

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 35: Ten Mile Bank (G.92)**

**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

35.1

Is this settlement a sustainable location for development?

## 1. Core Strategy and SADMP

1.1 The King's Lynn and West Norfolk Core Strategy (CS) was adopted in July 2011. This provides a strategic level of policy guidance as to growth across the Borough in the period to 2026. The CS forms one part of the Local Plan. It is the main document setting out the long term strategy, including the vision and objectives for the Borough, and the broad policies that will steer and shape new development.

1.2 The SADMP has been prepared to give the spatial detail below these higher level aspirations within the CS, and forms the second part of the Local Plan. Its policies will also guide development in the Borough for the period up to 2026. The CS sets out the scale of growth and broad distribution for the Borough and the SADMP will allocate sites to help achieve this.

1.3 CS policy CS02 The Settlement Hierarchy, in which settlements were designated a ranking status based upon a settlements current role and level of services. Decisions with regard to the scale of new development will be taken based upon a settlement's designation within this hierarchy.

1.4 Ten Mile Bank is classified as a Rural Village (RV) within CS02 and as such may see some limited growth, which will help sustain existing services and the surrounding rural area. Ten Mile Bank's existing services include a village hall, primary school, church and bus stop/service.

1.5 CS policy CS09 Housing Distribution sets out how many new dwellings will be identified across the Borough over the period 2001 to 2026 and the distribution based upon CS policy CS02. Under the Council's preferred method of distribution, based upon population (SADMP Appendix 5), the council is seeking to allocate three dwellings within Ten Mile Bank.

However, in order to optimise the development potential of the preferred site and conform with the minimum dwelling number sought for allocation, five dwellings are proposed for allocation on Site G92.1.

## 2. Site Allocation and Outline Planning Application

2.1 The Council's Sustainability Appraisal (SA01) demonstrates that of all proposed options, site G92.1 Land off Church Road is considered the most sustainable option for development in Ten Mile Bank. This is further explained in the site description and justification supporting text accompanying the proposed policy G43.1.

2.2 The Deliverability Form prepared by the agent (NPS Property Consultants Ltd) on behalf of the landowner (Norfolk County Council) dated 17/02/14 (CIV13) states that the land is vacant, available now and deliverable within the first 5 years of the plan period. The agent also provided a representation in support of the site (106).

2.3 An outline planning application has come forward for part of the site for three detached two storey houses (15/00222/O). Norfolk County Council as Highway Authority provided a response to this stating that they had no objection to the principle of development here (Appendix 1).

2.4 The site is located within Flood Zone 3 and the Hazard Zone, however this is a constraint upon the whole of the settlement and consequently no other sites are at a lower risk. Following consultation with the Environment Agency, the Council considers that the need for additional houses at this settlement to support existing facilities justifies the housing allocation notwithstanding the flood risk. The Environment Agency provided the response contained within Appendix 2 to the outline planning application, and raised no objection to the site being allocated within the SADMP, representation 942. The Littleport and Downham Internal Drainage Board had no objection in principle to the outline planning application (Appendix 3).

### 3. Conclusion

3.1 To conclude the Council considers Ten Mile Bank to be a sustainable location for development and therefore receive the proposed residential allocation (G92.1) for five additional dwellings.

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Appendix 1. NCC Comments



Community and Environmental  
Services  
County Hall  
Martineau Lane  
Norwich  
NR1 2SG

NCC contact number: 0344 800 8020  
Textphone: 0344 800 8011

Fao. Keith Wilkinson  
Borough Council of King's Lynn & West Norfolk  
Kings Court  
Chapel Street  
King's Lynn  
Norfolk  
PE30 1EX

Your Ref: 15/00222/O  
Date: 16 March 2015

My Ref: HAT.9/2/15/0222/RS  
Tel No.: 01603 638010  
Email: richard.smith@norfolk.gov.uk

Dear Mr Wilkinson

**Outline application: Erection of three detached two storey houses  
Land And Buildings S of Narrow Brook Church Road Ten Mile Bank Norfolk**

Having visited the site and examined the information submitted with the application. In terms of highway considerations, I note that the point of access could be relocated so as to achieve an acceptable level of visibility for the speed of traffic. Also given the scale of the site I would expect that parking could also be provided in accordance with the recommended standards.

I am aware that Church Road can be narrow in parts, however traffic volumes on the road are generally found to be low and traffic is likely to be enter and exit towards the south where passing can be achieved. I have no objection to the principle of the development at this stage and recommend the following conditon:

SHC 05 Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following: -

- i) Visibility splays.
- ii) Access arrangements.
- iii) Parking provision in accordance with adopted standard.
- iv) Turning areas.

Yours sincerely

*Richard Smith*

Highways Development Management Officer (West Norfolk)  
For Executive Director of Community & Environmental Services

## Appendix 2. EA Comments

**From:** Planning EConsultation  
**Sent:** Tue, 17 Mar 2015 08:10:48 +0000  
**To:** PScan1  
**Subject:** FW: 15/00222/O

**From:** Crook, Emily [mailto:emily.crook@environment-agency.gov.uk]  
**Sent:** 16 March 2015 12:28  
**To:** Planning EConsultation  
**Cc:** Keith Wilkinson  
**Subject:** 15/00222/O

Kings Lynn & West Norfolk Borough Council	<b>Our ref:</b>	AC/2015/122586/01-L01
Kings Court Chapel Street	<b>Your ref:</b>	15/00222/O
King's Lynn	<b>Date:</b>	16 March 2015
Norfolk		
PE30 1EX		

Dear Sir/Madam

**OUTLINE APPLICATION: ERECTION OF THREE DETACHED TWO STOREY  
HOUSES**

**LAND AND BUILDINGS SOUTH OF NARROW BROOK CHURCH ROAD TEN  
MILE BANK NORFOLK**

Thank you for referring the above application which was received on 24th February  
2015.

The application site lies within Flood Zone 3a defined by the Technical Guide to the  
NPPF as having a high probability of flooding but is shown to be within an area  
benefitting from defences.

The site is shown to be in a Hazard Zone on Kings Lynn and West Norfolk's SFRA.  
The Hazard Zone represents the area of Rapid Inundation i.e. "an area which is at



*risk of rapid flooding should a flood defence structure be breached or overtopped"* (para 7.12, PPS25 Practice Guide). The zones at highest risk of Rapid Inundation are typically located close behind flood defences, where the combination of high velocities and depths would cause an unacceptable risk to life.

In areas of anticipated high velocity, all buildings must be structurally designed to withstand the expected water pressures, potential debris impacts and erosion which may occur during a flood event.

We consider that the proposed development will only meet the requirements of the National Planning Policy Framework (NPPF) if the following measure(s), as detailed in the Flood Risk Assessment submitted with this application, are implemented and secured by way of a planning condition on any planning permission.

**Condition:** The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) GCB/NPS Group dated January 2015, compiled by Geoff Beel Consultancy, and the following mitigation measures detailed within the FRA:

- Finished floor levels will be set at a minimum of 1.30m above Ordnance Datum (AOD).
- Flood resistant/resilient measures should be incorporated into the design and construction of the proposed dwelling up to a level of 2.0m aOD.
- No ground floor sleeping accommodation.

**Reason:** To reduce the risk of flooding to the development and future occupants in extreme circumstances.

**Advise to LPA:**

The following issues are not within our direct remit or expertise, but nevertheless are important considerations for managing flood risk for this development. We recommend that due consideration by the Local Planning Authority is given to the area of safe refuge in the event of flooding.

We recommend that a flood plan is prepared for the development, which should include an appropriate method of flood warning and evacuation, to ensure the safe use of the development in extreme circumstances.

As set out in paragraph 102 of the NPPF, your authority must be satisfied with regard to the safety of people (including those with restricted mobility), the ability of such people to reach places of safety, including safe refuges within buildings, and the ability of the emergency services to access such people.

## **IDB**

Please be aware that we have reviewed the submitted proposal against tidal and designated main river flood risk sources only. The site is located within an Internal Drainage Board district and the Drainage Board should be consulted with regards to flood risk associated with their watercourses and any surface water drainage proposals.

## **NPPF Sequential and Exception Tests**

The National Planning Policy Framework (NPPF) requires Local Planning Authorities to steer new development to areas at the lowest probability of flooding by applying a flood risk Sequential Test. We recommend that the Sequential Test is applied to this site.

Once the Sequential Test has been passed the site must also be subject to the exception Test. There are two parts to the Exception Test both must be approved before the Exception Test can be considered to have been passed.

Further information on demonstrating the Sequential Test for planning applications can be found at:

[http://webarchive.nationalarchives.gov.uk/20140328084622/http://www.environment-agency.gov.uk/static/documents/Sequential\\_test\\_process\\_4.pdf](http://webarchive.nationalarchives.gov.uk/20140328084622/http://www.environment-agency.gov.uk/static/documents/Sequential_test_process_4.pdf)

## **Advice to the Applicant:**

Any proposed flood resilient measures should follow current Government Guidance. For more information on flood resilient techniques, please see the Department for Communities and Local Government (DCLG) guidance document "Improving the Flood Performance of New Buildings – Flood Resilient Construction", which can be downloaded from the following website:

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

The Environment Agency operates a flood warning system for existing properties currently at risk of flooding to enable householders to protect life or take action to manage the effect of flooding on property. Floodline Warnings Direct (F.W.D.) is a national system run by the Environment Agency for broadcasting flood warnings. Receiving the flood warnings is free; you can choose to receive your flood warning as a telephone message, email, fax or text message. To register your contact details, please call Floodline on 0345 988 1188.

Registration to receive flood warnings is not sufficient on its own to act as an evacuation plan. We are unable to comment on evacuation and rescue for developments. Advice should be sought from the Emergency Services and the Local Planning Authority's Emergency Planners when producing a flood evacuation plan.

### Further Information for Applicant

#### ***Foul Drainage***

This application proposes a small private sewage treatment plant. The applicant should be aware that we do no longer require registration for small sewage discharges in England where the:

- (septic tanks) discharge is to ground and is of 2 cubic metres per day or less via a septic tank and infiltration system (soakaway) and is outside a source protection zone 1 (this site has been checked and it does not fall within a SPZ1). This is approximately equivalent to 9 people occupying a single property;
- (package sewage treatment plant) discharge is to surface water and is of 5 cubic metres per day or less via a package sewage treatment plant. This is approximately equivalent to 31 people occupying a single property.
- Sewage is only domestic;
- Sewage system is maintained in accordance with the manufacturer's instructions and you keep a record of all maintenance. In the case of septic tanks this includes regular emptying; and;
- Discharge does not cause pollution of surface water or groundwater.

If your small sewage treatment plant cannot meet the above conditions you should apply for a bespoke permit for domestic discharges by contacting our national permitting centre (03708 508 506). The granting of planning approval must not be taken to imply that permission has been given in respect of the above.

For further information on registering small sewage discharges in England please see our website - <https://www.gov.uk/discharge-of-trade-effluent-england-and-wales>

#### ***Pollution Prevention***

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

On uncontaminated land soakaways would be permissible for the disposal of clean surface water. Percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted and agreed.

Storage of domestic oil in above ground tanks >3500 litres must be undertaken on site in accordance with the Control of Pollution (oil storage) (England) Regulations

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

2001. Storage of domestic oil in above ground tanks <3500 litres must be undertaken in accordance with Approved Document J of the Building Regulations.

**Contamination**

The developer should address any risks to controlled waters from contamination at the site, following the requirements of the NPPF and the Environment Agency 'Guiding Principles for Land Contamination'.

If you would like to discuss this matter further please contact me on the direct email address or telephone number detailed below.

Please forward a copy of this letter to the applicant.

Yours faithfully

**Miss Emily Crook**  
**Sustainable Places Planning Advisor**

Direct dial 01480 483924

Direct e-mail [emily.crook@environment-agency.gov.uk](mailto:emily.crook@environment-agency.gov.uk)

Appendix 3. IDB Comments

**LITTLEPORT & DOWNHAM INTERNAL DRAINAGE BOARD**

**ENGINEER: ANDREW NEWTON**  
**CLERK: JEAN HEADING**

DRAINAGE OFFICE  
MAIN STREET  
PRICKWILLOW  
CAMBS. CB7 4UN  
**TEL: ELY (01353) 688296**  
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Development Services  
Borough Council of Kings Lynn & West Norfolk  
King's Court  
Chapel Street  
KING'S LYNN  
Norfolk PE30 1EX

Our Ref: AN/lac

Your Ref: 15/00222/O

10 March 2015

Dear Sir/Madam

**Planning Application 15/00222/O**  
**Norfolk County Council**  
**Erection of three detached two storey houses (outline)**

This application for development is within the Littleport and Downham Internal Drainage District.

The Board has no objections in principle to the proposal. However, the application states that surface water will be disposed of via a sustainable drainage system and soakaways.

At the full planning stage, the Board would wish to see detailed designs for either or both of these methods to dispose of surface water from the site.

Yours faithfully



A Newton  
Engineer

cc NPS Property Consultants Limited

