

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 42: Wereham (G.114)

**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

42.1

Is there evidence that any elements of the proposed development at the Springs, Flegg Green (G114.1) are not justified, sustainable, viable, available or deliverable? If such evidence exists what alternatives are available (including brownfield sites) and have they been satisfactorily considered by the Council?

1. Introduction

1.1 The Council's Sustainability Appraisal (SA01) demonstrates that of all proposed options for growth Site G114.1 Wereham – Land at the Springs, Flegg Green is considered a sustainable option for development in Wereham and on balance is proposed for residential allocation.

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

1.3 A Deliverability Form, dated 18/03/14, 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. Comparison of Alternative Options

2.1 The Council's Sustainability Appraisal (SA01) details the consideration of all alternative options and the reasons why these were not considered the most sustainable options for development. All sites in Wereham have identified constraints due to the nature of the settlement (grade of agricultural land, 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.

2.2 As stated within SA01, Site G114.1 and Site 106/362/813 have been assessed and the sustainability appraisal indicates that both options score similar in 8 out of the 10 categories. Site G114.1 scores poorly as development of the site will lead to the loss of land identified as moderate

quality agricultural land (Grade 3) whereas the development of Site 106/362/813 would lead to the loss of employment land. As outlined in CS policy CS10 The Economy the Council will seek to retain land used or last used for employment purposes.

2.3 The proposed allocation, Site G114.1, has the potential to integrate with the existing settlement as it will form a natural extension to the current residential cul-de-sac. Due to this the site is relatively concealed, the mature planting along the site boundaries provides natural screening from the wider countryside and limits the impact upon the landscape that is described within DCS04, and this could be further enhanced. The site is well located in relation to local services with good pedestrian and vehicular links. Norfolk County Council Highways Authority have not raised an objection and the site is supported by Wereham Parish Council as the proposed allocation for the settlement.

2.4 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 at that time, which included site visits and representations made.

3. Representations

3.1 Representations submitted in response to SADMP Pre-Submission Document (2015) raise a number of issues in relation to Site G114.1, and these will be discussed in turn.

3.2 Site access and safety - Norfolk County Council Highway Authority provided the following comments, at the Preferred Options stage (2013), Note the Site G114.1 was referred to as WER1 at this stage.

WER1 (Site 449)	Acceptable for inclusion in the plan. Access needs to be demonstrated off Flegg Green with adequate footway links.
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Source: 'Consultation Response to Local Development Framework Preferred Option Highway Response' Norfolk County Council (October 2013).

This is referenced within the Preferred Options WER1 draft policy as clause 2 and within the SADMP proposed policy as clause 1.

Following the SADMP Pre-Submission representations raising concerns in relation to this, further consultation with Norfolk County Council Highway Authority was undertaken and they provided the response below:

Policy / Settlement	Issue Raised	Highway Authority response
Policy G114.1 Wereham – Land at the Springs, Flegg Green	Vehicular & pedestrian access issues / concerns	Policy G114.1 includes a requirement to provide a safe access to Flegg Green and improve pedestrian links.

3.3 Flood Risk - The site has been identified as being located within Flood Zone 1 (low risk of flooding) of the Council's SFRA. The site was identified as being within a Ground Water Vulnerability Zone (note Site106/362/813 is also within this zone) at the Preferred Options stage and the draft policy did contain an item relating to this. However, following consultation with Anglian Water this item was removed from a number of policies as it did not relate to small residential developments, and related to water quality and the contamination of possible water sources.

3.4 Policy G114.1 does contain item 2 relating to SuDs and the requirement for details of how sustainable drainage measures will be incorporated into the development to avoid discharge to the public surface water network. The Environment Agency (EA) in their representation (924) state that they have reviewed the proposed allocation and have no objection. Looking at EA's surface water flooding mapping site G114.1 falls within an area of very low risk to surface water flooding. (Appendix 1)

3.5 Wereham is not contained within the Surface Water Management Plan (SWMP) for King's and West Norfolk Settlements prepared by the Local Lead Flood Authority (LLFA), Norfolk County Council, as the settlement has

not been identified as an area that is particularly vulnerable to surface water flooding. The LLFA have not raised objection to the site.

3.6 Attached as Appendix 2 is the IDB's comments for the residential development to the front of Site G114.1 (10/00432/F) and as Appendix 3 the IDB's comments in relation to an adjacent residential development (15/00034/F). Both applications were granted planning permission.

3.7 Trees & Wildlife – Concerns have been raised by representations that an area of mature trees will be impacted upon through the proposed allocation of Site G114.1. The site is not designated a TPO area and the trees present are not subject to TPO's. The council is currently seeking further information in relation to this from the Council's Arboricultural Officer.

3.8 At the Preferred Options stage (2013) Norfolk Wildlife Trust supported the incorporation of trees and other natural features into the design of any potential scheme (Appendix 4). This was detailed within the draft site description and justification, and has been carried forward into the SADMP proposed site description and justification. Site G114.1 is not within or adjacent to a habitat designation, concerns relating to protected species could be dealt with at the detailed planning application stage through the provision of an ecology study.

3.9 Greenfield - Proposed development of a greenfield site (Site G114.1) as opposed to a brownfield site (Site 106/362/813). As discussed within SA01 and earlier in this statement one of the reasons for proposing Site G114.1 is that it would not result in the loss of employment land. The retention of employment land is stated within policy CS10 and is consistent with rural areas CS objective 29.

'Elsewhere the local economy has been bolstered by guiding new development (including market housing) to the most sustainable locations, recognising the needs of the agricultural sector and the potential for

diversification into other activities, and by retaining where possible, current employment site.'

4. Conclusion

4.1 The Council considers that the proposed residential development for Wereham, Site G114.1, and the elements of this, are justified, sustainable, viable, available and deliverable.

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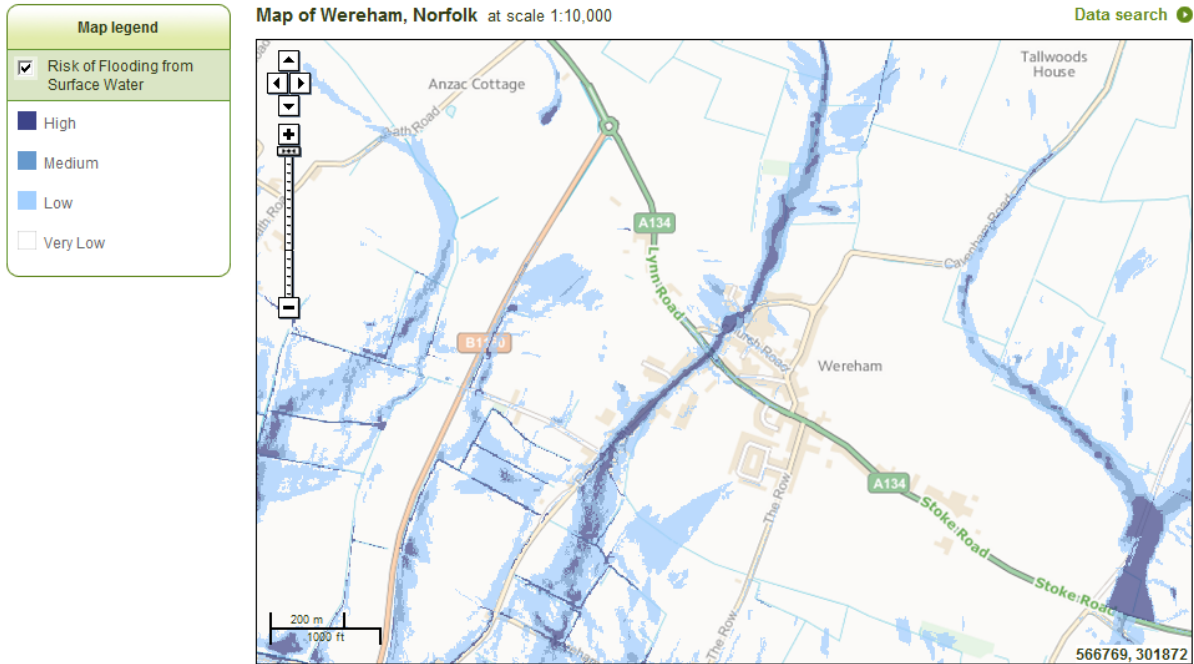
Appendix 1 EA's Surface Water Flood Mapping, Wereham.

Risk of Flooding from Surface Water

Surface water flooding happens when rainwater does not drain away through the normal drainage systems or soak into the ground, but lies on or flows over the ground instead.

The shading on the map shows the risk of flooding from surface water in this particular area.

Click on the map for a more detailed explanation.



Customers in Wales - From 1 April 2013 Natural Resources Wales (NRW) will take over the responsibilities of the Environment Agency in Wales.
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Source: <http://watermaps.environment-agency.gov.uk/wiyby/wiyby.aspx?lang=en&topic=ufmfsw&layer=0&x=568500&y=301500&scale=10&location=Wereham%2c+Norfolk#x=568014&y=301619&scale=11> (date accessed 20/06/15)

Appendix 2. IDB 10/00432/F comments

Stoke Ferry Internal Drainage Board

MR. G. ALLISON
General Manager

21 London Road
Downham Market
Norfolk
PE38 9AP

7th April 2010

Development Services
Borough Council of King's Lynn & West Norfolk
King's Court
Chapel Street
King's Lynn
PE30 1EX

Dear Sirs

Name: Bennett Plc
Reference: 10/00432/F
Description: Construction of 4 No. dwellings (amended design) at Land North East of the
Springs Flegg Green, Wereham

We note that the original application was for surface water disposal by soakaways and the current application is to an existing watercourse. My Board have the following comments to make.


The application, which I am returning, is within the catchment area of my Board but not within the Board's District. As the application indicates that surface water disposal is to a positive system the proposed development will adversely affect drainage operations within the District. The Board's consent to any additional discharge to their system requires full details of the drainage arrangements which must be submitted to my Board before any development commences.

As the surface water disposal is to an existing dyke permission must be sought from the owner of the dyke to discharge and before any construction takes place the dyke must be of an adequate size to take the discharge that is planned.


As the application is not within the District of any Internal Drainage Board the general powers for the purposes of preventing flooding are vested in the Borough Council. In view of this no doubt you will satisfy yourself that no flooding problems are likely to arise in connection with the proposals, and that the applicant has considered any potential flood risk to the site as required under PPS 25.

I trust the foregoing is of assistance to you.

Yours faithfully,


G Allison
General Manager

Enc

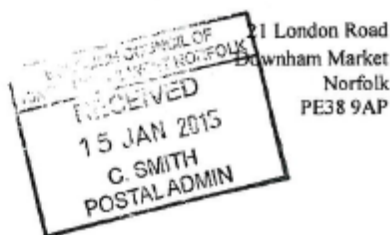
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Appendix 3. IDB 15/00034/F comments

Stoke Ferry Internal Drainage Board

MR. G. ALLISON
General Manager

Development Services,
Borough Council of King's Lynn & West Norfolk,
King's Court,
Chapel Street,
King's Lynn,
PE30 1EX.



14 January 2015

Dear Sirs

Name: Robertson Homes Limited
Reference: 15/00034/F
Description: Construction of three dwellings with garages
Ralmir, Flegg Green, Wereham, King's Lynn


The above application, which I am returning, is within the catchment area of my Board but not within the Board's District. As the application indicates that surface water disposal is to a soakaway system the proposed development will not adversely affect drainage operations within the District, so my Board will have no comment to make. However, should the method of surface water disposal be changed in any way e.g. to a positive piped system, then full details of the drainage arrangements must be submitted to my Board, and their consent to any additional discharge to their system obtained, before any development commences.

As this is outside the boundaries of the IDB the Council are the drainage authority in this area. There are springs all around this area and the site is fairly low-lying so the applicant should ensure that the soakaways would be suitable for the surface water disposal and does not increase flood risk downstream of the development.

As the application is not within the District of any Internal Drainage Board the general powers for the purposes of preventing flooding are vested in the Borough Council. In view of this no doubt you will satisfy yourself that no flooding problems are likely to arise in connection with the proposals, and that the applicant has considered any potential flood risk to the site as required under the National Planning Policy Framework & Associated Technical Guidance.

I trust the foregoing is of assistance to you.

Yours faithfully,



G. Allison,
General Manager.

Enc.

Tel: (01366) 387387 Fax: (01366) 383638 VAT Reg.No. 373-2337-58

General Manager – G Allison – Mobile: 07899 757742
Finance Officer – Mrs. V. Campbell
Rating Clerk – Mrs. M. Dunne

Appendix 4. Norfolk Wildlife Trust Preferred Options consultation response.



NORFOLK WILDLIFE TRUST Response to Consultation



4th October 2013

include reference to biodiversity. A local green infrastructure strategy would enable proposals within masterplans to be consistent each other and with green infrastructure assets in other areas of the town and outside of the town.

Brancaster

We support the wording in the policy that mitigation measures identified in the Ecological Appraisal are implemented

Denver

Allocation DEN I appears to be an area of pasture with a large pond. No reference is made within the policy to these features, or the fact that the parish council have drawn attention to the fact that great-crested newts may be present. If this allocation is taken forward, there should, be wording to require an ecological assessment and mitigation, similar to that proposed for other housing allocations and the pond should be retained and connected to other areas of habitat within and outside of the allocation area

Docking: policy Dock 1

The proposed allocation appears to be on an area of permanent pasture with two large ponds. We note that proposals to enhance the ponds are included in the policy. Although this may be feasible, from a landscape viewpoint, ponds in urban situations quickly lose their value as they become cut-off from surrounding habitat. As a result, we are concerned regarding impacts on the ponds and connecting grassland habitat. In our view this area should only be allocated if it can be shown that the grassland is not of ecological value and if substantial natural habitat is retained and enhanced linking the ponds.

Great Bircham

We support the wording in the policy that mitigation measures identified in the Ecological Appraisal are implemented

Wereham

Support incorporation of trees and other natural features on site into the design

The evidence base – KL&WN Green Infrastructure Strategy: Stage 2

This strategy (sometimes referred to as study) is part of the evidence base for the Local Plan. Figure 3.1 (Masterplan) of the GI strategy proposes crossing points of the A149 towards the South West of King's Lynn but does not propose a possible crossing at Sandy Lane, although it does say that feasibility studies should be prepared to look into the possibility of improving/creating new crossing points to the north-east of the town. As far as we are aware no feasibility study has been carried out and neither has this been subject to an Appropriate Assessment.

It seems apparent that the HRA was not asked to consider direct access to Roydon Common (via a crossing point at Sandy Lane) and should have done so if this is proposed as an integral part of development in the Knights Hill area.

Habitats Regulation Assessment

Findings of the HRA

The Executive Summary of the HRA states that "while the effects of individual preferred options for housing were considered in places to give rise to Likely Significant Effect, a more substantial effect was predicted when the in-combination effects of groups of new housing allocations within range of the European sites were considered. This was especially severe for the combined heath/bog SAC of

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Registered Charity Number: 208734