restricts access to the column inspection door. The column requires repositioning into the highway.
- The column at the side of 4 (SL2 on the plan) has been bent in a road traffic collision and displays two areas of damage. The column has been installed 4.5 metres north of the position shown on the certified drawing and the lamp does not work when switched to the test position.

I should be pleased if you would arrange for the above defects to be remedied and for the Street Lighting Section to be contacted when complete in order that a further inspection may be carried out.

Yours faithfully

Senior Street Lighting Technician

Environment, Transport, Development	
Development Section	
FAO	23 AUG 2012
Order	
Author	
File	
MEM/inf	

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The King's Lynn & West Norfolk Borough Council's response to the Issues and Questions paper from
Inspector David Hogger

Page 1 of 1

Melton, Michelle

9/2/04/0902

From: Gill, Russell
Sent: 13 December 2011 09:56
To: kingslynn@rgcarter-building.co.uk
Cc: Melton, Michelle; Wallace, Andrew
Subject: Darren Vincent-Feltham Road Southery

Darren,

I have been asked by Developer Services to inspect the above site for the issue of the Interim Certificate. On inspection there were some defects found that will require rectifying before the Certificate can be issued.

These are;

- 1/ Broken DR1 kerb in access to 25c.
- 2/ In the access to 25d there is no up stand on the kerb face and there is one broken BN kerb.
- 3/ On the left-hand side of no. 1 a 250mm piece of HB2 kerb has been used and the minimum is 1/2 a standard kerb (457.5mm). Therefore the kerbs to each side will require altering.
- 4/ Outside no.1 there are 2no HB2 radius kerbs loose and patching to the footway surface is required around the BT cover.
- 5/ Outside no7 there is 1no broken BN kerb.
- 6/ Outside no11 a 250mm piece of BN kerb has been used (See note 3).
- 7/ Outside no15 there are two broken edging kerbs.
- 8/ Opp no1 there are two loose HB2 radius kerbs.

On completion of the above please contact me and i will re-inspect the site.

Regards

Russell Gill
Maintenance Supervisor
West Area
Kings Lynn
01553 778017
07787 529051

13/12/2011

The King's Lynn & West Norfolk Borough Council's response to the Issues and Questions paper from
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Appendix 2. NCC HA Southery G85.1

From: Sullivan, Claire [<mailto:claire.sullivan@norfolk.gov.uk>]
Sent: 24 February 2015 09:06
To: ldf@West-Norfolk.gov.uk
Cc: Jemma March
Subject: Highway Authority Comments

FAO Local Plan Team

Please find attached Norfolk County Council's representation forms as Highway Authority. These relate to the following sites as set out in the previous schedule sent by Stephen Faulkner on 4 February 2015:

- 01) Walpole St Peter G109.1**
- 02) East Rudham G31.1**
- 03) Ten Mile Bank G92.1**
- 04) Terrington St Clement G93.3**

Dersingham G29.2 – Previous Highway objections can be overcome if a further point is added to policy 29.2 to require the closure of the existing access via Church Road / Manor Road junction. See attached policy comment representation relating to Policy G29.2.

Southery G85.1 – Previous Highway objections have been removed.

The Highway Authority also wishes to submit a further five representations relating to requested amendments to policy wording in relation to sites:

- E1.6 King's Lynn
- E3.1 South Wootton
- F1.2 Downham Market
- F2.4 Hunstanton
- G59.4 Methwold

The representation forms for these proposed amendments are also attached.

If you have any queries with any of the above please call or email me.

Kind regards

Richard Doleman

Infrastructure and Economic Growth Team

Economic Development and Strategy
Community and Environmental Services
Norfolk County Council
General enquiries: 0344 800 8020 or information@norfolk.gov.uk
Website: www.norfolk.gov.uk

Appendix 3. NCC HA Site 1227 / Site 55 response

From: Sullivan, Claire
Sent: 27 November 2013 11:10
To: Maryann Nwosu
Cc: Susan Challis
Subject: Southery response

Dear MaryAnn,

Following detailed discussions on the visibility issues with site 1227 in Southery I would like to let you know our response. The land I refer to is owned by Highways but used by the parish.

Site 1227 provision of 15 dwellings

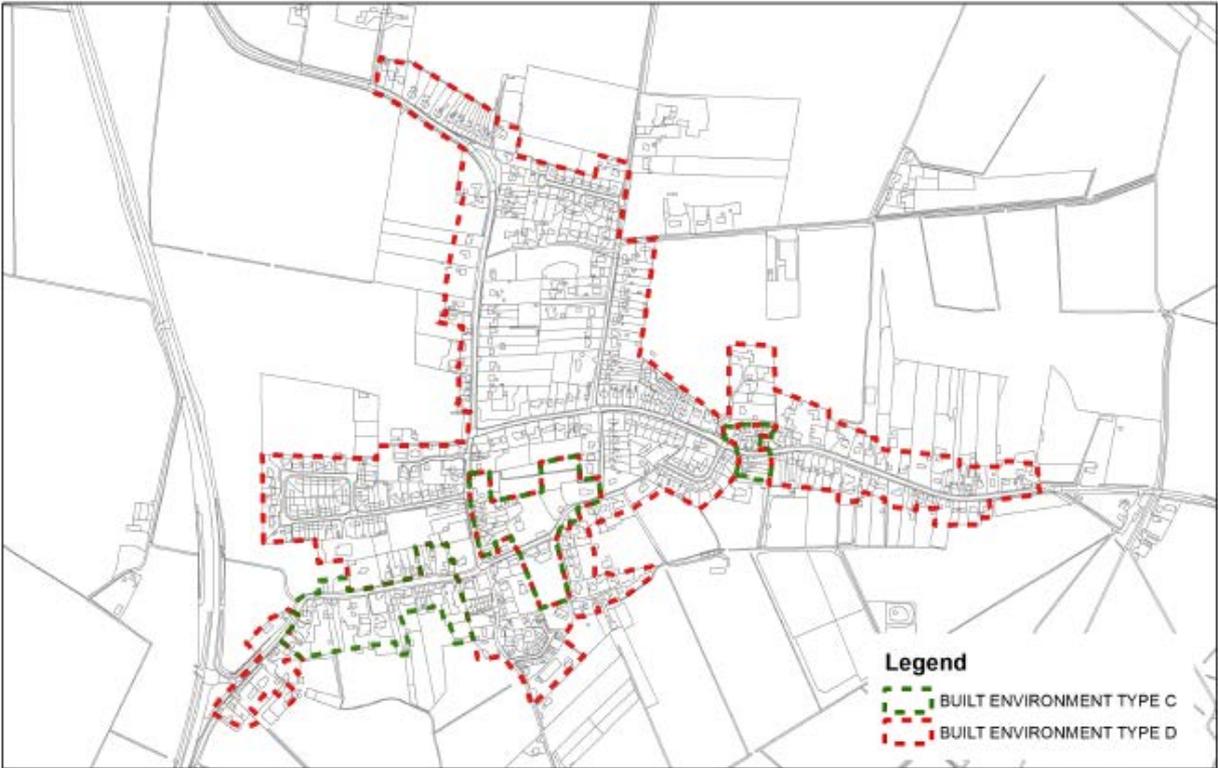
From the evidence submitted it looks at this stage that an access could be achieved for site 1227 in combination with site 55 subject to improvements to the footway and the junction with the B1160. Vision to the South relies on Highway Land being available that currently has amenity value for the Parish, and there would need to be further discussions to secure that visibility.

Please feel free to give me a call if you have any questions.

Kind regards,
Claire Sullivan.

Claire Sullivan
Infrastructure and Economic Growth Planner
Economic and Infrastructure Growth Environment, Transport and Development
Direct dial telephone number: 01603 223095

Appendix 4. Southery 1998 Local Plan Built Type Environment C and D



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Ordnance Survey 100024314

Southery 1998 Local Plan Built Environment Type C & D

0 0.05 0.1 0.2 0.3 0.4
Kilometers