

**KING'S LYNN & WEST
NORFOLK LOCAL PLAN
REVIEW EXAMINATION**

**MATTER 5:
SETTLEMENTS AND
SITES**

HEARING STATEMENT

Barratt David Wilson

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1.0 MATTER 5: SETTLEMENTS AND SITES

Introduction

- 1.1 This Hearing Statement for Matter 5 has been prepared by Carter Jonas on behalf of Barratt David Wilson (BDW) to respond to the Inspectors questions on the site allocation policies for King's Lynn and the surrounding area. This Statement responds to Question 142 which relates to land at Knights Hill in South Wootton and whether this site should be allocated.
- 1.2 BDW has an interest in land west of Knights Hill, Grimston Road in South Wootton, which is allocated in the adopted Site Allocations and Development Management Policies Plan 2016 (SADMP) for at least 600 dwellings (see Policy E4.1). In July 2020 outline planning permission was granted on appeal for up to 600 dwellings at the site (Appeal Ref. APP/V2635/W/19/3237042). A reserved matters application for 600 dwellings has also now been submitted and is under consideration (22/01310/RMM). It is considered that the existing allocation at land west of Knights Hill should have been carried forward as an allocation in draft KLWNLPR, which is an approach that would be consistent with other sites that have a similar planning status i.e. allocated in an adopted development plan document and with outline planning permission.

Matter 5 – King's Lynn and Surrounding Area

South Wootton

142. Should the permitted Knight's Hill Village site at South Wootton be included as an allocation in the Plan for the King's Lynn area, given that it forms an allocation in the adopted development plan, which is as yet unimplemented?

- 1.3 Yes. The land at Knights Hill in South Wootton is allocated in SADMP for at least 600 dwellings (see Policy E4.1) and outline planning permission has been granted for a residential development that is consistent with the site allocation. BDW undertook pre-application discussions for reserved matters during 2021 and 2022, and in June 2022 reserved matters were submitted for the proposed residential development at Knights Hill (Application No. 22/01310/RMM); a decision is currently pending on those reserved matters. The Council is well aware of BDW's intention to deliver site allocation Policy E4.1 and to implement the planning permission for land at Knights Hill once reserved matters are approved. The draft KLWNLPR seeks to carry forward most of the adopted site allocations in SADMP that have not been implemented. For example, land at Hall Lane in South Wootton was allocated in SADMP (Policy E3.1 for at least 300 dwellings), has two outline planning permissions for residential development covering different parts of the site, and is carried forward as an allocation in draft KLWNLPR. The Hall Lane site also now has reserved matters approval (Ref. 20/01954/RMM). It represents an inconsistent approach to carry forward one allocation from SADMP (Land at Hall Lane) into draft KLWNLPR, but not carry forward another site (land at Knights Hill) with a similar planning status i.e. allocated in an adopted development plan and with outline planning permission. Therefore, a consistent approach to site allocations should be applied, and site allocation Policy E4.1 (Knights Hill in South Wootton) from SADMP should be carried forward as an allocation into draft KLWNLPR. As set out below, there are additional reasons to justify the reallocation of land at Knights Hill into draft KLWNLPR.

- 1.4 It should be noted that the site allocation for Policy E4.1 in SADMP was assessed as sound when it was examined through the plan-making process. Policy E4.1 provides a framework to guide development at the Knights Hill site, including that all potential impacts and constraints are fully addressed. The fact that adopted Policy E4.1 was assessed as sound and provided policy requirements to address constraints should have informed any decision about whether to reallocate the site in draft KLWNLPR.
- 1.5 The Council initially intended to carry forward Policy E.4.1 and the site was included in the Draft Consultation version of KLWNLPR published in 2019; the policy and supporting text from the Draft Consultation document is provided in **Appendix A**. As set out below, Policy E4.1 and the supporting text contained in Section 9.6 of the 2019 Draft Consultation document should be allocated in KLWNLPR.
- 1.6 In July 2020 outline planning permission was granted on appeal for up to 600 dwellings at the site (Appeal Ref. APP/V2635/W/19/3237042). The appeal decision considered the impact of development on design and sustainability related matters and concluded that the impacts would be acceptable when assessed against the benefits of development. In summary, the Inspector made the following conclusions about the proposed development: it would not adversely affect highway safety; it would give priority to pedestrians and cycle movements and facilitate access to public transport services; any harm to the setting of heritage assets would be outweighed by the public benefits of development; it is within a low flood risk area and the surface water drainage strategy confirms that flooding will not be increased; a buffer zone would ensure no harm to Reffley Wood; open space, planting and limits to building heights would ensure no adverse impact on the Norfolk Coast AONB; it would not adversely affect the integrity of Roydon Common and Dersingham Bog SAC/RAMSAR/potential SPA; it would have no significant effect on-sites of Special Scientific Interest in the locality and in particular protected species such as breeding skylarks, invertebrates, bats, reptiles and breeding birds; it would provide mitigation to address recreation and visitor impacts on European protected nature conservation sites; and it includes a substantial amount of land for open space.
- 1.7 The Council would have been aware of the outcome of the appeal decision before consultation took place on draft KLWNLPR (between 2nd August and 27th September 2021), and as such could have decided to continue with the previous approach of allocating the Knights Hill site in adopted SADMP and proposed in the 2019 Draft Consultation document. The decision not to continue with the proposed allocation of the Knights Hill site from the 2019 Draft Consultation document has never been explained at pre-submission or submission stage for draft KLWNLPR.
- 1.8 BDW undertook pre-application discussions for reserved matters during 2021 and 2022. In June 2022 reserved matters were submitted for the proposed residential development at Knights Hill (Application No. 22/01310/RMM); a decision is currently pending on those reserved matters. The Council has been well aware of BDW's intention to deliver site allocation Policy E4.1 and to implement the planning permission for land at Knights Hill once reserved matters are approved. However, the pre-application discussions and submission of reserved matters did not lead to any review of the Knights Hill site and whether it should be reallocated in draft KLWNLPR or not.
- 1.9 The Knights Hill site is included in the latest housing trajectory published in October 2022 and contributes to the current housing land supply [Doc Ref. F22]. It is noted that the site was also included in the housing trajectory published in December 2020. Therefore, it represents an inconsistent approach to include a site in the housing trajectory, i.e. conclude that it is deliverable or developable during the plan period, but not carry forward the allocation for the site from SADMP. The site at Knights Hill is a commitment because it has outline planning permission. BDW, a national housebuilder, has prepared and submitted reserved matters for the proposed development, in order to

implement the planning permission. The site falls within the definition of 'deliverable' within the NPPF e.g. it is available now, it is a suitable location for housing, it has outline planning permission, it is allocated in a currently adopted development plan, and it is controlled by a housebuilder that is actively seeking to deliver the proposed development. In these circumstances, it cannot be justified for the site allocation policy at Knights Hill to not be carried forward into draft KLWNLPR when the site is included in the Council's latest housing trajectory and is deliverable.

- 1.10 There is also an inconsistent approach in respect of the Knights Hill site included within the KLWNLPR. Policy E1.13 of draft KLWNLPR seeks to protect, enhance and extend the strategic green infrastructure around King's Lynn. Paragraph 9.1.14.4 provides the supporting text to Policy E1.13 and states that additional green infrastructure will be provided as part of the development of the strategic growth areas and identifies Knights Hill as one of those areas. However, draft KLWNLPR does not identify Knights Hill as an allocation, and it represents an inconsistent approach to identify this area for green infrastructure without also allocating land for development that would deliver that green infrastructure. As set out in the outline planning application and the reserved matters submission, the green infrastructure to be delivered in conjunction with the proposed development at Knights Hill includes a landscape buffer around Reffley Wood, strategic landscaping, formal and informal open space, and tree planting. One of the purposes of the open space within the proposed development at Knights Hill is to reduce recreational pressure on adjoining protected nature conservation areas. It was concluded in the appeal decision that all these elements of green infrastructure were appropriate and necessary. The promoted development by BDW at Knights Hill will deliver all of the green infrastructure approved at outline planning application stage and specified in adopted Policy E4.1 for the site. However, the green infrastructure will not be delivered without the residential development.
- 1.11 In conclusion, the land west of Knights Hill is an allocated site in the adopted SADMP and was assessed as sound through that plan-making process, and policy requirements have been specified to ensure that constraints associated with the proposed development would be addressed. The site has outline planning permission. The Council has been inconsistent in their approach towards which sites should be carried forward as allocations in draft KLWNLPR. For example, land at Hall Lane in South Wootton was allocated in SADMP (Policy E3.1), has outline planning permissions for residential development and reserved matters approval, and is carried forward as an allocation in draft KLWNLPR. In contrast, land at Knights Hill, with a similar planning status i.e. allocated in an adopted development plan and with outline planning permission is not carried forward as an allocation in draft KLWNLPR. The Council has been well aware of BDW's intention to deliver site allocation Policy E4.1 and to implement the planning permission for land at Knights Hill, through pre-application discussions and the submission of reserved matters. The Council initially intended to carry forward the Knights Hill allocation and included the site in the Draft Consultation version of KLWNLPR published in 2019, but the decision not to continue with the proposed allocation at pre-submission or submission stage has never been explained. As highlighted in the appeal decision, the proposed development at KLWNLPR would deliver numerous benefits, including green infrastructure. For all of the above reasons, the land west of Knights Hill should be carried forward as an allocation in draft KLWNLPR.
- 1.12 It is requested that Policy E4.1 and the supporting text contained in Section 9.6 of the 2019 Draft Consultation document should be used as a basis for the allocation of the site in a main modification to KLWNLPR, with updates on the planning status of the site with reference to the outline planning permission and reserved matters.

APPENDICES

A Section 9.6: Knights Hill of 2019 Draft Consultation KLWNLPR

9.6 Knights Hill

Settlement adjacent to King's Lynn

Description

9.6.1 The Knights Hill Strategic Growth Area includes parts of the parishes of South Wootton and Castle Rising together with part of the unparished town area of King's Lynn. The village of Castle Rising is to the north and King's Lynn urban area lies to the south and south-west. The surrounding built environment predominantly consists of modern single and two storey, semi-detached and detached residential development. The Growth Area extends beyond the village of South Wootton in a north east direction along the A148 Grimston Road and in a southerly direction towards the A149 Queen Elizabeth Way. The terrain rises north-eastwards across the site.

9.6.2 The area has relatively easy access to facilities in South Wootton. Regular bus services run between King's Lynn and Hunstanton past the site and links can be made to the cycle path network to offer a choice of sustainable commuting options to employment locations such as the Hospital, North Lynn and Hardwick Industrial Estates and Town Centre.

9.6.3 Reffley Wood, an Ancient Woodland and County Wildlife Site, is immediately south-west and west of the growth area; the southern boundary of the Norfolk Coast Area of Outstanding Natural Beauty follows the northern side of the A148 Grimston Road, close to the site. Roydon Common, which is a National Nature Reserve, Site of Special Scientific Interest and Special Area of Conservation; and Grimston Warren, a County Wildlife Site; are situated to the east, beyond the A149 Queen Elizabeth Way. There are other County Wildlife Sites in North Wootton. The Gaywood River Valley lies to the south of the site. There are several heritage assets in the surrounding area, including the Knights Hill Hotel (Grade II listed Rising Lodge) to the north-east, Castle Rising Castle (Scheduled Monument and Grade I listed building) and Church of St Lawrence, Castle Rising (Grade I listed) to the north, and the remains of Church of St James (Scheduled Ancient Monument and Grade I listed) and a Saxon and medieval settlement (Scheduled Monument) to the south.

9.6.4 The complex nature of the settlement pattern in the area and the nature of the supporting infrastructure mean that many factors need to be brought together to enable the most appropriate form of development to be decided. This is likely to be best achieved through the development of a masterplan for the whole area.

Strategic Context

9.6.5 The independent planning inspector who examined the Core Strategy (2011) explicitly stated that, compared to the potential alternatives, the expansion areas identified (and Knights Hill was one of these, were preferable to the alternatives). It is unconstrained by flood risk and infrastructure problems, etc., and relatively easily accessed and serviced. Policy LP34 stated that at least 7,510 new dwellings will be provided within and around King's Lynn, Knight Hill is one such location as it falls within the area immediately surrounding King's Lynn.

9.6.6 No specific number of new dwellings were assigned to Knights Hill by the Core Strategy, so setting the balance between this and the other strategic expansion areas of South Wootton and West Winch/North Runcton was part of the role of the Site Allocations and Development Management Policies Plan (SADMP) (2016). This balance will need to weight the relative constraints and opportunities associated with each of these areas, whilst seeking to accommodate the dwellings indicated by the Local Plan between these three sites.

9.6.7 A buffer is needed to protect the area of Ancient Woodland at Reffley Wood at the southern end of the site. This will impact on potential housing numbers. One of the constraints is the potential for an adverse impact on the designated nature conservation sites; Dersingham Bog and Roydon Common Special Areas of Conservation. These issues are addressed in the accompanying Habitats Regulations Assessment Report. The HRA issues in relation to impacts from increased recreational pressure relate to impacts on Special Area of Conservation habitats and impacts on rare ground nesting birds (principally Nightjar and Woodlark) and rare wintering birds (principally Hen Harrier roost).

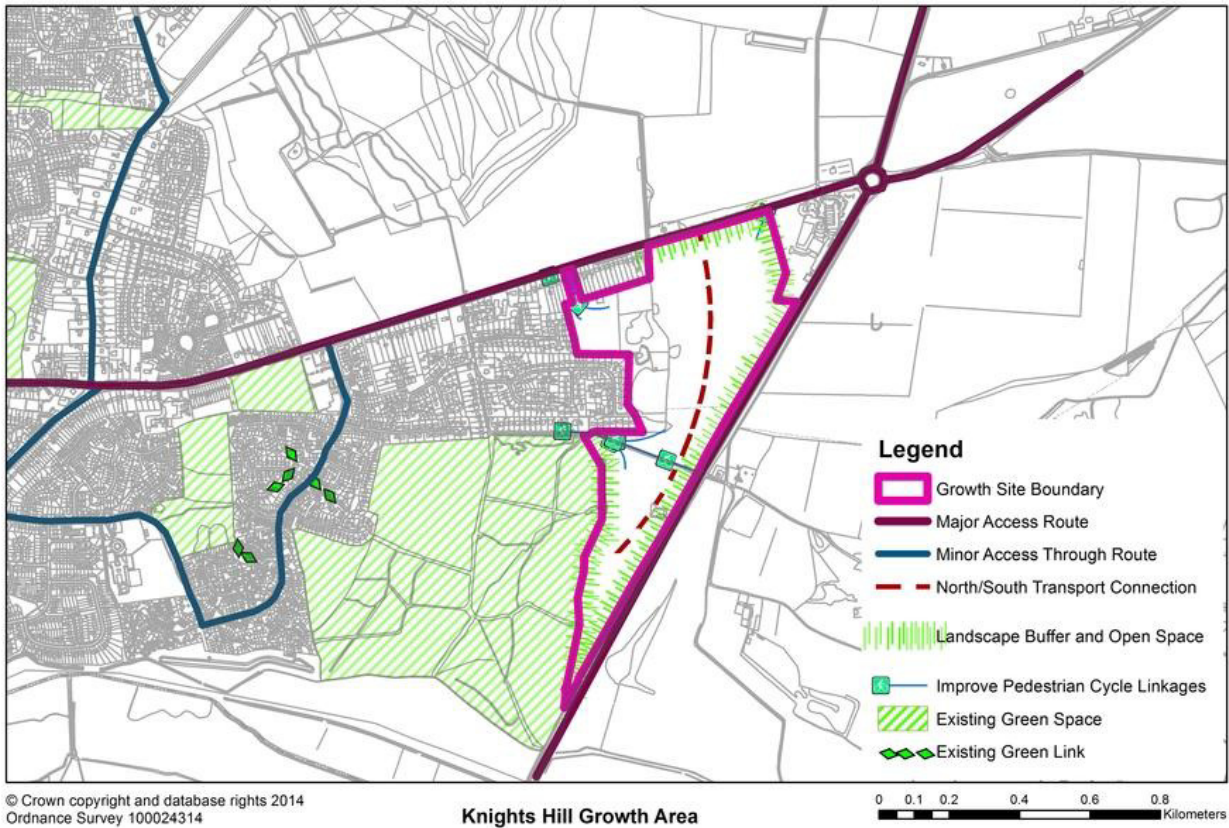
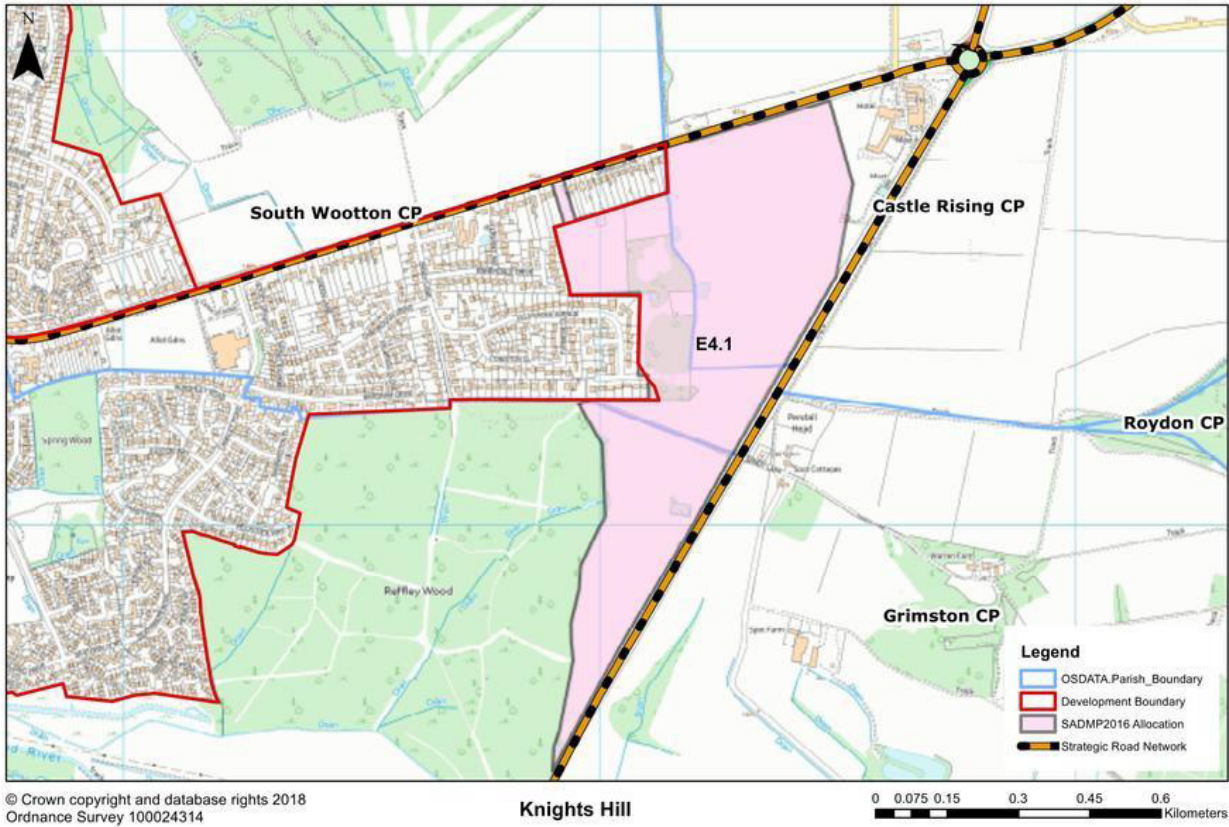
9.6.8 Like the existing built up area in the vicinity, development here would be visible but not prominent in a range of distant views, but could be softened by trees and other planting within and on the boundary of the developed area.

9.6.9 Some strategic issues with existing infrastructure have been identified (as detailed below) but the Borough Council considers that further discussion with particular infrastructure providers at this stage should enable key issues to be resolved.

Neighbourhood Plan

9.6.10 The Knights Hill Strategic Allocation sites within the unparished area of King's Lynn, Castle Rising Parish and South Wootton Parish. South Wootton Parish is covered by the South Wootton Neighbourhood Plan. Currently there are no Neighborhood Plans covering Castle Rising Parish or the unparished area of King's Lynn.

9.6.11 South Wootton Neighbourhood Plan was made in November 2015. This forms part of the local development plan, and is in force today. The Neighbourhood Plan was prepared by South Wootton Parish Council, it will shape the development of the strategic allocation at Hall Lane to address local concerns and aspirations. This Plan will be used to judge the detail of planning applications in the Parish, including those for the allocated site. The Neighbourhood Plan includes policies to protect certain features, influence the design of development, and to indicate preferred locations for additional facilities and cycle and footway links.



9.6.1 E4.1 - Knights Hill Policy

Site Allocation

Policy E4.1 Knights Hill

An area of land, approximately 36.9 ha, to the south of Grimston Road and east of Ullswater Avenue and Ennerdale Drive, is allocated for development of at least 600 dwellings over the period to 2026.

1. Development will be subject to detailed assessment and scrutiny of the following issues which are likely to affect the extent and design of the development:
 - a. Site Specific Flood Risk Assessment;
 - b. Ecological Assessment;
 - c. Landscape and Arboricultural Assessment;
 - d. Mineral Assessment;
 - e. Comprehensive Transport Assessment of the impacts of the proposed development including consideration of the combined impacts with other planned development on Low Road/Grimston Road;
 - f. Heritage Assessment.
2. The development will provide:
 - a. a variety of house sizes, types and tenures;
 - b. affordable housing commensurate with the local planning authority's standards at the time.
3. Residential development of the substantial majority of the land available for development and not precluded by flood risk or other constraints, to include:
 - a. a site, or sites, which could be utilised for neighbourhood shops, a doctor's surgery, and community facilities;
 - b. an overall density of around 16 dwellings per hectare, subject to appropriate consideration of constraints identified, with variation across the area to provide a lower density in the western part of the site, blending with the existing spacious suburban development to the west, and a higher density to the north, providing a more urban character and a greater population density close to Grimston Road and its bus routes;
4. Tree planting and retention within the site, and a layout which facilitates the provision and maintenance of a high degree of landscape planting to soften the visual appearance of the development and to support wildlife. A 50 metre buffer around the Reffley Wood ancient woodland;
5. Suitable landscape planting to the east and north of the development to provide a degree of screening or other design approach for the development and to protect the setting of heritage assets including the Knights Hill complex, Castle Rising Castle and the remains of the Church of St James and surrounding Saxon/medieval settlement;
6. A new road from north to south, providing:
 - a. access to the new dwellings;
 - b. a new, roundabout junction with Grimston Road; and
 - c. a second access point is also required.
7. A layout which facilitates travelling on foot and by bicycle within, and to and from, the new development area;
8. Public open space for recreation and visual amenity and to reduce the pressure on adjoining areas including Castle Rising, Dersingham Bog and Roydon Common;
9. A new doctor's surgery within or close to the site;
10. Upgrades and extensions to the following infrastructure to service the development:
 - a. water supply;
 - b. sewerage;

- c. electricity;
- d. telephone.

11. Financial contributions towards the provision of infrastructure including additional primary and secondary school places;
12. Submission of a project level habitats regulations assessment, with particular regard to the potential for indirect and cumulative impacts through recreational disturbance to the Dersingham Bog and Roydon Common Special Areas of Conservation;
13. An agreed package of habitat protection measures, to mitigate potential adverse impacts of additional recreational pressure (particularly in relation to exercising dogs) associated with the allocated development upon nature conservation sites covered by the habitats assessment regulations. This package of measures will require specialist design and assessment, but is anticipated to consist of an integrated combination of some or all of the following elements:
 - a. informal open space (over and above the Council's normal standards for play space);
 - b. a network of attractive pedestrian and cycle routes, and car access to these, which provide a variety of terrain, routes and links to the wider public footpath and cycle way network;
 - c. contribution to enhanced management of nearby designated nature conservation sites and/or alternative green space;
 - d. a programme of publicity (to occupants within and beyond the site) to raise awareness of relevant environmental sensitivities and of alternative recreational opportunities.

Description and Justification

9.6.1.1 The site's owners have actively engaged with the Borough Council to discuss and address the issues involved, giving a high degree of confidence that the site is genuinely available for development. The indicated site totals around 37 ha.

9.6.1.2 The site has come forward in two portions. The larger part has submitted a planing proposal (16/02231/OM) for 600 new dwellings. A smaller part of the site, north western area, benefits from planing permission (15/01782/OM) for residential development, the S106 accompanying the application indicates 60 new dwellings.

Boundaries

9.6.1.3 The boundaries of the allocation are set by the existing development (Ennerdale Drive and Ullswater Avenue and Reffley Wood to the west; the A148 Grimston Road to the north and the A149 Queen Elizabeth Way and the Knights Hill complex to the east).

Local Centre(s)/Retail

9.6.1.4 The nearest local retail centre for this development is the ASDA centre at Langley Road, South Wootton, about half a mile (0.8 km) to the west of the site or three-quarters of a mile (1.2 km) from the centre of the allocated area.

Transportation

- **Roads** - Access would be from the A148 Grimston Road. A secondary access point would be required by the Highway Authority.
- **Public transport** - There are existing (hourly) bus services on the Grimston Road between King's Lynn town centre and Hunstanton (Coasthopper).
- **Cycling and Walking** - Connections can be made to the existing cycle network further west. Improved pedestrian access can be provided to local facilities to the west of the site and also to the Knights Hill complex to the east.

Employment

9.6.1.5 The nearest major main employment areas are the Hospital, Hardwick and North Lynn Industrial Estates and the Town Centre.

Protected Habitats

9.6.1.6 The Plan's Habitats Regulations Assessment Report identified the need for measures to ensure no adverse impact on the nearby designated nature conservation areas through exacerbation of existing adverse recreational impacts. These are incorporated in the policy.

Open Space

9.6.1.7 On site open space provision would be required together with landscape/ecological buffers to protect existing ponds on the site and to deal with the concerns expressed about the proximity of development to Reffley Wood and the Knights Hill complex. Landscape buffers would be needed to the A149 boundary of the site to reduce the impact and perception of traffic noise.

Design

9.6.1.8 Overall a variation of density will be sought across the area to provide a lower density in the western part of the site, blending with the existing spacious suburban development to the west, and a higher density to the north, providing a more urban character and a greater population density close to Grimston Road and its bus routes. A mix of house types including 1 and 2 bedroom flats and 1, 2, 3 and 4 or 5 bed houses should be provided.

Heritage and Landscape

9.6.1.9 The heritage assessment should include both on-site archaeological evaluation and an assessment of the impact on heritage assets beyond the site, including views to/from heritage assets such as Castle Rising Castle, the Knights Hill complex and Church of St

James and surrounding Saxon/medieval settlement and the impact on historic landscape character. Heritage assets should be conserved and enhanced. Regard should be had to the character of the former Castle Rising Chase and deer park.

Sustainable Drainage Systems (SUDS)

9.6.1.10 An appropriate SUDS scheme should be designed for the site, recognising that surface water discharges to the Black Drain to the south.

Affordable and Special Needs Housing

9.6.1.11 Affordable housing provision would be required at the current Council standard for the rural areas.

Minerals

9.6.1.12 Silica sand is thought to underlay the site. The Policy requires appropriate consideration to be given to this issue prior to planning consent being sought.

