



Special Planning Committee

Agenda

Wednesday, 13th March, 2019

***at approximately 10.00 am**

in the

**Assembly Room
Town Hall
Saturday Market Place
King's Lynn**

*Please note that the Committee will visit the site of the major application – 16/02231/OM listed on the agenda, prior to the meeting. It is aimed to commence the meeting at approximately 10.00 am when the Committee returns from the visit.



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
Telephone: 01553 616200
Fax: 01553 691663

PLANNING COMMITTEE AGENDA

Please ensure that all mobile phones are switched to silent

DATE: Wednesday, 13th March, 2019

VENUE: Assembly Room - Town Hall, Saturday Market Place, King's
Lynn PE30 5DQ

TIME: 10.00 am

1. APOLOGIES

To receive any apologies for absence and to note any substitutions.

2. DECLARATIONS OF INTEREST

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the Member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

3. URGENT BUSINESS UNDER STANDING ORDER 7

To consider any business, which by reason of special circumstances, the Chairman proposes to accept, under Section 100(b)(4)(b) of the Local Government Act, 1972.

4. MEMBERS ATTENDING UNDER STANDING ORDER 34

Members wishing to speak pursuant to Standing Order 34 should inform the Chairman of their intention to do so and on what items they wish to be heard before the meeting commences.

5. CHAIRMAN'S CORRESPONDENCE

To receive any Chairman's correspondence.

6. RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS

To receive the Schedule of Late Correspondence received since the publication of the agenda.

7. INDEX OF APPLICATIONS (Page 6)

The Committee is asked to note the Index.

8. DECISIONS ON APPLICATIONS (Pages 7 - 100)

To consider and determine the attached Schedule of Planning Applications submitted by the Executive Director.

To: Members of the Planning Committee

Councillors Mrs C Bower, A Bubb, Mrs S Buck, C J Crofts, Mrs S Fraser, G Hipperson, A Morrison, T Parish, M Peake (Vice-Chairman), Miss S Sandell, Mrs V Spikings (Chairman), M Storey, D Tyler, G Wareham, Mrs E Watson, A White and Mrs S Young

Major application:

Please be advised that the Committee will visit the site for the major application reference 16/02231/OM from 9.15 am, prior to the meeting, which will start at approximately 10.00 am, where the application will then be determined.

Please note:

- (1) At the discretion of the Chairman, items may not necessarily be taken in the order in which they appear in the Agenda.
- (2) An Agenda summarising late correspondence received by 5.15 pm on the day before the meeting will be emailed, and tabled one hour before the meeting

commences. Correspondence received after that time will not be specifically reported during the Meeting.

(3) **Public Speaking**

Please note that the deadline for registering to speak on the application is **12 noon** the working day before the meeting, **Tuesday 12 March 2019**. Please contact borough.planning@west-norfolk.gov.uk or call (01553) 616818 or 616234 to register.

For Major Applications

Two speakers may register under each category: to object to and in support of the application. A Parish or Town Council representative may also register to speak. Each speaker will be permitted to speak for five minutes

For Minor Applications

One Speaker may register under category: to object to and in support of the application. A Parish or Town Council representative may also register to speak. Each speaker will be permitted to speak for three minutes.

For Further information, please contact:

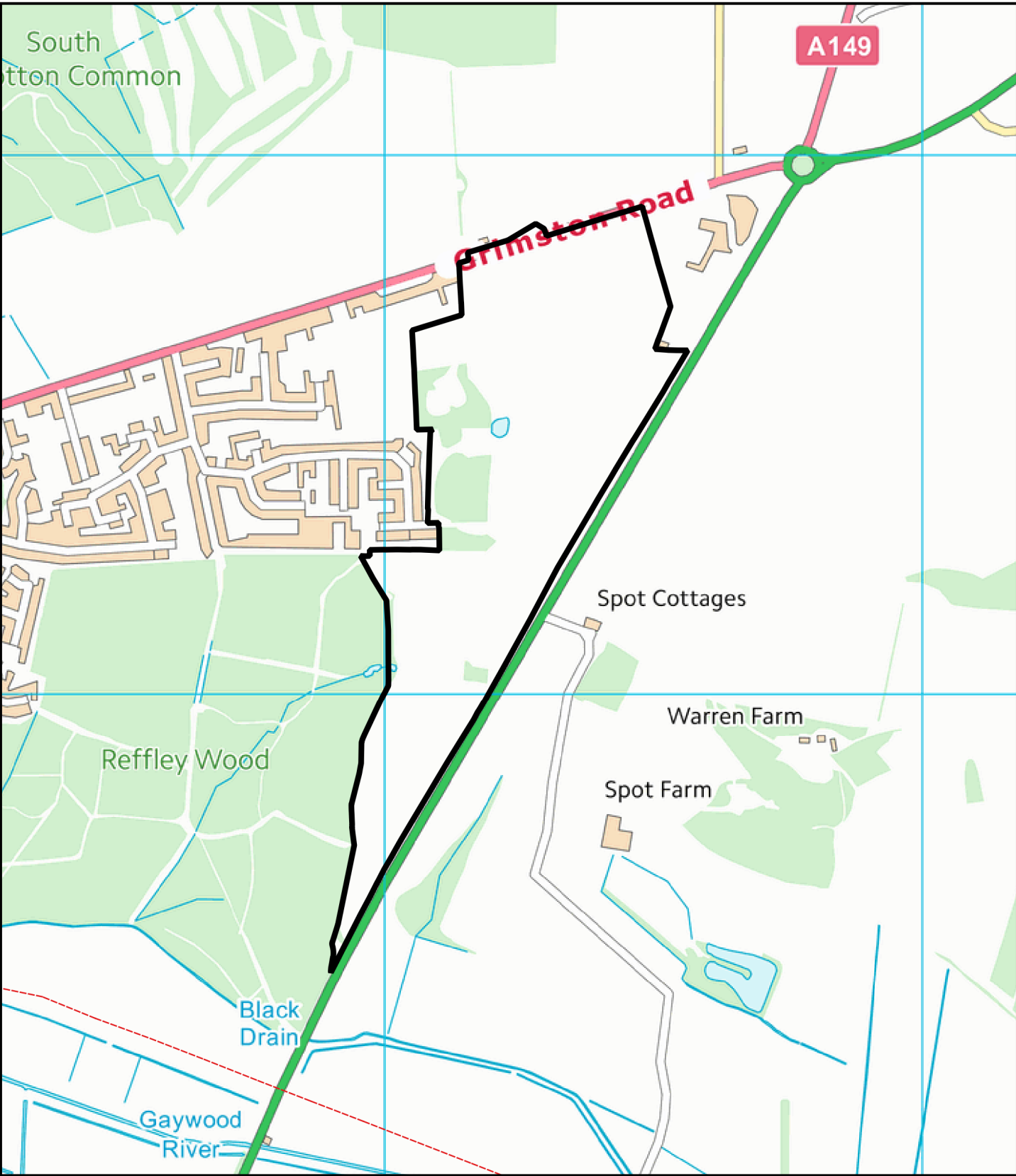
Kathy Wagg on 01553 616276
kathy.wagg@west-norfolk.gov.uk

**INDEX OF APPLICATIONS TO BE DETERMINED
BY THE PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON MONDAY 13 MARCH 2019**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
MAJOR DEVELOPMENTS				
8/1(a)	16/02231/OM Land west of Knights Hill Village Grimston Road Residential development of the land to provide up to 600 dwellings, incorporating affordable housing, together with a local centre for uses A1, A2, A3 and/or A5 (600m2) with the total quantum of A1 net sales area not to exceed 279m2 in the alternative, D2 community floorspace (up to 500m2), open space, formal sport pitches, a car park to serve Reffley Wood and associated development to include substations, drainage features, roads, cycle and pedestrian paths and other such works	SOUTH WOOTTON KINGS LYNN CASTLE RISING	APPROVE	7

16/02231/OM

Land West of Knights Hill Village Grimston Road



AGENDA ITEM NO: 8/1(a)

Parishes:	Castle Rising, South Wootton and King's Lynn	
Proposal:	Residential development of the land to provide up to 600 dwellings, incorporating affordable housing, together with a local centre for uses A1, A2, A3 and/or A5 (600m²) with the total quantum of A1 net sales area not to exceed 279m² in the alternative, D2 community floorspace (up to 500m²), open space, formal sport pitches, a car park to serve Reffley Wood and associated development to include substations, drainage features, roads, cycle and pedestrian paths and other such works	
Location:	Land West of Knights Hill Village Grimston Road South Wootton Norfolk	
Applicant:	Whistle Wood And Reffley Wood Ltd And Mr P De Gray Osborn	
Case No:	16/02231/OM (Outline Application - Major Development)	
Case Officer:	Mrs K Lawty	Date for Determination: 11 May 2017 Extension of Time Expiry Date: 29 March 2019

Reason for Referral to Planning Committee — raises matters of wider concern; Parish Council objections

Neighbourhood Plan: Castle Rising – No; South Wootton – Yes; King's Lynn – No.

Case Summary

This application relates to land allocated in the Site Allocations and Development Management Policies Plan 2016 for at least 600 dwellings as set out in Policy E4.1.

The application site measures 35.3ha in area, and is roughly triangular in shape. To the west of the northern half of the site is the established residential estate of Ennerdale Drive and Ullswater Avenue. The site forms the vast majority of the overall 36.9ha allocation with the remaining small part of the allocation already benefiting from outline consent for housing.

Reffley Wood is located to the west of the southern part of the application site. The site is bound to the north by Grimston Road (the A148) with open countryside located beyond. To the east is Queen Elizabeth Way (the A149), with open countryside again located beyond.

The Grade II listed Knight's Hill Hotel is also located to the east of the site, on the junction of the A148 and A149. Other designated heritage assets include Castle Rising to the north, the ruins of St James Church (Bawsey ruins) to the south east and the listed building of Grimston Warren Farm to the east.

The application site 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.

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The site is not within the Area of Outstanding Natural Beauty as the boundary for this is on the northern side of Grimston Road.

The levels across the site fall from north to south and overall the southernmost tip is approximately 40m lower than the highest point in the northern field.

The site lies within proximity of Roydon Common and Dersingham Bog SAC and Roydon Common Ramsar Site. Reffley Wood is a County Wildlife Site and the southern part of it is ancient woodland.

The outline planning application is for residential development of the land to provide up to 600 dwellings, incorporating affordable housing, together with land for a local centre for uses A1, A2, A3, and/or A5 in the alternative, land for D2 community floorspace, open space, formal sports pitches, a car park to serve Reffley Wood and associated development to include substations, drainage features, roads, cycle and pedestrians paths and other works.

A single vehicular access into the site is proposed through a new roundabout to be constructed on Grimston Road, with a spine road running north south through the site. Housing is proposed to be in blocks with the proposed A1, A2, A3 and/or A5 uses towards the northern part of the site. Land for a community use is incorporated into the proposal.

Approximately 37%, of the site is proposed to be left open to provide open space, including an area of sports pitches located toward the centre of the development, informal open space, children's play space and ecological mitigation and buffers (particularly along the western boundary).

The application is submitted in outline with access for consideration and all other matters (appearance, landscaping, layout and scale) reserved for consideration at a later date. The various master and illustrative layout plans are therefore indicative and show how such development might fit onto the site.

The application is accompanied by an Environmental Statement.

Key Issues

- Principle of Development
- Form of the development
- Environmental Statement
- Landscape Impact
- Impact on Heritage Assets
- Archaeology
- Highways Issues
- Footpath/cycle links
- Ecology – Protected Sites
- Ecology - Protected species
- Trees and Hedgerows
- Open space
- Flood Risk and Drainage Issues
- Contamination and Air Quality
- Affordable Housing
- Community Facilities/Neighbourhood Centre
- Impact upon Residential Amenity
- Noise
- Lighting
- Crime and Disorder Act 1998

- Utilities
- Fire hydrants
- Minerals
- S106 matters and CIL
- Other material considerations

Recommendation

A) APPROVE subject to conditions and the satisfactory completion of the S106 Agreement;

B) REFUSE if the S106 is not completed with 4 months of the date of this resolution to approve due to a failure to secure affordable housing, details of public open space and play facility management and maintenance, allotment land, Habitats Mitigation Tariff, contribution towards Community Ranger for Roydon Common and community engagement delivery costs for 3 years, contribution towards provision of off-site road works, including the Wootton Gap junction improvements.

THE APPLICATION

Outline planning permission is sought for a “Residential development of the land to provide up to 600 dwellings, incorporating affordable housing, together with land for a local centre for uses A1, A2, A3 and/or A5 (600m²) with the total quantum of A1 net sales area not to exceed 279m² in the alternative, land for D2 community floorspace (up to 500m²), open space, formal sport pitches, a car park to serve Reffley Wood and associated development to include substations, drainage features, roads, cycle and pedestrian paths and other such works.”

All matters are reserved except for access.

There is a single vehicular access proposed from a new roundabout on Grimston Road to the north of the site. The indicative layout plan shows a spine road running north south through the site. Off-site highway improvement works are incorporated in the proposal including traffic lights at the Grimston Road/Langley Road junction and contributions towards the Wootton Gap junction improvements.

In addition to the maximum of 600 houses the proposed development also includes land for a Local Centre with a mix of potential uses, including, A1 (retail), A2 (financial and professional services), A3 food and drink and/or A5 hot food takeaway up to a maximum floorspace of 600sqm and land for a community use within class D2 (assembly and leisure).

The housing mix of the proposed development has not been fixed at this stage.

The proposal includes large areas of open space throughout the site. The indicative layout plan shows some of the larger areas to be located along the southwestern part of the site closest to Reffley Wood, a central swathe encompassing existing ponds and a large area to the north east corner of the site closest to the Knights Hill complex.

Formal sports pitches are proposed and a car park is shown to be located close to the entrance to Reffley Wood.

The site extends to 35.3hectares. The application has been supported by an Illustrative Masterplan which breaks down the land use as follows:

Residential (C3) - 600 units

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Local Centre (A1, A2, A3 and/or A5) (with no more than 279 sqm to be A1 use) - 600sqm
Community Building (D2) - 500 sqm
Indicative Open Space Schedule Children's Play Space (LAP's, LEAP's, NEAP's) - 1ha
Formal Open Space (Football Pitch, Tennis Courts) - 0.7ha
Informal Open Space - 5ha
Allotments/Community Orchard - 0.3ha
Landscape buffer and ecological mitigation area - 4.75ha

There are hedge boundaries and trees around the site. The land is of grade 4 agricultural quality (poor quality with severe limitations which significantly restrict the range of crops and/or level of yields).

To the west of the northern part of the site is the established residential estate of Ennerdale Drive and Ullswater Avenue. Reffley Wood is located to the west of the southern part of the application site. The site is bound to the north by Grimston Road (the A148) with open countryside located beyond. To the east is Queen Elizabeth Way (the A149), with open countryside again located beyond.

The Grade II listed Rising Lodge is located within the Knight's Hill Hotel complex to the east of the site at the junction of the A148 and A149. Castle Rising Castle, and Rising Park approximately 1.6km to the north of the site, is a Scheduled Monument, and the surrounds within the village of Castle Rising form a Conservation Area. The remains of St James' Church (Grade I listed) and the surrounding village at Bawsey village (Scheduled Ancient Monument) lie approximately 750m south of the site and Warren Farmhouse (Grade II listed) lies 600m east of the site. Church Farm is a Grade II listed building situated approximately 1.5km south of the application site, the moated site at Crow's Wood is a Scheduled Ancient Monument approximately 1.3km south of the application site and the two possible Bronze Age round barrows in Fowler's Plantation are designated Scheduled Ancient Monuments situated approximately 2km north-east of the application site.

The highest point of the site is in the northern field, which slopes gently from north to south and (to a lesser extent) from east to west. The north-south slope continues for the full length of the triangular southern field, such that the southernmost tip of the southern field is roughly 40m lower than the highest point in the northern field.

The form and character of the residential development in the locality comprises mainly of single and two storey, detached properties.

The site is not within the Area of Outstanding Natural Beauty but the boundary lies on the opposite side of Grimston Road just north of the site.

The site lies within proximity of Roydon Common and Dersingham Bog SAC and Roydon Common Ramsar Site. Roydon Common is approximately 1.4km to the east of the application site and Dersingham Bog is approximately 5km to the north.

In accordance with the Environmental Impact Assessment Regulations an Environmental Statement (ES) has been prepared in support of the planning application. The ES assesses the following topics:

- a) Landscape, Visual and Built Heritage: effects of the Development on landscape character, views from publicly accessible locations and historic buildings.
- b) Archaeology: effects on archaeology
- c) Water: effects on protected ground water, water courses and flood risk assessment
- d) Ecology and Nature Conservation: effects on protected species and habitats
- e) Noise: effects related to noise and vibration

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- f) Dust and Air Quality: effects on local air quality
- g) Socio-Economic: effects on local community, education and health
- h) Transport & Traffic: effects relating to additional traffic on the road network

The following documents are appended to the ES:

Minerals Statement, Sustainability Statement, Energy Statement, Landscape and Visual Impact Assessment, Heritage Statement, Archaeological Desk Based Assessment, Archaeological Magnetometer Survey Report, Archaeological Evaluation, Ecological Impact Assessment, Flood Risk Assessment, Preliminary Surface Water Drainage Strategy, Noise Assessment, Phase 1 ground conditions report, Transport Assessment, Framework Travel Plan,

Additionally a Design and Access Statement has been provided along with a Planning Statement, Statement of Community Involvement, Utilities Report, Habitats Regulation Desktop Review, Tree Survey and Arboricultural Impact Assessment.

SUPPORTING CASE

The applicant has submitted the following supporting statement:

This application is being referred to Planning Committee after extensive engagement through both the plan making and planning application process. The site of Knight's Hill was first identified as a direction for growth within the Core Strategy. Three directions for growth were identified on the edge of King's Lynn in locations where residential development was found to be both necessary and appropriate.

Following on from the examination and subsequent adoption of the Core Strategy, the Council prepared its Site Allocations and Development Management Policies Plan. The purpose of this Plan is to confirm the detailed requirements for the directions for growth identified within the Core Strategy. During the Examination of this Site Allocations Plan the amount of development that should be provided at Knight's Hill, the location of development parcels and the impact of the future development of the land on local roads, nearby heritage assets and local nature sites of ecological value were all carefully considered. Following a very rigorous examination, the Site Allocations Plan was found to be sound and was adopted by the Council. As a result, Policy E4.1 which relates to Knight's Hill provides a clear and detailed framework for the consideration of this application.

Following extensive engagement with the local community and stakeholders, this outline planning application has been developed and refined. As a result of this consultative approach, the application complies with the requirements of Policy E4.1. The development will, together with the rest of the allocation, deliver up to 652 dwellings (52 dwellings have already been approved within application 15/01782/OM). The allocation requires a minimum of 600 dwellings to be provided and what is proposed therefore complies with the quantum of growth that the Council envisaged would be delivered here.

All of the technical reports that Policy E4.1 requires be submitted have been provided. In response to these reports, no objections are now being raised by any of the statutory consultees. A policy compliant quantum of affordable housing is to be delivered (likely to be circa 112 dwellings assuming 600 dwellings are provided) as well as a local centre providing neighbourhood facilities. The low density of development required by the allocation has been delivered including the areas of reduced density to the west and south (N.B the overall density of this application relates to 16.9 dwellings per hectare (dph). The allocation calls for an overall density of around 16 dph). Buffers are provided to the adjacent Ancient Woodland in Reffley Wood and extensive areas of public open space are to be delivered, significantly

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in excess of the Council's standards (more than twice as much useable open space is being delivered when compared to the adopted open space policies).

In addition to the on-site facilities, this application has committed to delivering the off-site highway improvements that the County Council has identified. This includes the part funding of the junction improvement at the Castle Rising Road junction that has already been identified as being necessary to mitigate the impact of this development as well as the two Hall Lane/Nursery Lane applications in South Wootton. The development will also fund off site mitigation at Roydon Common that includes funding towards a Ranger to provide enhanced future management of the Common.

In conclusion, this application has been led by the Council's Development Plan. We have followed due process and have ensured that the allocation was first drafted, examined and then found to be sound before progressing with an application. What is proposed is consistent with the Council's allocation and specifically in respects of the quantum of development, the mix of uses and the density and location of development areas. The application forms a significant and important part of the Council's housing strategy. The delivery of housing across the Borough is reliant on the Knight's Hill site. If approved, this application will facilitate the delivery of market and affordable housing in accordance with this strategy.

PLANNING HISTORY

None

RESPONSE TO CONSULTATION

Please note: These responses may have been summarised and the full versions are available to view on the Council's website

South Wootton Parish Council: Object - Since 2011, South Wootton Parish Council on behalf of residents has consistently opposed the scale of these developments. We note that the new government Housing White Paper says that building on green belt sites should be allowed only in exceptional circumstances. Yet both of these new developments are on green belt sites.

The currently proposed 635 dwellings at Knight's Hill and the 65 dwellings on the adjacent Clayland site combined with the proposed 450 new dwellings west of Hall Lane will have a major impact on the quality of life of residents and the status of the village of South Wootton. The combined numbers represent a greater than 60% increase in the size of the village. This increase is not sustainable and should be reduced to a more manageable level. This does not include traffic, pollution and strains on services from the Lynnsport development.

Members of the Borough Council's regeneration and development panel have expressed concerns regarding existing transport problems in and around the town. The panel's chairman quoted "the feeling inside the town is that the transport in Lynn is dire". The scale of the proposed development will impose a significant increase in traffic flows along the main route from Knight's Hill into Kings Lynn Town Centre.

In 2012, the Parish Council submitted a Transport document which showed the effects of traffic flows into and out of the junctions along Grimston Road, Low Road and Edward Benefer Way. They demonstrated that the Langley Road junction was already over capacity and others, Castle Rising Road, Nursery Lane and Hall Lane were close to capacity. The situation can only get worse. Based on the evidence provided, it was concluded that a reduction in numbers to 425 dwellings at Knight's Hill and 225 dwellings at Hall Lane would be more sustainable.

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When fully occupied, the maximum occupation is estimated between 1430 – 1670 persons. This is likely to produce 2000 – 2500 extra vehicles on the road. The traffic generated from this development, with the development from the Clayland site, Hall Lane and Lynnsport will cause significant delays and stress to road users creating reduced traffic flow creating delays. Traffic noise, disturbance, smells and fumes will also be detrimental to residents of South Wootton and the surrounding environment.

The proposed roundabout on the incline of Knight's Hill will be dangerous to Heavy Goods Vehicles and other road user's especially in inclement weather and is situated far too close to residential dwellings. This situation will not only be dangerous for road users but will have an adverse impact on residents in close proximity. A full independent traffic and infrastructure survey should be carried out before any Planning Applications are granted permission.

The proposed secondary access into Ullswater Avenue is not wide enough to cope with the possibility of a regular Bus Service and will be very dangerous not only for vehicles but also for pedestrians and cyclists. The following alternatives should be considered to provide the necessary secondary access.

- Turning point within the new development to allow buses to enter and exit at the new roundabout on the A148.
- One of the access points from the Clayland development could be used as an all through route for buses, emergency services and other motorised vehicles.
- A slip road off the A149 into the new development with a further slip road for exiting back onto the A149 near the Knight's Hill roundabout.
- Possible roundabout on the A149.

The other access point from the Clayland development and the potential access from Ullswater Avenue should be retained for pedestrian and cyclists only. This would incorporate the new cycle routes into the existing infrastructure – as per SWNP Policy T1.

The new development should conform to the housing policies laid out in the SWNP. The DAS says there will be mainly two storey houses with a limited number of two and a half storey houses. In contrast, in the Site and Description document some three storey houses or blocks in the central area will be permitted. Three storey townhouses will not be in keeping with the local character and history of the area.

Within the objectives of the SWNP reference is made to being carbon neutral and mitigating any effects of climate change. The Parish Council would support the use of Solar PV panels/Air source heating and other energy saving systems.

In the DAS and the Site & Development document the average density quoted is 18/19dph. This contrasts with the Borough Council's policy of up to 16dph. This latter figure is consistent with average densities in other development within the village.

In the Proposal Plan, it is indicated that hedgerows and trees will be removed adjacent to the properties at the top of Ullswater Avenue, this will cause serious loss of privacy to existing residents. In the landscape report, it states a tree which incorporates a Bat Roost will be removed and that removed limbs will be 'Strapped onto the limbs of retained trees'. This is totally against the SWNP Policy E1 and is totally adverse to the impact on nature conservation. Such areas should be enhanced to protect all wildlife.

The sensitivity of Roydon Common and Dersingham Bog has been given much thought, but the historical Reffley Wood will be subject to immense pressure from the overwhelming flow of public/pets/unaccompanied children into the woodland. This area incorporates many species of flora and fauna. More thought into the protection of the area should be considered.

The proposals fail to adequately recognise the sensitive landscape associated with the heritage of the area. Historical artefacts have been found in certain areas of the development site and should be subject to further investigation.

It is stated in the report (Water/Topography) that water will run off towards existing homes. To compensate, appropriate drainage systems must be incorporated to avoid flooding to existing homes. Concerns are raised whether the swales and drains will be able to cope with heavy rainfall/flash floods. Appropriate measures to ensure safety and ongoing maintenance of the swales, ponds and drains must be put in place. Sustainable drainage schemes should be used to protect wildlife areas. (Ref SW Neighbourhood Plan Policy E2).

Currently, water pressure is a problem to existing dwellings in the area. Appropriate water pumping stations must be provided to deal with the pressure/problems experienced by existing residents as well as for future residents.

The existing public sewer system can only accommodate up to 428 dwellings. Any additional properties will require upgrading the system. Correct drainage and sewage systems should be provided from the outset. It is stated that the sewer systems are inadequate to cope during the day. Effluent will be stored in holder tanks and pumped out into the sewers along Sandy Lane at night. This is totally inadequate and systems/pumping stations should be put in place from the outset to accommodate all waste which will be produced by the development.

SWNP Policy S1 states that appropriate financial contributions are made towards education provision. The developer has indicated financial support through Sec106 funds for the expansion of Reffley Primary School. Also, financial support through Sec106 is proposed for funding a new GP surgery on the development. However, NHS England has stated that a new GP surgery cannot be justified on site due to insufficient numbers. They indicate that provision for new patients should be made through expansion of the existing GP surgeries in King's Lynn and North Wootton. Therefore funding should be directed to support these expansions where appropriate.

The Knight's Hill development involves three separate authorities, Castle Rising Parish to the north, Gaywood Ward to the south and a central section in South Wootton Parish. Since CIL funding is based on the number of dwellings and floor space (square metres) involved, it is likely that South Wootton's CIL contribution (£60/square metre) will be less than for the other two authorities. As the new development will impact more on South Wootton compared to either Castle Rising or Gaywood, compensation should be made through improved CIL funding.

In the masterplan, provision is made for a Community Centre and outdoor leisure facilities. The latter being shown as football pitches. If used, any lighting should be sympathetic to the surrounding area. Residents in the adjacent area should be canvassed for their views on what outdoor facilities would be best. Whatever is decided, adequate adjacent parking will be required. SWPC wishes to record its strong opposition to the scale of the proposed development at Knight' Hill and would recommend that numbers be reduced to a level that would be sustainable.

Castle Rising Parish Council: Object – (latest comments) strongly endorse the objections contained in the report from WYG as submitted by Lord Howard and the Castle Rising Estate.

- Flaws identified re: transport using 2012 data with a huge rise in traffic in the last 5 years
- Act of vandalism to interfere with the historic landscape and the area around Knight's Hill should be left undeveloped

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- Massive environmental and infrastructure impact
- Bitterly opposed to the scale of the development which is totally inappropriate for a greenfield historic countryside site
- Density similar to NORA site but set between two village settlements
- Urban sprawl in its worst format
- A large new village added to the boundaries of two desirable low density residential areas
- The character and style of properties will be lost forever
- The historic site particularly the sensitive road side and higher levels must be preserved as open countryside as a pleasing part of our visual heritage

(earlier comments) – **Object** – request hard copy of the application and supporting ES to allow proper consultation as without this we fear the local Parish and local people will be unduly prejudiced; note that the application is in outline form and not sure which elements are fixed; one of a number of applications within the area which appear to have been planned in isolation; concerned about cumulative impact where roads are at breaking point; already severe delays and congestion within the town and on routes and junctions such as the A149; too little attention given to impact from this site, Claylands, Lynn Sport, Marsh Lane and Wootton Road; proposed roundabout will not be fit for purpose; HGV's will have difficulty negotiating in dry weather let alone in bad conditions; will create excessive traffic pollution; risk to resident's health through poor air quality; grid locked roads; public transport access via Ullswater Avenue is ill considered; will present a serious hazard to residents and motorists; proposals fail to adequately recognise the sensitive landscape associated with the heritage of the area; the rising ground along Grimston Road towards the high point at Knights Hill has long been associated with the openness of the former hunting estate, the hunting chase which was the origin of Rising Lodge and which forms an essential part of the character and approach to King's Lynn; lip service paid to the comments made during the Local Plan process; very little active engagement that has shaped proposal; disagree with findings on page 54 of the Heritage Statement that designated heritage assets will not be directly affected by the proposed development due to their distance from the site; location of formal sports facilities and screen planting fails to reflect concerns raised; this area should be free from development and retained as informal open space; covers too great an extent and should retain more open areas; level of development has an unacceptable impact on the environment and amenities of neighbouring communities and land; concerns over the drainage and surface water strategy; water will run off towards existing houses and concern whether swales and drains could cope with heavy rainfall/flash floods; it is stated that the sewer systems are inadequate to cope during the day, effluent will be stored in holder tanks and pumped out into the sewers along Sandy Lane at night but if the existing system cannot cope what will happen with additional dwellings?; the impact on the landscape and heritage features, the educational and other serve provision, impact on traffic, overall scale of the proposal all together appear to significantly exceed the scale identified and assessed in the Local Plan; request extension to the consultation period.

North Wootton Parish Council: Object - (latest comments) strongly endorse the objections contained in the report from WYG as submitted by Castle Rising Parish Council. The Parish Council echo's the comments already made by Castle Rising to urge the Borough Council to give the report careful consideration

(earlier comments) – **Object** – North Wootton Parish Council wishes to echo the views of the vast number of objections raised by residents regarding this application, and also those of South Wootton Parish Council, Castle Rising Parish Council and David Goddard as part of the SWOOD group (South Wootton Opposing Over Development).

The Parish Council wishes to record its objection to the proposed plans for the following reasons;

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Grimston Road approach from Knights Hill roundabout is the dedicated route for all heavy goods vehicles entering and exiting King's Lynn, it is felt that the existing road network will not be able to cope with the vast increase in traffic which will come with this development. The design of the proposed roundabout on Knights Hill which is offset from the main route will not be fit for purpose. HGV's will have difficulty negotiating this in fair weather, and increased difficulty when it is icy.

Grimston Road is already extremely busy and with all of the developments mentioned this is likely to create in the region of 3,000 extra vehicles. These in turn will generate further tail backs onto the Grimston Road and out onto the A149 bypass. The route is often gridlocked with residents having difficulties joining the main route at junctions with Sandy Lane, Langley Road Deas Road, Castle Rising Road, Nursery Lane, Low Road and Hall Lane - all experiencing long delays.

For motorists trying to avoid the blockages at Knights Hill and on Grimston Road and Edward Benefer Way, increased traffic will come through the village of North Wootton which does not have the road capacity to deal with it. The roads in North Wootton are narrow rural lanes bounded by woodlands, extensive hedgerows and properties and will impact on pedestrians, cyclists, horse riders and dog walkers as well as other road users with the obvious risk that entails. The main road through the village runs past the primary school. (We already have to suffer heavy lorries coming from the farms and coming through the village at all hours of the day and night something which NCC Highways Dept does not consider important!).

Demands on the Queen Elizabeth hospital will only increase as will patient numbers at the existing Woottons Surgery as these health care providers struggle to cope with current demands; it is of concern how increased demand will be managed. North Wootton School is at capacity with children being taught in one or two porta cabins. This is totally unsatisfactory particularly in the winter months. The North Wootton Surgery has no further room to expand (see previous reports submitted for both the school and the surgery.)

The character and individuality of the villages of North Wootton, South Wootton and Castle Rising are under threat as proposed development would see them absorbed as part of the town.

North Wootton is classed as a Rural Village and that designation is important and must be taken into account.

There is a legal requirement to build on brownfield land before greenfield can be touched. There are plenty of brownfield sites in the borough which must be utilised first. The Parish Council urges that the scale of this development is considered so that the existing infrastructure is able to cope.

Heacham Parish Council: Object - The A149 is the feeder road (avoiding routes through the town) to this proposed development and as such will substantially increase the traffic flow onto and off this part of the A149 (Knights Hill roundabout) causing even more delays for those traveling along the A149 north to other coastal villages and onwards to Hunstanton. With the engagement of Wayne Hemingway by the BCKLWN to re- think and re-design the southern end of Hunstanton Promenade with the view of increasing the day tourism to Hunstanton, the A149 will have severe difficulties in accommodating the extra traffic when joining at the Hardwick roundabout. Traffic pollution and air quality so close to residential areas along the route will surely become a major worry and should be taken into consideration now.

Hunstanton survives largely, if not solely on tourism and 'day trippers' via coach operators are a major factor. Operators may soon consider the extra amount of time it will take to

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reach Hunstanton and would probably seek other destinations for their passengers, Cromer and Skegness may be.

Should the worse happen and this application is approved, we can surmise that work prospect outside our immediate area would be sought in Cambridge and travel by train an alternative to the congestion on the A10. Though there is talk of longer trains out of Kings Lynn, the parking facilities at the station will become under strain, with parking for social travel passengers finding it difficult to park.

BCKLWN have a slogan 'Love West Norfolk' this is the opportunity to prove it! Let us enhance our environment not destroy it.

BCKLWN Planning Policy Team: No objection - The Local Plan currently comprises the Core Strategy (CS) (2011) and the Site Allocations and Development Management Policies Plan (SADMP) (2016). Also of relevance to this application is the South Wootton Neighbourhood Plan (2015).

The site being proposed is the majority of a site which is allocated:

1. As an Urban Growth Area on the CS Key Diagram for King's Lynn
2. Within the SADMP as Site E4.1 – Knights Hill. Consequently consistency with Policy E4.1 should be achieved.

In terms of housing numbers the current proposal suggests up to 600 dwellings. A smaller portion of the allocated site has also come forward with an outline planning proposal for up to 60 dwellings (15/01782/OM). This now benefits from outline planning permission.

Policy E4.1 details a development of at least 600 dwellings. In combination the two proposals could potentially result in a higher number of houses being achieved. The policy clearly expresses the quantum of development as 'at least'. It is considered potentially acceptable to provide a higher number of homes providing that the overall scheme is consistent with Development Plan Policy. This could also accord with the National Planning Policy Framework (NPPF) (2019) which seeks to boost significantly housing supply, and could align with current Government ambition for 300,000 homes to be built in England every year by the mid 2020's.

The site is part of the Borough Council's adopted Local Plan. The SADMP was, following modification, ultimately found sound by an independent Inspector, having considered all of the comments and representation made. Knights Hill was subject to considerable representations and detailed debate during the SADMP examination. This chiefly focused around the potential impact of the development upon the surrounding local road network, the natural environment and the historic environment. This did lead to modifications being made to the policy and supporting text which were agreed with land owners and crucially those objecting to the allocation of the site. These were then subject to further public consultation and recommended for inclusion to the SADMP in the Inspector's Report.

The Knights Hill Strategic Growth Area is rather unusual in that it sits within the unparished Area of King's Lynn, South Wootton Parish and Castle Rising Parish. It is some distance from the Village of Castle Rising and is far more closely related to King's Lynn, being adjacent to the development boundary for the Town, and South Wootton, with the Village and the services and facilities within South Wootton in close proximity. Although the development boundary adjacent is for King's Lynn the built up area within this development boundary predominantly lie within South Wootton Parish.

The CS clearly identifies the Knights Hill area as one for the urban expansion of King's Lynn, as illustrated on 'King's Lynn Diagram 1' (page 99).

Policy CS01 Spatial Strategy of the CS highlights that one of the key priorities for the borough is to foster sustainable communities with an appropriate range of facilities, it points out that growth will be based upon CS02 the Settlement Hierarchy.

CS02 classifies King's Lynn as a Sub-regional centre; the majority of planned growth is attributed to within and adjacent to King's Lynn. South Wootton is treated as a 'settlement adjacent to King's Lynn and the main towns'. South Wootton is a large village which provides significant local facilities and due to its geographic location in relation to King's Lynn offers the potential to support growth of the wider area; it is considered a sustainable location, more so than a Key Rural Service Centre. Whilst the settlement functions as a separate community with a range of facilities, it also supports the adjacent settlement of King's Lynn through amongst other things significant residential development. There is also the benefit of public transport linkages to King's Lynn.

CS03 King's Lynn highlights South Wootton as an area for growth and provides reference to the King's Lynn diagram mentioned earlier in relation to the areas identified for urban expansion.

CS09 Housing Distribution requires that at least 7,510 new dwellings are provided for at King's Lynn through regeneration and urban expansion over the plan period (2001-2026). The SADMP within Chapter D 'Settlements & Sites –Allocation's and Policies' details that as of March 2013 completions and commitments for the King's Lynn area amounted to some 3,500 dwellings and that a total of at least 3,927 dwellings are provided in this area by the SADMP.

Knights Hill has clearly been identified as a sustainable location for urban expansion by the CS and the SADMP makes a strategic growth allocation in line with this. An increase in dwelling numbers provided on this allocated site (those proposed by this application and another application on the allocated site) does not conflict with the policy aspirations or the strategic direction of growth as sought through the Local Plan (CS & SADMP).

It is encouraging to see the current application is made on behalf of a number of landowners, and that the applicant is seeking to bring forward the strategic site in a comprehensive manner through a joined up collaborative approach to developing the allocation as envisaged by the Local Plan.

There is a Neighbourhood Development Plan in force for South Wootton Parish, within which this site partially sits. This has development plan weight, and the policies within this should be taken into consideration alongside National and Local Plan Policies. The Neighbourhood Plan was prepared by the Parish Council to shape development, to address local concerns and aspirations. It includes a range of policies including those to protect certain features, influence the design and character of development, and to indicate preferred locations for additional facilities and cycle/ footway links.

The outline application would be expected to comply with the policies of this neighbourhood plan.

Highways Authority: No objection – conditionally. Further to the highway authority's original response on 3 March 2017, the highway authority has been in dialogue with the applicant and their transport consultants and is now in a position to formally respond.

The Knights Hill site has been allocated in the King's Lynn and West Norfolk Local Plan. The issues of cumulative impact of sites in Kings Lynn were looked at through the Public Examination into the allocation of housing in King's Lynn which was conducted by an independent Inspector. Evidence on the impacts was presented by the Council and objectors and was the subject of discussion at the Examination. The evidence showed that there would be traffic impacts but opportunities exist for mitigation and on that basis the Inspector concluded it would be sound to make the proposed allocations.

The Site Allocations plan was adopted in Sept 2016 and sets the context for the consideration of any application. It should be pointed out that the local plan process does not fix the specific requirements for improvements but has identified these allocations are acceptable in principle.

The application site will have its principal access via a new roundabout on Grimston Road. The roundabout will serve as the construction access so will need to be constructed prior to any works commencing. The roundabout scheme is shown on Drawing 'Grimston Road Plan'.

The development will have an impact on the Langley Road/Grimston Road junction. The applicant is proposing to mitigate this impact by providing the signalisation of this junction. An indicative scheme is shown on Drawing Number - Grimston Road - Langley Road Proposed Traffic Signal Junction.

The development will also have an impact on the Low Road/Wootton Road/Grimston Road/Castle Rising Road junction. The junction is currently operating close to and sometimes over capacity and the development needs to mitigate its impact at this junction. A scheme has been developed which includes the lengthening of the approach lanes on Grimston Road, the introduction of MOVA and some minor modifications on other arms. The scheme has been developed in conjunction with the highway authority and the highway authority will design and deliver the scheme.

However other developments coming forward in this area (land off Nursery Lane and the Edward Benefer Way/South Wootton Development (Larkfleet Homes)) will also have an impact at this junction and so it is appropriate that this development makes a contribution to delivering the scheme which is proportionate to the total amount of traffic generated by each development. Using the information provided primarily within the Transport Assessment, it has been calculated that the development will generate 43% of new traffic through the junction (AM and PM peaks combined). Therefore the applicant will be required to enter into a S106 agreement whereby they contribute 43% of the total cost (minus any contribution of the highway authority) for the design and delivery of the scheme. The scheme itself will be delivered by a S278 agreement with the various developers in order to ensure that the full cost of the scheme including future maintenance costs are recovered.

Finally the development will provide an emergency route through to Ullswater Avenue, which will primarily be a pedestrian/cycle link but will have the facility to become an emergency route should the main route into the site become blocked.

In accordance with NPPF and the delivery of sustainable transport under paragraph 111, the development will be required to provide a Travel Plan. In light of the above and provided that the above requirements are met and a S106 is entered into to ensure that a contribution is made to the proposed signal scheme and a Travel Plan, the highway authority recommends no objection subject to relevant conditions.

Environment Agency: No objection – Flood Risk / Surface Water Drainage: Please consult the Lead Local Flood Authority (LLFA) and Internal Drainage Board (IDB).

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Contamination: The site is located above a Principal Aquifer. However, we do not consider this proposal to be High Risk. Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. The developer should address risks to controlled waters from contamination at the site, following the requirements of the NPPF and the Environment Agency Guiding Principles for Land Contamination.

Infiltration Sustainable Drainage Systems (SuDS): The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). We consider any infiltration (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 to G13. In addition, they must not be constructed in ground affected by contamination.

Water Quality and Wastewater: We have no capacity concerns for King's Lynn Water Recovery Centre (WRC). However, we note Anglian Water's "Planning Applications - Suggested Informative Statements and Conditions Report" submitted which suggest that there may be capacity issues in the immediate foul sewerage catchment. We support Anglian Water's request for a Foul Sewerage Network Condition.

Waste: We would refer the applicant to the Construction Code of Practice for the Sustainable use of Soils on Construction Sites.

Water Management Alliance (Internal Drainage Board): No objection - but raised comment. We note that the applicant has now provided several options for connecting the site to the wider surface water drainage network should a strategy wholly reliant on infiltration not prove viable. We note that all proposed solutions propose a discharge of surface water to the Internal Drainage District (IDD) of the Kings Lynn Internal Drainage Board (IDB). While our view has not materially changed, we wish to reiterate and clarify points made in our previously submitted correspondence

- where a surface water discharge is proposed to a watercourse within an IDD (either directly or indirectly), then the proposed development will require a land drainage consent in line with the Board's byelaws (specifically byelaw 3). Any consent granted will likely be conditional, pending the payment of a surface water development contribution fee, calculated in line with the Board's charging policy.
- Whilst the consenting process as set out under the Land Drainage Act 1991 and the Board's Byelaws are separate from planning, the ability to implement a planning permission may be dependent on the granting of these consents. In turn, the granting of consent is dependent on sufficient capacity being available within the system for the additional water proposed to be discharged post development (ensuring that the proposals would not lead to the increased risk of flooding elsewhere).
- We note that the applicant has stated (within Section 4.1.13, Preliminary Surface Water Drainage Strategy, Welland Design and Build Limited, October 2018, Version 7) that applying for Land Drainage Consent would be irregular prior to the determination of the outline planning permission. We disagree with this statement, and while it is for the Local Planning Authority (LPA) to determine the appropriate level of detail required to determine an outline planning application on this constrained site, we strongly recommend that the viability of the drainage strategy is evidenced (or at least assured) prior to determination of the planning application.
- A viable strategy at the outline stage enables both the applicant and the LPA to proceed with increased confidence in the site's ability to drain (a material planning

consideration) and in the applicant's ability to implement the outline permission if granted.

- Prior to engagement with the consenting process, no assurance can be provided by the Board that the wider drainage network has sufficient capacity to accept the proposed positive discharge connection (if a strategy wholly reliant on infiltration does not prove viable).

Additionally, despite the concerns we have highlighted, we appreciate the applicant's ongoing references to the use of sustainable drainage techniques and utilisation of infiltration wherever appropriate, as well as the proposed restriction of flows to greenfield runoff rates (not to be confused with runoff volume).

Lead Local Flood Authority: No objection – conditionally. We previously objected to this planning application in the absence of an acceptable Drainage Strategy relating to a lack of information to confirm a connection to the wider drainage system into which appropriately attenuated onsite flows can be directed.

The applicant has now provided a revised Drainage Strategy (Welland Design and Build Limited, WDB_SWDS_07, October 2018) to account for the local flood risk issues and surface water drainage at this location. This includes photos together with correspondence with the King's Lynn Drainage Board.

We therefore have no objection subject to conditions being attached to any consent if this application is approved and the Applicant is in agreement with pre-commencement conditions. If not, we would request the following information be submitted prior to determination:

Surface water runoff rates will be attenuated to 38 l/s (QBar) as stated within section 5.7 of the FRA; Confirmation from the Internal Drainage Board that the proposed rates and volumes of surface water runoff from the development are acceptable; Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change, flood event; Detailed designs, modelling calculations and plans of the drainage conveyance network; That the design of the attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances; That finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding; Details of how all surface water management features will be designed; A maintenance and management plan detailing the activities required and details of who will adopt and maintain all the surface water drainage features for the lifetime of the development.

Anglian Water: No objection - Assets Affected: there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

Wastewater Treatment: The foul drainage from this development is in the catchment of Kings Lynn Water Recycling Centre that will have available capacity for these flows.

Foul Sewerage Network: Development will lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures. We request a condition requiring the drainage strategy covering the issue(s) to be agreed.

Surface Water Disposal: The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a

surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with Anglian Water and the Lead Local Flood Authority (LLFA). We request a condition requiring a drainage strategy covering the issue(s) to be agreed.

Trade Effluent: The planning application includes employment/commercial use. To discharge trade effluent from trade premises to a public sewer vested in Anglian Water requires our consent. It is an offence under section 118 of the Water Industry Act 1991 to discharge trade effluent to sewer without consent. Anglian Water would ask that an informative be included within your Notice should permission be granted.

Recommend planning conditions relating to foul sewerage and surface water disposal.

National Grid: No objection but made comment - There is a 'Major Accident Hazard High Pressure Gas Pipeline' (MAHP) that runs through this site, it is shown as hashed orange line on the ESRI PA attachment.

The building proximity distance (BPD) for this high pressure pipeline is 14m. National Grid would object to any development that falls within this distance. There is a requirement for any access roads etc. to be suitably designed which may cross our pipeline. We would accept no reduction in cover on the pipeline.

Health and Safety Executive: No Objection – Using the HSE's Planning Advice WebApp HSE's advice is that they do not advise against the development. Consequently HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Environmental Health & Housing - Environmental Quality: No Objection - conditionally. NPPF paragraph 170 states that the planning system should prevent both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of land or air pollution.

Contaminated Land: The GeoDyne Phase I Desk Study Report, Ref 35253, dated March 2016 indicates that there are plausible Contaminant-Pathway-Receptor linkages.

The report recommends that a Phase II Site Investigation is required to assess potential contamination on the site. After reviewing the report I am in agreement with the conclusions of the Desk Study Report and therefore recommend conditions.

Groundwater: We have assessed this application with regard to potential impacts on human health as required by National Planning Policy Framework paragraph 120.

Groundwater protection and potential pollution of controlled waters is the responsibility of the Environment Agency and their advice should be sought on this.

Air Quality: An Air Quality Assessment is included in Chapter 11 of the Environmental Statement. The assessment refers to appropriate technical guidance and considers air quality impact of traffic on nearby residential properties and future occupants. Data from the Transport Assessment is used to assess the increase in traffic. Cumulative impacts of this and other committed developments (Combined Gas Turbine at Palm Paper; King's Lynn PowerStation; Allocation at Hall Lane, North Wootton) are considered. The assessment also considers the potential for dust from construction.

The assessment reports that predicted annual mean nitrogen dioxide (NO₂) concentrations will be well below the relevant National Air Quality objective (NAQO) during the completion

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year. The 1-hour NO₂ objective is also predicted to be met at all receptors. Annual mean particle (PM₁₀) concentrations for all modelled receptors are also predicted to fall well below the relevant NAQO in all scenarios. The short term, daily objective for PM₁₀ is also predicted to be met. Therefore the assessment concludes that the predicted magnitude of impact is negligible. The evidence supplied supports this conclusion. Therefore we have no objection regarding air quality impacts. The risk assessment for potential dust impacts during construction concluded that the site is deemed to be a medium to high risk site for dust soiling impacts and low risk for human health and ecological impacts. To mitigate this impact I recommend that a construction environmental management plan (CEMP) be required by condition which should contain the mitigation measures set out in section 11.8 of the Environmental Assessment. Construction should be carried out in accordance with the approved CEMP.

Environmental Health & Housing – CSNN: No objection conditionally– Surface water drainage: The ability to appropriately drain surface water from the site is a material planning consideration and any drainage scheme should have the ability to be implemented if granted outline permission. We have noted the concerns of the KLDB, and we appreciate the applicant's ongoing references to the use of sustainable drainage techniques and utilisation of infiltration wherever appropriate, as well as the proposed on site attenuation measures and proposed restriction of flows to greenfield runoff rates.

Given the elevated position of the site in relation to existing dwellings, any surface water drainage scheme would need to ensure that there was no adverse impact on the residential area downhill (and including on the ground water levels for Roydon Common). The KLDB are the lead body regarding an acceptable surface water drainage scheme and we recommend that this aspect of the development is conditioned.

AW previously indicated that whilst there was available capacity at the treatment centre for the foul drainage, the development would lead to an unacceptable risk of downstream flooding. A foul drainage scheme would need to incorporate mitigation measures and be prepared in consultation with AW.

Again, we support the concerns of AW, the lead body regarding the drainage of foul water from this site, and agree that a foul drainage scheme is conditioned.

Noise: There are a number of potential noise implications from the proposed development on the future residents of the site. Therefore a scheme is required to protect future residents and existing nearby properties from an adverse impact as a result of the development. Consideration needs to be given to a range of noise issues including (but not exclusively) the following: suitable windows and other attenuation for properties identified to be most at risk from traffic noise, hours of deliveries, opening times, and machinery for any of the shops/businesses/community facilities, and noise from the sports pitches. If air source heat pumps are being considered then full details of these will also be required.

Lighting: It appears that at this stage floodlighting is not currently being considered for the sports pitches. It is also assumed that the majority of the lighting within the development will relate to highways and will be designed to suitable adoptable standards. However, in order to protect residents from potential adverse impact from lighting from the shops/businesses/community facilities (including sports pitches if it was decided to include floodlights) I am requesting a condition in relation to a lighting scheme.

Construction Period: It is necessary to protect the existing local residents and those who would be moving into the development site during different phased periods (some whilst construction is still ongoing on the site as a whole) from adverse impacts from noise and dust. Therefore I am requesting that conditions are applied if permission is granted.

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Housing Enabling Officer: No objection - the site area and number of dwellings proposed trigger the thresholds of the Council's affordable housing policy as per CS09 of the Council's adopted Core Strategy.

At present a 20% provision is required on sites capable of accommodating 11 or more dwellings and/or 0.33ha in South Wootton. A 15% provision is required on sites capable of accommodating 11 or more dwellings and/or 0.165ha in the unparished area of King's Lynn. In both cases, this is then further split into 70% being made available for rent and 30% for shared ownership or any other intermediate product that meets the intermediate definition within NPPF, meets an identified need in the Borough and is agreed by the Council. In this instance, it is noted an overall 20% affordable housing has been proposed, split in the policy supported 70/30 split. However, it should be noted that part of the site falls within the unparished area of King's Lynn. The applicant would therefore be entitled to reduce the affordable housing to 15% on this part of the site. It is appreciated the site is currently at outline stage, and we are happy to pick this up at reserved matters stage where the layout is confirmed.

The affordable units must be transferred to a Registered Provider of Affordable Housing agreed by the Council at a price that requires no form of public subsidy.

A S.106 Agreement will be required to secure the affordable housing contribution.

Norfolk Constabulary: No objection - no objection in principle to the development and are pleased to advise that the development is broadly compliant to the principles of Secured by Design for which the applicant is encouraged to apply for.

The proposed development lies in an area that can be considered as being a very low crime risk area.

New development can bring increases in crime due to more potential targets and opportunities. This reinforces the inclusion of Secured by Design which has been proven to reduce burglaries.

We welcome the 13 references to crime reduction and fear of crime in the Design and Access Statement and recognise the proposed layouts contribution to natural surveillance and support the applicants inclusion of environmental design principles taken from 'Safer Places' and the reference to SBD New Homes 2010 in the Crime and Safety section.

It is recommended that the applicant hold further discussions with Norfolk Constabulary to agree methods of creating safe pedestrian and cycle routes, boundary treatments, lighting, the mix of commercial use and other security requirements.

Historic England: No objection - concerns about the impact of the development upon the historic environment. In policy terms we consider that the level of harm would be less than substantial and therefore Paragraph 196 of the NPPF is important in this regard. However the NPPF in paragraph 193 requires the planning authority to place 'great weight' on the conservation of heritage assets and paragraph 194 states that 'any' harm requires clear and convincing justification, and 196 states that it is the planning authority's role to weigh the balance between harm and public benefit. In determining the application your authority should therefore take into consideration the significance of the heritage assets and weigh the harm which would be caused to their significance against the public benefits of the proposed development. Consideration should be given as to whether the applicant has taken all possible steps to avoid or to minimise the harm the development would cause. We would also ask that your authority consider the justification for the scheme as a whole and set out clearly how the planning balance was established and the decision achieved.

We would also ask that if you are prepared to determine the planning permission that all reasonable steps are taken to secure the heritage benefits and the mitigation measures at the detailed design stage. We are particularly keen to ensure the landscaping and open spaces would be retained in full, to secure the protection of the non-designated barrow, to secure the development of the bunds and planting schemes, the phasing and structure of the planting and that the buildings along the northern edge of the development are subject to height restrictions.

Your authority should take these representations into account in determining the application. If you propose to determine the application in its current form, please inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

Historic Environment Service: No objection - The proposed development site has been subject to extensive archaeological evaluation comprising geophysical survey and trial trenching. These investigations identified a number of significant heritage assets within the proposed development area including a Bronze Age double ring ditch and a late Iron Age to Roman enclosure. There is potential that further heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework para. 141. We suggest that the following conditions are imposed:-

- A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.
and,
- B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A).
and,
- C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

In this case the programme of archaeological mitigatory work will include further informative trial trenching and targeted areas of archaeological excavation. Briefs for the archaeological work can be obtained from Norfolk County Council Historic Environment Service. If you have any questions or would like to discuss our recommendations, please do not hesitate to contact me.

Norfolk Coast Partnership: No objection – The site is allocated in the Site Specific document of the Local Plan and therefore the principle of development here we are not objecting to.

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The site is outside but adjacent to the AONB. For many tourists arriving from the west, it is their first experience of the Norfolk Coast AONB and therefore it is important that developers acknowledge that the AONB is a nationally recognised landscape in terms of its natural beauty. Para 172 of NPPF states: 'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues'.

When more detailed plans are submitted we would want to see that there is extensive native planting, screening and incorporation of green space to soften edges and improve biodiversity on site. The provision of 6ha of green space and 4.75ha of landscape buffer is a welcome inclusion and certainly the more green space that can be accommodated into the development the less harsh the development will be in terms of visual impact.

There will be a visual impact in a development of this scale, however limiting taller buildings above 3-4 storeys, working with the site levels to bed in buildings more and ensuring that there are no hard lines of continuous development alongside the road may help to mitigate this slightly.

We would want to see light pollution taken very seriously as there is already extensive light pollution at Knights Hill which is seen from a significant distance away, this development would add to that and dark skies are one of the AONB's special qualities listed under 'Sense of tranquillity, remoteness and wildness' of our current Management Plan. We would be happy to work with the planners and developers to provide guidance on lighting schemes that will limit light pollution.

In regards to the Habitats Regulation Assessment I am in agreement with the mitigation proposed to provide increased monitoring, site wardening, improvement of access and working with stakeholders and the local community to help safeguard both Roydon Common and Dersingham Bog. The estimated increase of 20-31 visits per day although is probably over estimated is still very concerning given the sensitive nature of these habitats and especially ground nesting birds. The recently published report by Footprint Ecology goes into visitor impact more and should be referred to by the developer and planners. (Visitor Surveys and European Protected Sites across Norfolk in 2015 to 2016). I am in agreement with the Norfolk Wildlife Trust that the HRA Mitigation Fund of £50 per dwelling will not be enough to rectify the impacts of visitor disturbance on Roydon and Dersingham and the increased impact of visitor pressure in the Norfolk Coast AONB from this development.

I also reinforce John Hiskett's comment that we would not want to see the degradation of Reffley Wood as an alternative site for recreation to alleviate pressure to the designated sites.

We would support the approach that existing and new green space that has been identified through the Green Infrastructure Strategy is enhanced and delivered before this development is completed alongside other important infrastructure. The old Country Park site at Bawsey would be a very valuable asset to the Borough in terms of taking pressure away from our more sensitive sites and in this case is located very close by for people to take advantage of.

Lastly as this is such a large development on the edge of the AONB we would like to work alongside the developers and planners to ensure that the AONB's special qualities are not adversely impacted.

I recognise that there is a wide range of issues and concerns that other parties may raise regarding this development but my comments are confined to potential impacts on the AONB.

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The development would fill the remaining gap in development bordering the AONB along Grimston Road but because of the local topography, and if set back as proposed with existing screening retained and boosted with appropriate species, I would agree with the conclusion of the LVIA that landscape impacts would be unlikely to be significant in terms of impact on the existing landscape setting of the AONB.

I welcome the fact that no lighting is deemed necessary on the new roundabout, although there will inevitably be some additional light pollution from such a large development, affecting the nearby part of the AONB at night. However, it should be possible to mitigate this to some extent by good street lighting design. I note that a sports area is proposed at the north eastern end of the site, close to Grimston Road and the AONB boundary. It is not clear whether it is intended to provide floodlighting for this area, but if so the design and operation of any lighting would require very careful consideration to avoid excessive light pollution, since floodlighting could be a significant light pollution impact on the nearby AONB.

Despite having to cross a busy road, there would be likely to be some increase in recreational use of the footpath from the opposite side of Grimston Road to South Wootton and Ling Commons in the AONB, particularly regular use such as dog-walking. Although these areas are not designated for nature conservation or open access, they have biodiversity value and there would be likely to be some additional wildlife disturbance in these areas from such activity. It may be worth considering whether it is proposed to include sufficient green infrastructure within the proposed development to absorb regular recreational use and relieve pressure on the surrounding countryside.

Norfolk Wildlife Trust: No objection - NWT has previously made detailed comments regarding the measures needed to ensure that it avoids adverse impacts on nearby important wildlife sites, and we are pleased to note that our recommendations have been incorporated into the revised application.

In our previous comments on the consultation we noted our concerns over the likely impacts on our nature reserve at Roydon Common, which is designated as a Site of Special Scientific Interest and Special Area of Conservation, and on the Reffley Wood County Wildlife Site (CWS). Is it our view that there needs to be certainty regarding the mitigation, including how it will be secured and funded, before any outline planning decision is made.

We note the measures set out in the Habitats Regulations Assessment 2018 Addendum (section 5.2) and in the Revised Environmental Statement (Appendix 8.2) and recommend that these are all secured by way of planning condition or section 106 agreement as appropriate before any permission is granted. These include funding for a community ranger and engagement costs and provision of on-site open space to mitigate for visitor pressure impacts on Roydon Common, a buffer zone and additional access infrastructure for Reffley Wood CWS, and management plans for construction and habitat management. We also support the inclusion of dedicated CIL payments for wider monitoring and mitigation of visitor pressure impacts on Natura 2000 sites in the District, as set out in section 5.2.2 of the HRA amendment.

Providing these measures are secured by way of appropriate agreement in advance, then we would have no outstanding concerns regarding this outline application. Please could you keep us informed of the outcome of this application and consult the Trust on any reserved matters applications that follow, should permission be granted.

Arboricultural Officer - No objection

Infrastructure Team Norfolk County Council: No objection - The following infrastructure will need to be funded through CIL
Education Claim:

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Identified projects:

- Early Education - nursery place accommodation for new Early Years provision.
- Early Education – expansion of existing providers;
- Reffley Academy - contribute to extension to increase capacity of school (Project A).

Fire Service:

Norfolk Fire Services have indicated that the proposed development will require 1 hydrant per 50 dwellings (on a minimum 90-mm main) for the residential development at a cost of £818.50 per hydrant. The number of hydrants will be rounded to the nearest 50th dwelling where necessary. Please note that the onus will be on the developer to install the hydrants during construction to the satisfaction of Norfolk Fire Service and at no cost. Given that the works involved will be on-site, it is felt that the hydrants could be delivered through a planning condition.

Library Provision:

A development of 635 dwellings would place increased pressure on the existing library service particularly in relation to library stock, such as books and information technology. This stock is required to increase the capacity of the library. It has been calculated that a development of this scale would require a total contribution of £47,625 (i.e. £75 per dwelling). This contribution will be spent on IT infrastructure and equipment at Gaywood library.

Environment:

As outlined in the Norfolk County Council Planning Obligations Standards (April 2016), the scope of the County Council's green infrastructure responsibilities include:

- Public Rights of Way
- Norfolk Trails
- Ecological Networks

Green infrastructure should be included within the proposed site in line with local policy. Connections into the local Green Infrastructure (GI) network, including Public Rights of Way and ecological features, should be considered alongside the potential impacts of development. We would advise the Local Planning Authority that a maintenance/mitigation contribution or commuted sum for new and existing GI features may be required in addition to the County response, in order comply with local policy. Thus allowing the local GI network to facilitate the development without receiving negative impact and equally, allow the development to integrate and enhance the existing network.

There will be a direct impact from a development of this size in terms of a significant increase in footfall on the adjacent Public Right of Way network and increased recreational pressure on nearby European designated sites. We support therefore the inclusion of a good network of footpaths and cycle ways and an increased area for informal recreation within the site, the pedestrian access point to the north providing a link with the public footpath (Castle Rising Fp12), the cycle/pedestrian facilities to the Claylands site and the proposed pedestrian access links on the western boundary to Reffley Wood, all of which provide easily accessible, local recreational opportunities for residents. We would be seeking improvements to the surface of Castle Rising Fp12 as mitigation against increased pressure on the surface. Reffley Wood is owned by the Woodland Trust and managed largely by volunteers; it is advised that the Borough Council enter into a dialogue with these

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stakeholders, in the interests of both meeting legislation and of the future of this publically accessible ancient woodland.

NCC Public Rights of Way: No objection - While I would not object to the proposal on rights of way grounds I do have some comments to offer. I would suggest that the following could be secured by condition or s106 agreements or as part of Highway improvements.

I am pleased to see that the proposal seeks to retain and enhance Sandy Lane, the only existing public access on the site, including surfacing. There is a suggestion of improving this as a green corridor for wildlife as well as a non-motorised access and I would support this.

I also note and support the provision of walking/cycling routes within the site and the links into Reffley Wood.

A development of this size will increase the pressure on the surrounding recreational network. There are informal paths through Reffley Wood and it is an important site locally, I would expect some improvements to be factored in beyond just access points into the wood.

As has been proposed for previous applications for this site, ideally a bridge across the A149 where the road lies in a cutting would serve to allow recreational use to cross the barrier of the main road. The other main barrier to recreational access to the countryside is the Grimston Road on the N boundary of the site.

A pedestrian 'exit' is proposed in the NW corner of the site but this only links with the road itself there needs to be a link at least as far as the carriageway footway.

On the opposite side of the road lies FP12 Castle Rising, the most direct access from the site northwards into open countryside. This route will see significantly increased footfall and would benefit from some improvement works directly to the surface and to open up and enhance the green corridor. I would also propose a pedestrian crossing of Grimston Road at this location.

From this site there is an alternative link eastwards along the highway verge to the minor road Lodge Lane which is regularly used as part of a circular walk. There is a wide verge to the north of the road I would like to see a linked trod installed as part of the Highway improvement works.

To the east of the site and A149 are other links to public rights of way and while there are sensitivities with the conservation status of Roydon Common, the public footpaths could be improved, particularly to formalise the link between Sandy Lane (E of A149) northwards to Bawsey FP1/Grimston FP4 and potential improvements to the accessibility of FP4 itself.

Public Open Space Team – No objection – Looking at usage of our current pitches, a full sized football pitch may not be used to its full potential.

- Providing a pavilion next to 5 a side synthetic (3G) pitches and tennis courts could facilitate tennis and five a side leagues. The two 5 a side pitches at the north of the site could be relocated onto the full sized football pitch. Is there any guidance/policy concerning how freely and openly accessible sports facilities need to be? If any leagues were to be set up, at least some of the use would be exclusive.
- Pedestrian routes could double up as cycling/running tracks – providing an opportunity for informal sporting activity (as well as encouraging sustainable transport and linking with the existing public rights of way, i.e. Sandringham cyclepath). We discussed that

Sport England are recognising the importance of informal running, walking and cycling in their emerging guidance (as well as prescriptive/formal sports).

- A Driving Range could fill a niche in terms of local provision - clients could come from the adjacent Knight's Hill hotel/spa.
- An open access MUGA would provide for a range of activities.

In line with DM16, the development should provide 56m² per dwelling in the following proportions:

- 70% for either amenity, outdoor sport, allotments
- 30% as suitably equipped children's play space

NCC Mineral Planning Authority: No objection - The application site is partially underlain by a Mineral Safeguarding Area (Silica Sand). It is considered that the Mineral Assessment which has been carried out meets the requirements of Policy CS16- safeguarding of the adopted Norfolk Minerals and Waste Core Strategy, in terms of investigation and assessment. The Mineral Planning Authority has previously responded to the Mineral Assessment, and these responses are included within the planning application. These responses concluded that no viable mineral occurred on the application site and that needless sterilisation would not take place. Therefore, Norfolk County Council in its capacity as the Mineral Planning Authority does not object to this application

Open Spaces Society: Objection – We are concerned that the scheme as proposed would cause significant harm to the natural beauty and character of the countryside in this area, a character which is influenced by a number of important heritage assets, including Castle Rising, Roydon Common and Knights Hill itself with an important section of the North Norfolk Coast AONB immediately adjacent to the site. The approach along the Grimston Road towards Knights Hill is hugely important.

The character of the area is historically open, a former hunting estate. We would disagree with the applicant's claims, expressed in their Heritage Statement, that designated heritage assets within the study area would not be affected by the proposed development due to their distance from the application site. This fails to take account of the broader picture, and the erosion of the character of the area as a whole.

The scale of the development, as proposed (up to 635 dwellings) is huge, and not sustainable within the constraints of the site. Arguably, the harmful impact of the proposed development upon its surroundings would be less if its scale was reduced, to enable a lesser extent within the site to be covered. There should be a greater emphasis on retaining informal landscaping to the edges of the site. In particular, the northern part should be retained as a large area of informal landscape, as opposed to the screen planting and formal sports facilities being proposed here, which would jar with the surrounding landscape, failing woefully to respect its character. More formal facilities should only be sited well within the site, nearer to the proposed residential areas.

The scale of the development being proposed here is a matter of concern, considering the cumulative impact of this, taken together with other development proposals at South Wootton and elsewhere in the King's Lynn area, including the effect on the countryside of increased traffic noise and congestion.

The loss of undeveloped farmland and its consequences in terms of the reduction in habitats is a cause for concern. Potential impacts upon Reffley Wood seem not to have been given adequate consideration.

Open spaces: conditions attached to any planning permission should provide for any areas of public amenity open space to be registered as village green (using the voluntary registration provisions of section 15(8) of the Commons Act 2006). Registration would give the subject land long lasting strong legal protection, in line with its value as recreational open space, for the perpetual benefit of the considerable new population of the neighbourhood. All the more important given the public open space is intended to reduce pressure on adjoining areas including Castle Rising, Dersingham Bog and Roydon Common.

Public Rights of Way: The DAS makes reference to the provision of 'pedestrian and cycle links which connect to existing routes within the vicinity' but no mention is made about access for equestrians. All new permanent rights of way should be created as either bridleways or restricted byways as opposed to pedestrian/cycleways. The developer should be expected to seek to apply, and fund, the use of powers under Highways Act 1980 Section 25 or 26 to create new public rights of way which may include the creation of higher bridleway rights over existing footpaths. Recognised public rights of way user bodies should be consulted on the proposal.

Conclusion: we object due to the undoubted harm which would be brought about to the countryside here. However, if development is to go ahead the local planning authority should view the securing of adequate additions and enhancements to public open space and public rights of way provision, both within and surrounding the site, as one vital form of compensation to the community.

King's Lynn Civic Society: Objection – We recognise that this is an allocated site and that the developers have worked with Norfolk Wildlife Trust, the AONB partnership and the Woodland Trust in developing an acceptable approach to delivery of the scheme. We have also previously written to Camland expressing our own thoughts and suggestions after the public consultation process in 2016.

We still have a number of concerns with the proposals. In particular we note this is still an outline application, and it will be the detail of the conditions – and the diligent enforcement of conditions, that will be essential to help mitigate the significant impacts that this large urban expansion will cause.

Traffic: We remain very concerned about the cumulative impact of traffic on the town centre and indeed the sub-regional road network in general. It is our view, and the view of many other stakeholders, the planning authorities (the Borough, County and Highways England) have still done insufficient work to establish whether the existing road system in and around Lynn can cope with the expected increase in traffic (of this and other substantial proposed urban expansion).

- The cumulative impact on adjoining roads and junctions must be fully assessed. The required alterations to those roads must be fully designed and costed. The part this project will play in delivering those road improvements must be agreed as a condition of consent.
- The project must also provide for the delivery of a comprehensive network of foot and cycle paths, within and beyond the site. These must ensure that there is a viable alternative to car use for local journeys – especially for links to key community facilities (especially schools, the hospital, and key employment sites).
- The provision for public transport infrastructure (bus stops) and services (subsidised shuttle buses?) should be a condition of consent.

Landscape and Visual Impact: We acknowledge the LVIA assessment provided and the thoughts of the AONB officer and the Woodland Trust. We have some concerns about the eastern site boundary with the A149 – a matter that we raised in consultation. This road is

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the main gateway to north Norfolk and has significance for perceptions of King's Lynn and the County. Although the embankment has some trees and gorse with some character – it has become rather unkempt in appearance. There is an opportunity here to enhance and extend a woodland buffer that will totally screen the proposed development from this direction and greatly enhance presentation of the road corridor. An acceptable detailed design that achieves these twin goals and is fully paid for by the development should be a condition of consent. Collaboration with the Highways Authority will be required. We note the proposal for a 'bund'. Any such mounding should be subtle and integrated into the landscape setting. (A great earth bank with unkempt grass as seen adjacent the Kings Reach development and the hospital will not be acceptable).

Green infrastructure: We have previously lobbied for better green infrastructure provision in Lynn – especially due to the notable shortfalls that already exist in some neighbourhood areas, the extent of new development now being proposed in and around the town and the proposals for some new development to be built within existing green infrastructure assets.

We remain circumspect about some of the proposals made in relation to green infrastructure within the Knights Hill site – especially the swales and ponds – which, as we have noted in our consultation comments, we doubt will be permanent water bodies on this substrate. The delivery and ongoing management of these resources (including also the meadow areas and 'community orchard') need to be fully conditioned. Conditions should require an ongoing management plan for at least 15 years – including funding. We think a commitment to building a community management resource is also essential – perhaps in conjunction with NWT or the Woodland Trust.

We acknowledge and support the proposed street tree planting. However, we note this was also proposed for the Lynnsport housing development – and at detailed design most of it was omitted.

Delivery of street tree planting must be agreed with all service providers. It must be set as a firm condition of consent. Space should be provided for medium or large size species which will offer a genuine contribution to the future environment.

We support other comments about the need for this development to contribute to the provision of green infrastructure links to the wider area – and the importance of mitigating impacts to nearby sites of conservation importance. However, we still believe a foot/cycle bridge connection over the A149 would be beneficial to green infrastructure provision in the wider setting.

Sustainability: We would support a clear, conditioned, commitment to energy efficiency and renewable energy - including design for passive solar benefits.

Dwelling design / servicing: We would support detailed building design that respected the landscape setting and created a distinctive character and high quality for this site. Clay pantiles and use of carrstone and an 'East Anglian' red or brindle brick might be appropriate. The establishment of distinctive 'nodes' and 'centres' will help legibility on this large estate. Services should be discreetly designed – especially in relation to night lighting. Overhead cables and external fixtures (aerials and dishes) should be minimised.

The Woodland Trust – Made comment - As the landowner of the adjacent Reffley Wood the Trust is satisfied that the proposed 50 metre buffer zone, including areas of additional planting, between the development and ancient woodland is of a sufficient size and form as to ensure the protection of our ancient woodland.

In addition to the proposed 50m buffer, if the development is granted planning permission the Trust requests that the council implements a condition seeking a commitment towards developer obligation funding, in line with Section 106 agreements/CIL, to mitigate the effects of increased public usage of our site.

REPRESENTATIONS

Henry Bellingham MP – objects – understand this proposal is on a preferred site but it does need detailed planning consent and all issues around the environment and highways must be looked at; following objections strongly noted:

1. The sheer scale of the development – well in excess of 600 houses is far too large; highly detrimental impact on the character and nature of South Wootton which is a village on the edge of King's Lynn; dwellings located much too far from the centre of the village and emphatically not in favour of creating a new community.
2. The destruction of incredibly valuable open space – cause significant harm to the natural beauty and character of the countryside, located adjacent to Reffley Wood and the internationally renowned Roydon Common; it would destroy open countryside that is hugely valued by the local community.
3. Storm drainage and sewerage discharge – given that the site is on significantly sloping land, this could have grave consequences for those surrounding estates to the west; any overloading of the existing sewerage system could have a highly damaging knock on effect on those exiting communities and a possible devaluation of properties.
4. Access through Ullswater Avenue – completely unacceptable to these residents; bought their properties on the basis they were living in a closed cul-de-sac and to open it up to buses, emergency vehicles etc. would not be acceptable.
5. Pressure on existing services – already substantial pressure on local doctor's surgery and neighbouring schools are already up to full capacity
6. Access onto Grimston Road – this is my greatest concern; Grimston Road is already at very near maximum capacity; already very long tail backs around Castle Rising crossroads and up to Knights Hill roundabout; difficulty getting out of Langley Road adjacent to the Asda store; slightest problem causes chaos; new roundabout will create a 'major pinch point'; create a brand new community that would be isolated from the parish of South Wootton and totally cut off from any sensible and smooth access arrangements; this estate would be starting life with one enormous handicap; unless alternative access arrangements can be made the houses will be exceptionally difficult to sell; has an alternative access arrangement been considered?; one option might be a bridge over the A149 and a separate access road running up Knights Hill.

Conclusion – the sheer scale of this estate and the impact on both the environment and local roads means that it should not be given permission to go ahead. I would support a much smaller development of about 200 houses. The obvious advantage is that would give everyone a chance to see what impact this would have on both the environment and highways. If some of the worst fears were not realised, then there might be an argument for extending this in to a Phase 2.

A **petition** with **948 signatures** which objected to the application on the following grounds:

- Development will put too much pressure on local highway network and cause terrible and unacceptable congestion on the A148 and A149, major arterial routes into King's Lynn. No evidence to demonstrate how the cumulative impact of traffic has been provided.
- The poorly thought out proposals to build 700 houses on the highest hill in the whole borough are illogical and would be an unwelcome intrusion into views of the countryside for miles around

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- The developers are prematurely applying for planning permission in two applications totalling more than 700 homes, more than the proposed Local Plan where the Local Plan is only in draft form, yet to be approved by the Planning Inspectorate.
- The proposed development fails to properly take account of key historic and environmental assets such as Castle Rising, Knights Hill, and Dersingham Bog SSSI/SPA, and would be an unwelcome urbanisation of the green open countryside.

Also **439** third party comments received from two rounds of public consultation, referring to the following:-

Traffic / Parking

- Too many additional cars, roads already gridlocked
- Inadequate parking for proposed football pitches, tennis courts and allotments.
- Turning at Grimston Road and Sandy lane is already really dangerous. And turning at the blind bend at the junction of sandy lane and Ullswater Avenue is also dangerous
- Extra roundabouts and junctions will cause HGVS to struggle up the hill of Grimston Road
- Impact on Wootton Gap junction
- Extra traffic will cause more pollution; more problems for people's health
- Sandy Lane and Ullswater Avenue are not safe for such volume of additional vehicles and an added bus route
- Extra traffic will pose a hazard to pedestrians and increase risk of accidents
- Proposal to allow public transport access via Ullswater Avenue is not safe, road is too narrow.
- Extra traffic will deter tourists, jeopardising the fragile existence of the town centre shops
- Extra traffic will deter companies from investing in King's Lynn.
- Extra noise from traffic and construction.
- The new roundabout and link road with Ullswater Avenue will encourage rat runs.
- Glad to see that the access point from the Clayland development has been amended to be for pedestrian and cyclists only
- Knock-on effect at the Knights Hill Roundabout and the Wootton Road, causing serious delays to everyone including emergency services
- Unacceptable level of traffic congestion, on Grimston Road and Edward Benefer Way, the designated route for HGVS to the docks etc.
- Impatient car drivers will use the service road to the cottages as a rat run regardless of the signs which will no doubt say 'access only'.
- re-evaluate the positioning of the roundabout
- Construct a dual carriageway into King's Lynn from Knights Hill roundabout.
- Developer should provide new additional parking facilities in the town centre.
- Developer should redesign the town centre road network to prevent any gridlock at peak times.
- 2000-2500 extra vehicles on the road
- Developer should build a dual carriageway or a motorway into King's Lynn
- Extend 30mph restriction to Knights Hill roundabout
- Welcome the proposed improved bus facilities
- Future residents will not use public transport or walk to facilities
- Will cause extra traffic delays on A149
- 2nd access via Ullswater Avenue not needed
- Proposed roundabout too close to A149/ Knights Hill roundabout
- Cycle path to Clayland site serves no purpose
- A slip road from Sandy Lane onto the A149 should be provided

- 2nd access should be through Claylands site not Ullswater Avenue
- Impact on wider road network e.g. A10 and A47 for commuters
- Why is an emergency access through Ullswater Avenue required?
- How will the Ullswater Avenue emergency access work and who pays for repairs to the road from extra use?
- Traffic disruption from construction will go on for years
- Access to South Wootton Junior School should be changed
- Concern over pedestrians and cyclists using Sandy Lane crossing A149
- Improvements to Langley Road ASDA junction would be welcome, and this along with other enhancements stated should be a pre-requisite of any permission granted.
- The 40 mph speed limit up to the Knights Hill roundabout is welcome but could it go further by extending the 30 mph limit at Langley Road back up to the Knight's Hill roundabout?

Amenity

- New sports facilities will generate too much noise at weekends and summer evenings.
- South Wootton residents will experience a reduced quality of life.
- Removal of existing hedgerows and trees will have a detrimental impact on the privacy and amenity of existing and future occupiers.
- Some of the proposed houses are positioned way too close to existing houses, effecting privacy.
- Increased anti-social behaviour.
- Proposed 3-storey houses would overlook existing properties.
- Noise and disruption from construction will go on for years
- Harm to quality of life
- Will harm amenity, peace and quiet for local residents
- Not enough residential amenities proposed
- Close alleyway from Barsham Drive to Sandy Way to avoid disturbance to Barsham Drive residents
- Don't make roads too narrow and covered in parking like many modern estates
- Lighting will change character
- Development will be very visible as on a hill

Services / Infrastructure

- Hospital, GP, schools can't cope with current numbers with no capacity for more people
- Football pitches, tennis courts, pubs and allotments are unnecessary waste of space
- Idea to store sewage in tanks and pump away at night is an immense health hazard and appears ridiculous in the technological 21st century
- Pumping sewage causes overpowering smells
- Water supply is not adequate
- Sewerage capacity is not adequate
- Providing proper drainage and sewage should and must be provided even if the cost is more
- Not convinced the surface water drainage strategy is robust
- How much money will the Council get from the CIL and how do they propose to spend it?
- Residents of South Wootton will suffer but most of the CIL money will go to Castle Rising and King's Lynn
- Developer should add new buildings and infrastructure to both village schools

- Developer should upgrade the mains sewage system
- Lack of employment facilities for the increased population
- Drainage concerns
- Will flood South Wootton
- Infrastructure (water, telephones, gas, electricity, broadband) will not cope
- Existing water pressure will not cope
- The 3 large scale applications for South Wootton will cause infrastructure problems

Housing / Density / Urban Sprawl

- Number of houses proposed is too high
- Too many houses crammed in
- Number of homes proposed is contrary to SWNP.
- Density proposed (18/19dph), is higher than the borough council's policy of up to 16dph
- Type of houses proposed are inappropriate and not enough affordable housing
- South Wootton will lose its character and individuality as a pleasant village
- South Wootton will be coalesced with King's Lynn.
- Scale of scheme is not in-keeping with the historic area.
- Based on the evidence provided from the Parish Council a reduction in numbers to 425 dwellings at Knight's Hill and 225 dwellings at Hall Lane would be more sustainable.
- Two and half and three storey townhouses will not be in keeping with the local character and history of the area
- Variety of house styles that are not expected on the country boundary of a town
- Only low rise houses or bungalows should be considered on a hill
- Will increase South Wootton by 60%; out of keeping
- No provision for starter homes or retirement homes

Natural / Heritage Assets

- Harmful impact on wildlife
- Loss of countryside
- All hedgerows and trees should be retained where possible
- Wildlife will be driven out of Reffley wood by increased visitor numbers.
- More thought should be given to impact on Reffley Wood
- Site contains waterfowl, birds, hedgehogs, deer and protected bats.
- Create 'hedgehog highways' within development
- The application site has archaeological interest and should be investigated further.
- Extra housing would be detrimental to the environment and natural beauty and heritage of the area.
- Concerns about the removal of woodland which acts as a natural flood barrier for the surface water run-off.
- The original siting of the roundabout by Knights Hill Hotel was rejected because of light pollution seen from Castle Rising; the lights of the hotel/roundabout on the bypass cannot be seen from the gates by the castle; nor can the four elevated security spotlights at the farm shop be seen from Castle Rising
- Building on green belt land with no apparent 'exceptional circumstances'

Other

- There should be no development at all on this site
- Developer did not consult residents well enough.

- Developer wants to make money and move on
- Developer is not local and not aware of local styles and values
- Will harm the whole town
- Value of existing houses will drastically depreciate.
- Development doesn't put enough emphasis on energy saving systems such as solar panels, heat pumps etc.
- Parking being moved will affect the insurance of people's cars, as it is less secure and higher risk of being broken into or stolen.
- Why use greenfield sites when there are other brownfield sites to be used?
- Someone should be discouraging population growth by various means - the planet needs fewer people not more concrete, bricks and mortar.

2 neutral comments received.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS03 - King's Lynn Area

CS08 - Sustainable Development

CS09 - Housing Distribution

CS10 - The Economy

CS11 – Transport

CS12 - Environmental Assets

CS13 - Community and Culture

CS14 - Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM8 – Delivering Affordable Housing on Phased Development

DM9 - Community Facilities

DM10 – Retail Development

DM12 - Strategic Road Network

DM13 - Railway Trackways

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

DM17 - Parking Provision in New Development

DM19 - Green Infrastructure/Habitats Monitoring & Mitigation

DM21 - Sites in Areas of Flood Risk

DM22 - Protection of Local Open Space

E4.1 – Knights Hill

SOUTH WOOTTON NEIGHBOURHOOD PLAN (SWNP) POLICIES

E.1 – Landscape Character

E.2 – Sustainable drainage

E.3 – Open Spaces

E.4 – Strategic landscape framework

E.5 – New growth areas

H.1 – Growth areas

H.2 – Encouraging High Quality Design

H.4– Local Character

B.2 – Development of Local Shops in growth areas

S.1 – Education

S.2 – Community Infrastructure

S.3 – Play areas

S.4 – Cemetery & allotments

T.1 – Walking and cycling facilities

OTHER RELEVANT DOCUMENTS

Castle Rising Conservation Area Draft Character Statement

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

PLANNING CONSIDERATIONS

The main planning considerations in regards to the application are:-

- Principle of Development
- Form of the development
- Environmental Statement
- Landscape Impact
- Impact on Heritage Assets
- Archaeology
- Highways Issues
- Footpath/cycle links
- Ecology – Protected Sites
- Ecology - Protected species
- Trees and Hedgerows
- Open space
- Flood Risk and Drainage Issues
- Contamination and Air Quality
- Affordable Housing
- Community Facilities/Neighbourhood Centre
- Impact upon Residential Amenity
- Noise
- Lighting
- Crime and Disorder Act 1998
- Utilities
- Fire hydrants
- Minerals
- S106 matters and CIL
- Other material considerations

Principle of Development

For the purposes of this proposed development, the Development Plan comprises the Core Strategy (CS), the Site Allocations & Development Management Policies Plan Document (SADMP), and the South Wootton Neighbourhood Plan (SWNP). A list of the relevant policies is set out earlier in this report. The revised NPPF (February 2019) is also a key material consideration representing latest Government planning policy

The application site is the larger part of a site allocated for future housing development within the Site Allocations and Development Management Policies Plan September 2016 (SADMP 2016), and Policy E4.1 refers specifically to this site. Policy E4.1 includes a list of requirements to be provided on this site and requires development of at least 600 dwellings across the allocation.

Any proposed development on this site will be expected to comply with the criteria of this policy, unless there are sound reasons why this is not possible.

Decisions need to be taken in accordance with the Development Plan unless other material considerations indicate otherwise.

At a size of 35.3 hectares this application site forms the majority of the allocated housing site, which covers a total of 36.9 hectares. The smaller part of the site, (the Claylands site) already has planning permission for up to 60 dwellings (lpa ref: 15/01782/OM). However, the LPA views this as part of a comprehensive development of the overall site. Given the size of the site, however, most requirements of the policy come forward on this site. Proposed

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pedestrian and cycle paths joining the two sites will provide the links between the sites to satisfy the terms of Policy E4.1.

The application site is partly within the area covered by the SWNP and development within this part of the site needs to comply with these appropriate policies. Part of the site is also within the parish of Castle Rising which has no Neighbourhood Plan. The remainder of the site is within the unparished area of King's Lynn which also has no Neighbourhood Plan.

The proposal seeks outline consent with all matters reserved except for access.

The submission is supported by an Environmental Statement to establish the nature of the development and the environment in which it is likely to take place, during both construction and operational phases.

The planning application submission also includes a raft of reports and surveys and a series of plans. An Illustrative Masterplan has been provided which sets out the key areas of residential development and the local centre. This also shows the location of the proposed new roundabout along Grimston Road and the indicative position of the main estate road running southwards from the roundabout through the proposed development. An Indicative Phasing Plan has been provided within the DAS to indicate that development would start in the north of the site and progress southwards over time.

The application has been supported by a Landscape and Visual Impact Assessment, Tree Survey and Arboricultural Impact Assessment. Also a Habitats Regulation Assessment, Ecological Impact Assessment and various protected species surveys. An Air Quality Assessment has been provided as well as a Geo- Environmental Assessment, Lighting Strategy, Noise Assessment, Sustainability Statement, Energy Strategy and Flood Risk Assessment.

A Transport Assessment has been undertaken and a Travel Plan provided.

Detailed sustainable drainage measures cannot be formalised at this stage, as this will be dependent on final layout and numbers of dwellings, however a drainage strategy has accompanied the application.

In order to establish the principle of the impact of the proposal on heritage assets a Heritage Statement accompanies the application and has been updated during the course of the application. Details of the findings of the archaeological trial trenching have also been provided.

The outdoor play provision and enhanced recreational provision has been indicated on submitted plans, however the final layout will be agreed at reserved matters stage.

Heads of terms have been provided for the S106 which will be required to secure affordable housing contributions. Other Matters to be secured in the S106 include the securing the delivery of open space and play equipment and the long term management thereof, the provision of the Habitats Mitigation Tariff, the provision of allotments and contribution towards the off-site highway improvement works at the Langley Road/Grimston Road junction and Wootton Gap.

The application requires an Appropriate Assessment under the Habitats Regulations to ascertain whether the proposed development will result in an adverse effect on the integrity of the European nature conservation sites. Para 177 of the NPPF states that the presumption in favour of sustainable development does not apply where development is

likely to have a significant effect on a habitats site unless an appropriate assessment concludes that the development will not adversely affect the integrity of the habitats site.

Para 177 of the NPPF is a material consideration. However, in this regard it should be noted that the NPPF cannot require the policies of the development plan to be disregarded by the decision maker; rather it may influence the weight that is attached to them.

All policies in the current development plan should be considered up to date for the purposes of Paragraph 11 of the NPPF. In this context Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise, and this remains the legal starting point for the decision on this application.

The weight to be given to development plan policies alongside other material considerations will need to be assessed by Members.

In this case the site is an allocated site within the SADMP proposed for additional housing having been chosen as a preferable site through the Local Plan process. Provided the proposed development accords with the provisions of the development plan, including Policy E4.1 and the relevant policies of the South Wootton Neighbourhood Plan 2015 – 2026, the principle can be supported.

Form of the development

The application site comprises two fields (north and south) divided by a hedged track (Sandy Lane), on the southern side of Grimston Road. The site is largely contained by distinct boundaries comprising existing roads, woodland (patches of woodland with associated clearings) and development (housing to the northwest, and the Best Western hotel site to the northeast).

The application is in outline with all matters reserved except for access. Consequently details of the proposed appearance, layout and scale of the residential development are not for consideration at this stage. An indicative layout has been provided to demonstrate that the proposed numbers of dwellings, open space and accompanying infrastructure can fit within the site.

Since the original submission the application has changed in response to comments received following consultation exercises. The application now proposes a reduced figure of up to 600 dwellings on the site. In policy terms Policy E4.1 requires at least 600 dwellings across the whole larger site allocation. With the Claylands site approval of up to 60 dwellings the total figure of up to 660 dwellings across the whole site is in line with the policy requirement of 'at least' 600 dwellings.

The application has been supported by an Illustrative Masterplan which shows the proposed land uses across the site. The applicant refers to the density of residential development on the site as being an average of 17 dwellings per hectare (dph). The revised DAS shows in the Indicative Development Densities plan that the density levels would vary across the site with denser development in the northern part of the site (typically 20 dph) and lower in the south (approximately 14dph). The same plan shows that a typical density of Ullswater Avenue averages at approximately 16 – 18 dph.

That said, any outline planning permission would set a maximum figure of dwellings should the outline application be successful, and future reserved matters will deal with issues of precise numbers, quality of layout etc. during each application.

Parish Councils and third party objection has been received to the density of the proposed development stating that it is too much for the site. Third party reference has been made to 16dph being more appropriate and in keeping with existing surrounding development. However, SWNP Policy H4 (which refers to all new residential development) requires that densities will be required to demonstrate that they respond to their context and helps to preserve the open and green character of the village. As demonstrated the proposed development can fit the site and will blend in with existing development to the west and it is considered the proposal is not in conflict with the requirements of Point 3 of Policy E4.1 in this regard.

The Illustrative Masterplan indicates the line of the spine road running north south through the site, the position of the local centre, the open space, drainage, nature conservation area and identifies three phases of residential development with a network of local estate roads.

The DAS states that the development will be predominately 2 storeys in height (maximum height 8m floor to ridge level), with a limited amount of 2.5 storey development(maximum height 9.5m floor to ridge level) located within the local centre. It states there will be a mix of house types and sizes within the development, ranging from 1 to 5 bed dwellings. A variety of unit typologies and building heights may also be used to create balanced and active street scenes and provide a contrast in the roof lines. However, a more detailed layout of the residential areas has not been provided at this stage so comment regarding the design and appearance of the proposed development cannot be made until reserved matters stage.

It will be essential to assess the wider implications of the building forms and masses at reserved matters stage, particularly given the level changes across the site and the sensitivities of its location and surrounding heritage assets. It is recommended that a condition requiring details of floor levels is attached should planning permission be forthcoming.

The applicant has indicated in their submitted documents that they intend to deliver the residential elements in three phases in conjunction with the spine road. The applicant states that the phasing of development will broadly be from north to south with the spine road and infrastructure delivered in tandem, with the junction on Grimston Road being the first item of strategic infrastructure constructed on the site. The timing of the implementation of the off-site highways works can be controlled by way of planning condition.

The DAS confirms that the provision of the local centre and community facilities is an open phase and will begin construction when the demand for these local facilities is secured. The provision of land for neighbourhood shops and community facilities is a requirement of Policy E4.1 and is shown on the illustrative Masterplan. It is recommended that a planning condition be imposed requiring that the development should be carried out in accordance with the approved Illustrative Masterplan.

The timing of the completion of the spine road will also need to be agreed in order to maintain the viability of the scheme. It is proposed that this be a trigger point expressed as 75% given that the ultimate number of dwellings may change with the submission of subsequent reserved matters applications should planning permission be forthcoming.

Extensive open space and/or significant landscape buffers will be located throughout and around the development to provide suitable development offsets to neighbouring land uses. These areas will be complemented by a series of green/pedestrian friendly corridors throughout the site, creating interconnecting links to the wider green infrastructure network.

Policy E1 of the SWNP, along with Policies E3, E5, H2 and H4 seek the retention and enhancement of the landscape character through retention, provision and enhancement of

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open spaces and appropriate planting. As discussed in other sections of this report, the landscaping will be an important part of a successful scheme given that the site adjoins the open countryside. Planning conditions seeking details at reserved matters stage are recommended to be imposed in line with local policies.

Details of long term maintenance arrangements for all open space would need to be covered by S106 legal agreement and reference to this has been made within the submitted draft heads of terms.

Since the original submission amendments have been made to the proposal in response to concerns from statutory consultees. The key changes include:-

- The maximum number of dwellings has been reduced from 635 to 600;
- The amount of Formal Open Space being provided has reduced from 1.1ha to 0.7ha;
- The amount of Informal Open Space has increased from 3.6ha to 5.0ha;
- Additional tree planting is proposed in the central part of the site;
- A larger area of informal open space is being provided in the north eastern corner of the site to provide a buffer and eliminate visibility of the proposed development from Castle Rising;
- The amount of built form in the north west part of the site is being increased (closer to Grimston Road than previously);
- The Local Centre development 'envelope' has been reduced.
- One potential pedestrian and cycle access via the Claylands development instead of the two vehicular and pedestrian links previously proposed;
- A pedestrian/cycle route and access to the north east of the site has been added from Grimston Road.

Third party objection has been made to the variety of houses and two and a half or three storey dwellings not being in keeping with local character. Third party objection has also been made to the lack of starter or retirement homes and comment has been made that only low rise houses should be considered on a hill. However, as stated above, the final mix and design of the proposed dwellings, including how they would sit on rising ground, will be determined at reserved matters stage should planning permission be forthcoming.

In principle the indicative site layout shows that the number of dwellings can fit on the site alongside a significant degree of informal open space which is in context and will help to assimilate the development into this edge of settlement site.

Environmental Statement

At pre-application stage the local planning authority (LPA) screened the proposal as Schedule 2 development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended by the Town and Country Planning (EIA) (Amendment) Regulations 2015 (the "EIA Regulations"). It was confirmed that the proposal would need to be subject to an Environmental Impact Assessment (EIA) and an Environmental Statement (ES) would need to be prepared.

An Environmental Statement (ES) has been submitted in support of the planning application which summarises the findings of the EIA process regarding the environmental implications of the development. The initial ES was submitted with the original application and certain sections have been updated through an ES Addendum submitted in October 2018 following feedback from statutory consultees.

The ES considers the likely significant effects of the development on the environment following a scoping opinion request in February 2015. The issues included within the ES

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relate to matters identified by the LPA through the scoping exercise and include policy, socio-economic impact, ecology and geology, landscape and visual impact, traffic and transportation, flooding and drainage and heritage assets. All of these issues are covered in this report.

It should be noted that the previous EIA regulations have been superseded since the original submission by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations), although there are no resulting significant implications for this application.

In addition to assessing the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the development during the construction and operational stages, the EIA process also requires the consideration of reasonable alternatives. This may include, for example, elements of development design, technology, location, size and scale, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.

The issues and findings set out in the ES are referred to within the relevant sections throughout this report.

Chapter 12 (including various appendices) of the ES relates to the potential effects of the development on protected habitats. Under regulation 61 of the Conservation of Habitats and Species Regulations 2017 (often referred to as a “Habitats Regulation Assessment”) the local planning authority is further required to carry out a Habitats Regulation Assessment. This has been undertaken and referred to later in this report.

Paragraph 2, Part I of Schedule 4 of the EIA Regulations requires the applicant to provide an outline of the main alternatives studied and an indication of the main reasons for the choice made, taking into account the environmental effects. The ES is required to consider various scenarios including the ‘do nothing’ alternative where the development is not progressed, consideration of alternative locations for the development, alternative uses for the site and alternative design and layout for the development in the context of the design evolution.

Under the ‘do nothing scenario’ the site would remain in its current predominantly agricultural use. Adverse effects such as an increase in traffic and associated noise would not occur. Similarly the beneficial effects including the contribution to housing stock and employment generation would not be realised.

In this case no other locations or uses were considered in the ES as the site has been identified via the local plan making process as being suitable for housing and therefore the surrounding area has undergone high-level assessment, with Knight’s Hill identified as the most suitable location for significant residential development. It is considered that this approach is acceptable in this case, given its allocated status.

The DAS describes the process via which the current design has emerged and satisfies this ES requirement of design evolution.

Landscape Impact

The site is an allocation for housing, so inevitably there will be a major change to the existing landscape. Whilst this assessment was undertaken to a large extent through the allocation process, the Environmental Statement provides further detail on this issue. The application has therefore been supported by a Landscape Visual Impact Assessment (LVIA). This was

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subsequently updated during the course of the application following comment about modelling and visibility points.

Core Strategy Policy CS12 requires development proposals to reduce the visual impact of new buildings or structures. The site is within the countryside but abuts the existing development boundary. The Norfolk Coast Area of Outstanding Natural Beauty (AONB) boundary runs along the northern side of Grimston Road so that the site is not within it but adjacent to it.

Paragraph 172 of the NPPF requires great weight to be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty (AONB) which have the highest status of protection in relation to landscape and scenic beauty.

The nearest boundary of the AONB is on the northern side of Grimston Road, on the opposite side of the road from the site.

The site has been identified as a site for residential development through the local plan. As such the impact of such development on the surrounding countryside was considered at various stages through this process. The SADMP refers that, like the existing built up area, development here would be visible but not prominent in a range of distant views. It would be expected to be softened by planting within the development area and on its boundary.

Since the original submission of the application the applicant has provided additional detailed investigation work to show that the proposed development would barely be visible from the castle grounds at Castle Rising (to the north), being hidden by the ridge line to the north of the A148.

The site is visible only from the top floor of Castle Rising but is largely screened by a combination of existing woodland and slope. From the evidence collated, and to eliminate the physical elements of the development from the view of Castle Rising, the applicant has since moved all development further down the hill to the north east corner so that it sits beneath the 45m AoD contour line. A 'no development zone' to the east of the 45m contour line has been created to further minimise any impacts, including upon the setting of the Rising Lodge at Castle Rising. (See below section: Impact on Heritage Assets)

The site is clearly visible from the section of Sandy Lane that divides the north and south fields, as well as from the footpath along the eastern boundary of Reffley Wood. Drivers travelling northwards along the A149 see glimpses of the southern corner of the southern field, and there are limited long views of the site from further south (e.g. from the ruins of St James' church, Bawsey) and from the east.

The Landscape Visual Impact Assessment (LVIA) states that the site consists of two arable fields (the northern field and the southern field), which are separated by a publicly accessible unsurfaced road which crosses the site from east to west (Sandy Lane). The site is partially enclosed by shelterbelt and hedgerow vegetation aligning the roads to the east and north and by mature woodland to the southwest (Reffley Wood). An area of mature scrub and woodland vegetation, located within the site on land to the west of the northern field, provides a buffer to the existing residential edge of South Wootton.

This LVIA confirms that the site is not subject to any landscape designations and the landscape elements contained within site are not considered to be particularly rare or irreplaceable. The site is however anticipated to be of value locally as an area of arable farmland and woodland on the edge of a residential development which is of reasonable scenic and landscape quality and which is afforded some ecological and conservation

importance (e.g. woodland to the west of the northern field and protective buffer to Reffley Wood).

The overall landscape value attached to the site is therefore appraised to be Moderate.

The proposed main vehicular access into the proposed development will be via a new spine road, which will connect at its northern end to a proposed roundabout on Grimston Road (A148). Due to the proximity of the proposed roundabout to the Knights Hill roundabout (north-east of the site), overhead lighting will not be required.

The proposed development will retain the majority of existing boundary treatments, but will necessitate the removal of some existing vegetation aligning the northern boundary to facilitate the construction of the proposed road connection and roundabout on Grimston Road. Most of the existing area of mature scrub and woodland vegetation located within the site on land to the west of the northern field will also be removed to accommodate the new development.

A high degree of landscape planting is proposed throughout the development and will be seen alongside areas of public open amenity and recreational space, landscaped swales and wetlands. Various landscape measures have also been designed into the proposals as mitigation of effects on landscape and visual receptors.

The LVIA which accompanied the original application assesses the landscape effects on the site, the effects on landscape character and on visual receptors in the short term and long term. Since its original submission the application has been amended in response to consultation responses received. The LVIA was reviewed alongside these changes and the revised LVIA found that the alterations to the application proposals would not be so substantial as to alter the findings and conclusions of the original LVIA in terms of the significance of the likely landscape effects of the proposed development. Further, the revised LVIA found that these alterations, including the changes to the location of dwellings, increased open space and enhanced boundary planting, improve the assimilation of the proposed development into the existing landscape.

In summary the LVIA finds:

Effects on the site - In terms of landscape effects on the site the LVIA refers that during the construction phase the resulting effects would be of Moderate Significance and of Adverse consequence, the short term (Year 1) effect would be of Minor significance and of Adverse consequence and the direct long term (Year 10) landscape effect on the site would be of Minor significance and of Beneficial consequence.

Impact upon the nearby Landscape Character Areas - In terms of impact upon the Landscape Character Areas (LCAs) of Hillington and Congham LCA (West Norfolk Landscape Character Assessment WNLCA Landscape Zone F4) and Pott Row and Roydon Common LCA (WNLCA Landscape Zone F5), it is assessed that the effect on the landscape character on both LCAs during construction phase and Year 1 would be of Minor significance and of Adverse consequence. The long term (Year 10) significance of effect on the landscape character of the Hillington and Congham LCA would reduce to Insignificant and of Adverse consequence due to the increased screening of development from the wider LCA following the establishment of the proposed landscape mitigation measures. The long term (Year 10) effect on the landscape character of the Hillington and Congham LCA would remain of Minor significance and of Adverse consequence. Again, this effect is attributable to the perceived urbanisation of this LCA and reduced sense of rurality apparent from the wider LCA.

Impact upon key visual receptors - In terms of impact upon key visual receptors this ranges from Major and Adverse on a very small number of adjoining neighbours and Moderate and Adverse on residents of Ullswater Avenue, visitors to the Best Western Hotel and walkers in the area during construction phase. A Minor and Adverse impact has been assessed for residents of Sandy Lane and other walkers and visitors to the area or motorists on the A149 during construction.

In terms of the short term (Year 1) the original LVIA found the effect of Moderate significance and Adverse consequence has been identified for residents of Ullswater Avenue, visitors to the Best Western Hotel and walkers in the area and a residual short term (Year 1) effect of Minor significance and Adverse consequence for motorists on the A148 and A149, and walkers and motorists on the AONB. The residents of Sandy Lane would experience a residual short term effect of Insignificant. The revised LVIA reviewed the changes to the layout and found that the magnitude of visual effect during the early construction phase on residents of Ullswater Avenue is assessed to be Large and of Adverse consequence which recognises the loss of arable land cover and the introduction of construction activities, drainage ditches and residential built form during the construction phase.

Following the establishment of landscape mitigation measures, it is considered that only walkers crossing the site on Sandy Lane would experience a residual long term (Year 10) effect of Moderate significance and Adverse consequence. Other visual receptors, including residents of Ullswater Avenue, would experience a residual long term (Year 10) effect of Minor significance and Adverse consequence. The rest of the visual receptors would experience a residual long term (10 year) effect of Insignificant.

In conclusion the LVIA generally supports the proposed development of the site, stating that the development presents opportunities for improved landscaping and planting to successfully integrate this allocated site both visually and in landscape terms with its context.

The proposed Illustrative Masterplan shows that the development has been carefully designed to have regard to the potential visual impact on the wider countryside and to existing residents in the surrounding area. There are large areas of open space proposed to the north west corner, throughout the site and around Reffley Wood. The Landscaping Plan shows that these areas and the reinforced boundary planting will provide opportunity for landscaping to ensure the impact of the development is softened.

To summarise, it is clear that there will be a change to the current open qualities of this landscape with the introduction of a development of this scale. However, the site layout provides opportunities throughout the site for some areas to be kept open and others to be softened with planting so that the impact of the development from longer views in all directions will be reduced. Any short – medium term effects will be improved over time so that the long term impact will be of minor or insignificant effect. For this reason it is considered that the proposal is acceptable in landscape impact terms, and as such complies with the requirements of Core Strategy and SADMP Policy and the SWNP, subject to the imposition of appropriate conditions securing landscape mitigation measures.

Impact on Heritage Assets

The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places statutory duties upon Local Planning Authorities. In determining applications that affect a Listed Building or its setting Section 66(1) states that the Local Planning Authority 'shall have special regard to the desirability of preserving the building or its setting'. Section 72 requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area when

determining applications affecting buildings or land within the Conservation Area or its setting.

In addition, Paragraphs 184-202 of the NPPF refer to the need for Local Planning Authorities to take into account the need to sustain and enhance the significance of heritage assets. The intent of these paragraphs is to ensure that new development makes a positive contribution to local character and distinctiveness.

Of particular note is para 194 of the NPPF which states that ‘any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.’ Also para 196 which refers: ‘where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.’

At a local level, Policy E4.1 requires a heritage assessment to include both on-site archaeological evaluation and an assessment of the impact on heritage assets beyond the site, including views to/from important heritage assets, in particular Castle Rising Castle, the Knights Hill complex, the Church of St James and its surrounding Saxon/medieval settlement and the impact on historic landscape character. The preamble to Policy E4.1 refers that regard should be had to the statutory duty to preserve or enhance the character and appearance of heritage assets and also to the character and appearance of the former Castle Rising Chase and deer park, including the higher ground in the north and east and the open landscape straddling Grimston Road.

Also in relation to heritage assets, Policy CS12 seeks to protect and enhance the historic environment, identifying the crucial role played by the historic environment in delivering environmental quality and well-being. Policy DM15 also refers to development protecting and enhancing the amenity of the wider environment including its heritage and cultural value.

The site is not located within any conservation areas and does not contain any statutorily protected heritage assets (e.g. listed buildings, scheduled monuments, etc.) but is located approximately 92m to the southwest of the Grade II Listed Building (Rising Lodge), which forms part of the Best Western hotel complex; is located approximately 1.6km south of Castle Rising Castle, a Scheduled Ancient Monument (SAM), and the village of Castle Rising which is a designated Conservation Area containing a number of other listed buildings; and is located approximately 750m to the north west of the St. James Church Ruins (locally known as Bawsey Ruins), which is both listed and also designated as a SAM.

It is also approximately 600m west of Warren Farmhouse, which is Grade II listed, and 1.5km north of Church Farm, a Grade II listed farmhouse. Crow’s Wood Moated site, a SAM, is situated approximately 1.3km to the south of the site, approximately 250m north east of the Queen Elizabeth roundabout on the A149. Two possible Bronze Age round barrows are situated approximately 2km north-east of the application site in Fowler’s Plantation, known as Bowl Barrows at Fowler’s Plantation.

In terms of on-site archaeological evaluation, trial trenching has already taken place and is considered separately in more detail below. In regard to heritage assets both on and beyond the site the application was initially supported by a heritage statement which concluded that ‘the impact from the proposed Knight’s Hill development on heritage assets within the study area ranges from neutral through to large adverse.’ (Large adverse only for the impact on the setting of Reffley Wood and on site undesignated assets and not for designated assets of listed buildings or SAMs).

Accordingly mitigation measures were suggested which are aimed at minimising the degree of harm to the significance of heritage assets and reducing the significance of effect from the proposed development to slight. These include the screening of the site with vegetation, which would reduce the magnitude of these impacts so the significance of their effects is reduced to 'slight.'

However, during the course of the application concern was raised by Historic England and third parties with regard to the potential of the development to impact upon the setting of a number of the Grade II listed assets and their settings. Historic England also quoted Paragraph 128 of NPPF (now para 189) which "requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting." Concern was also raised about the viewpoints used in the Landscape and Visual Impact Assessment (LVIA) in connection with Castle Rising, the impact of the new roundabout and the proposed landmark/gateway buildings, the lack of reference to Castle Rising in the visibility modelling work undertaken as part of the LVIA, lack of photomontage from the castle and the heights of proposed buildings and their visibility from the Castle.

Accordingly the applicant has submitted supplementary information regarding both the broader setting and the immediate settings of selected heritage assets in the vicinity of the application site following the guidance set out in Historic England's Good Practice Advice in Planning Note 3 (Second Edition) (Historic England 2017). A definition of setting is provided within this document which refers that the NPPF describes an asset's 'setting' as 'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral (NPPF, Annex 2: Glossary)' (Historic England, 2017, 2).

A number of amendments to the masterplan have also been made in response to comments from Historic England. This follows further work undertaken with regard to the evaluation of views towards the site from Castle Rising. These design changes are explained in the Design and Access Statement (DAS) Addendum and the supplementary heritage note and are described thus:

Castle Rising - In the case of Castle Rising, the position of the Black Hills screens the castle and park from much of the site with the exception of part of Field 1 to the northern part of the site. Castle Rising's location was specifically designed to create a commanding view for the main northern access route where the Black Hills, rising in the background, would structure an imposing landscape scene.

In order to eliminate completely the visibility of the proposed development from Castle Rising, an entire development block has been set back from the northern side of the site to below the 45m contour line. This, in effect, moves the proposed development block down the slope by a distance of about 30m, increasing the amount of open space in the north east corner of the site and also pushing the proposed northern most buildings further below the brow of the hill. It also increases the amount of open space in the north east corner of the site, reducing the impact on the setting of Rising Lodge.

A photograph within the DAS & LVIA Addendum taken by a drone from an elevation of 8m above ground level 30m back from the northern boundary of the application site shows that Castle Rising would be screened from the proposed development. It is noted that the 'parameters plans' submitted with the application stipulate that the height of buildings along the northern edge of the site will be a maximum of 8m above ground level. This is sufficient to ensure that the proposed development is not visible from Castle Rising.

St James' Church (Bawsey ruins) - With regard to the visual impact of the proposed development on the setting of St James' Church, the masterplan has been amended to include an increase in the buffer planting in the central area of the site north of Sandy Lane. This will have the effect of breaking up the blocks of colour represented by the roof tops visible from St James' Church so making them less visually intrusive. Further, the detailed fenestration, roofscapes and building materials proposed will contribute to the assimilation of the development into the view from St James' Church so greatly reducing its impact.

With regard to the landmark/gateway buildings potentially being located in the northern part of the site, these were not shown on the parameters plan which accompanied the original application but were included as potential features on the Illustrative Masterplan. These features have now been removed from the Masterplan as a direct response to concerns raised.

With regard to views of the roundabout (notably at night time) from Castle Rising, the proposed roundabout on Grimston Road will not be lit. The roundabout will not be visible from Castle Rising as it would be screened by intervening vegetation.

With regard to Historic England's comment regarding the absence of a representative view and photomontage from Castle Rising, the applicant has undertaken additional work to address this comment, which is set out in detail in the LVIA Addendum.

Following the submission of this additional information Historic England (HE) has made further comment and no longer object to the development in principle. HE have previously commented a number of times on this development proposal and note that it would effectively extend out the urban area of Kings Lynn into the countryside, which would result in an erosion of the rural character and the change to a semi-urban environment. However, HE are now happy that the applicant has undertaken a full assessment of the designated heritage assets and their setting and has provided a balanced analysis and assessment of the impact upon them. They are satisfied that the applicant has sought to address the points they made in their previous advice and in their view the information now meets the requirements of paragraph 189 of the NPPF.

They note the proposed changes to the site masterplan, namely the reduction in house numbers, the removal of landmark buildings, the moving of the built form and increase in open space in the northern area as well as increased screening and planting. They accept that these measures are intended to decrease the impact upon the designated heritage assets and that they will reduce the amount of harm to some degree.

Despite the increased level of planting to the northern part of the site and an increase in the amount of open space which would screen the development and reduce its visibility from the castle, HE consider the development would, however, result in the erosion of the setting of the castle and would result in some harm to its significance.

Similarly with regard to the church of St James (Bawsey ruins) they consider that the new development will remain visible in spite of the mitigation measures, such as the planting and bunds. They also consider the development would erode the rural character of this monument and again this would result in harm to its significance.

Overall, HE find that in spite of the mitigation and proposed changes to the revised masterplan that this development would still result in some harm to the two SAM highly designated assets through a development within their setting. In their view however the level of harm would be moderate, and in policy terms would be considered less than substantial.

In summary, while Historic England does not object to this development in principle, they do have concerns about the impact of the development upon the historic environment. In policy terms, however, they consider that the level of harm would be less than substantial and therefore Paragraph 196 of the NPPF is important in this regard. The NPPF in paragraph 193 requires the planning authority to place 'great weight' on the conservation of heritage assets and paragraph 194 states that 'any' harm requires clear and convincing justification, and 196 states that it is the planning authority's role to weigh the balance between harm and public benefit.

The LPA is required to take into consideration the significance of the heritage assets and weigh the harm which would be caused to their significance against the public benefits of the proposed development. Consideration needs also to be given as to whether the applicant has taken all possible steps to avoid or to minimise the harm the development would cause.

In this case the applicant has submitted sufficient information to provide a full assessment of the designated heritage assets and their setting and has provided a balanced analysis and assessment of the impact upon them. The level of harm to the two SAMs is considered to be less than substantial and negligible harm is considered to result for the remaining heritage assets. As the applicant points out in their most recent comments, this is a site allocated for future residential development through the local plan process. The site was selected as one of the three areas most appropriate to accommodate future housing growth in the town, based on a list of criteria which were considered during the rounds of public consultations and examination in public.

The development proposal provides a list of public benefits; including the delivery of up to approximately 112 affordable dwellings, up to 488 market homes, the delivery of highway improvement works including nearly 50% of the cost of the works to the Wootton Gap junction, a high level of open space and landscaping, improved green infrastructure and improvements to dog walking facilities, contribution towards the management of Roydon Common, car park for Reffley Wood, land for a community building, employment opportunities and nearly £2 million CIL payment towards healthcare, community facilities, schools and nurseries. Further the proposal adds to the Council's required development targets and would form a key part of the housing trajectory as part of the short and medium term identified deliverable sites.

Third party objection has been raised to the impact on heritage assets, in particular to Castle Rising, but, for the reasons given above, this opinion is not shared.

If the planning permission is determined HE ask that all reasonable steps are taken to secure the heritage benefits and the mitigation measures at the detailed design stage. They are particularly keen to ensure the landscaping and open spaces would be retained, to secure the protection of the non-designated barrow, to secure the development of the bunds and planting schemes, the phasing and structure of the planting and that the buildings along the northern edge of the development are subject to height restrictions. This can be controlled through planning conditions.

Overall it is considered that the less than substantial harm caused to Castle Rising and St James Church (Bawsey ruins) is outweighed by the significant public benefits and your officers consider there is no policy conflict in this regard.

Archaeology

On-site archaeological evaluation trial trenching has already taken place. The trial trench evaluation of Field 1 indicates there is Late Iron Age - Early Roman occupation comprising of a small ditch complex, possibly an Early Roman enclosure in the north-west part of the field

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and evidence of metal working (Cambridge Archaeology Unit Report No. 1275, 2015). This is considered to have a medium/high heritage asset value while impact significance is considered to be major. As the impact of the proposed development is considered to be large a suitable mitigation would be preservation by record i.e. excavation. The earthworks on the western field boundary may be the remains of Rising and North Wootton Warren and are considered to have a medium value but may not be affected by the development and impact is therefore negligible.

The trial trenching on field 2 to the south recorded a double ring ditch and a dispersed group of features suggesting Early Bronze Age domestic occupation (Cambridge Archaeology Unit Report No. 1275, 2015). This archaeology is considered to have a medium/high heritage asset value while impact significance is considered moderate as the proposed development will not affect this part of the field and impact is confined to pit cuts further away from the ring ditch. The impact of the proposed development is therefore considered to be moderate. The woodland boundary earthworks on the western edge of the field are considered to have a medium value but may not be affected by the development and impact is therefore negligible.

The Historic Environment Service (HES) raises no objection to the proposal adding that the site has been subject to extensive archaeological evaluation comprising geophysical survey and trial trenching. They confirm that these investigations identified a number of significant heritage assets within the proposed development area including a Bronze Age double ring ditch and a late Iron Age to Roman enclosure. They note that there is potential that further heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development.

Accordingly if planning permission is granted, HES ask that this be subject to a programme of archaeological mitigatory work in accordance with NPPF para 189. The programme of archaeological mitigatory work will include further informative trial trenching and targeted areas of archaeological excavation.

Historic England note that the applicant intends to undertake a programme of archaeological works in relation to the known archaeology and that they will seek to protect the barrow within the site as an allocated green space. This is likely to be a non-designated heritage asset but the conservation of this asset, provided it can be fully secured, would be of positive benefit to the historic environment.

Accordingly it is recommended that planning conditions are attached to any permission securing such mitigatory works.

Highways Issues

With regard to highways matters Policy E4.1 requires a 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 (part e) and a new road from north to south providing access to the new dwellings, a new roundabout junction with Grimston Road and the provision of a second access point (section 6, parts a, b & c).

Additionally Core Strategy Policy CS11 requires new development to reduce the need to travel and promote sustainable forms of transport appropriate to their location. Policy DM15 requires that development proposals should demonstrate that safe access can be provided and adequate parking facilities are available. DM17 refers to parking provision within new development. Para 108 of the NPPF states the need for developments to provide safe and

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suitable access for all and for sustainable transport modes opportunities to be taken up and that any significant impacts from the development on the transport networks (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. The NPPF also states at para 109 that development should only be refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Accordingly the application has been supported by a Transport Assessment (TA) which has been updated during the course of the application with a revised TA Addendum. Together the Transport Assessment (TA) documents provide information of the proposals, existing highway conditions, access proposals, off-site junction capacity and safety, together with overarching principles of sustainability and any mitigation measures required.

The TA confirms that vehicular and pedestrian access to the development is proposed via a newly created access roundabout off the A148 (Grimston Road). This is also shown on the submitted Parameters Plan - Access and Movement Plan where the roundabout leads to a spine road which then runs north south through the centre of the site.

Plans originally submitted with the application showed secondary access connections through to the adjacent smaller part of the allocation site (lpa ref: 15/01782/OM) and also to Ullswater Avenue. However, during consideration of the Claylands application 15/01782/OM the Planning Committee removed the need for the vehicle link with this larger Knights Hill application site. A connection point was retained; however, this was as a pedestrian/cycle link only.

Additionally the vehicle access link to Ullswater Avenue has been removed in response to public comment received during the course of the application. The proposal now shows a connection point through to this existing development, but this is shown as a pedestrian/cycle link with emergency vehicle access only. Accordingly the Access and Movement Plan has been amended to reflect these changes.

The current proposal therefore seeks just one point of access onto Grimston Road through the provision of a new roundabout. The policy requirement for the whole allocated site is for the provision of a second access point (section 6, part c). However, the smaller part of the site allocation, Claylands development (lpa ref: 15/01782/OM), proposes a separate vehicle access to serve this residential development of up to 60 dwellings. The whole site allocation will, therefore, have two access points as per the requirements of Policy E4.1.

The submitted plans also show indicative pedestrian and cycle connections made in the north, onto Grimston Road, and onto Sandy Lane. Internally, a strategic cycleway and footpath is also shown. (See below section: Footpath/cycle links)

The proposed internal site layout is submitted in outline indicative form only, with details relating to highway dimensions, cycle/car parking and servicing for the local centre/ retail element to be considered at reserved matter stage.

In terms of future impact the TA has assessed the increase in traffic on local roads for the year 2029, by which time the proposed development would likely be fully occupied. The TA also takes into account other committed developments and assumes that all of those sites would be built out and occupied by 2026. This finds that the local road network will be affected by the increase in traffic.

The TA undertook junction modelling at five key junctions, including the Knights Hill and Queen Elizabeth roundabouts, Wootton Gap junction, the junction of Langley Road with Grimston Road and Sandy Lane with Grimston Road. The modelling found that three of the

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junctions would operate within capacity but one would exceed capacity flows and one would result in queues forming as it would be difficult for vehicles to exit onto Grimston Road.

The two affected junctions are the junction of Langley Road with Grimston Road (adjoining Asda) and the Grimston Road / Wootton Road / Low Road / Castle Rising Road crossroads (the Wootton Gap junction).

As a result of the findings and to mitigate against the impact of this additional traffic the applicant is proposing the following off-site highway improvement works:

- New traffic lights at the Grimston Road / Langley Road junction to assist vehicles making an exit from Langley Road onto Grimston Road ; and
- Contribution towards junction improvement works and the installation of Microprocessor Optimisation Vehicle Actuation (MOVA) control at the Wootton Gap junction.

The Wootton Gap junction is physically constrained and there are limited opportunities to widen the affected approaches. Consequently, it is proposed that capacity at the junction is improved by upgrading the signals to include MOVA and also reconfiguring the junction to mitigate the cumulative impact of the traffic flow. The MOVA system helps to balance the available green time to account for traffic flows on each approach to a junction and is responsive to traffic conditions offering a significant increase in capacity at a junction.

A Framework Residential Travel Plan (F RTP) has been submitted in support of the application which aims to make the development as sustainable as possible by encouraging access to the site by modes of transport, other than the private, single occupancy car. This part of town is already well served by bus routes with busses currently travelling along Grimston Road. There is opportunity to link through to existing pedestrian and cycling facilities in the surrounding area to enable residents to safely access the surrounding residential areas, facilities within Kings Lynn as well as through to public rights of way for recreation purposes.

The F RTP proposes that a residential Travel Plan is produced once development is occupied. The F RTP sets out the management of the TP through a travel plan co-ordinator (TPC) who would be responsible for the implementation and monitoring of the TP for a period of time of 5 years from the commencement of development.

The Highways Authority has assessed the information submitted by the applicant, including figures contained within the TA and the way the nearby road junctions flow. They raise no objection to the impact of the capacity of the additional traffic on the local road network, including the Wootton Gap and Langley Road/Grimston Road junction. This would, however, be strictly subject to the installation of the traffic lights and a contribution towards the future improvements to these junctions to ensure that they continue to flow effectively, particularly at peak times.

The applicant is agreeable to this approach provided the contribution is commensurate to the degree of impact created by this development and that the contribution to these future works is shared in a fair and reasonable manner with the other developers of the nearby Hall Lane allocation site for which outline planning permission has already been approved (subject to the signing of the S106 agreement).

In this case, using the information provided primarily within the TA, it has been calculated that the development will generate 43% of new traffic through the junction (AM and PM peaks combined). Therefore the applicant will be required to enter into a S106 agreement whereby they contribute 43% of the total cost (minus any contribution of the highway

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authority) for the design and delivery of the scheme. The remaining contribution would be from the two Hall Lane applications.

Overall the Highways Authority raises no objection to this proposal, subject to appropriate planning conditions and legal agreement to secure a residential Travel Plan and off-site works. Their initial comments regarding the proposed physical works of the new roundabout at the access into the site have been addressed and all other matters can be secured by planning condition. In this case the need for a Travel Plan is recommended to be included as a planning condition rather than in the S106 legal agreement, given that the developer will be responsible for the writing, implementation, on-going management and annual monitoring of the Travel Plan for 5 years post completion of the development and not NCC.

Many of the Parish Councils and third party objections received relate to the impact of the increased amount of traffic on the local road network as well as the wider impact on the town and traffic flow. However, as stated above, the background work submitted in the TA assesses this impact and provides mitigation. The timing of delivering the off-site works will be critical to ensure that the junction works are implemented prior to them reaching capacity and the securing of the financial contributions will be secured in the S106 Agreement. The Wootton Gap junction improvements will be designed and delivered by NCC Highways.

Parish Council and third party objection has been made to the use of 2012 transport data information as there has been a rise in traffic in the last 5 years. However the submitted Transport Assessment refers to traffic counts undertaken in December 2012, April/ June 2014 and February//March 2016. So the applicant has used more up to date information, which the Highways Authority has no issue with.

Third party objection and comment was made to the position of the new access into the site and the possibility of accessing the site directly from the A149 bypass. Also concern has been raised that the new roundabout will be hazardous to HGV's due to its constricted form. However, the location of the proposed new roundabout has come about after lengthy discussion with the Highways Authority and safety audits have been undertaken to show the flow of traffic and paths of vehicles, including lorries. The Highways Authority raise no objection to the position and design of the proposed new roundabout although the final details will need to be agreed prior to construction. They would not, however, support a new access point directly onto the A149 as this would impede the free flow of this main distributor road.

Third party objection has been raised to other local roads being used as a rat run. However, there would be a single point of access into the site through the proposed new roundabout and traffic generated by the development would have no need to travel through surrounding areas to get to the development.

Comments about needing to construct a dual carriageway or motorway to serve the site are noted but these are not reasonable or realistic options. Again, comments regarding the developer providing extra parking facilities in the town are not a requirement of this development.

Third party comments relating to the vehicle access link and bus route through Ullswater Avenue are no longer relevant given that the proposal has now amended this to a pedestrian/cycle/emergency link only. Also similar comments relating to the vehicle link with the Claylands site are no longer relevant as this has been amended to a pedestrian/cycle link only.

In the context of the NPPF Para 108 parts b) and c), it is considered that the site can achieve safe and suitable access for all users, and any significant impacts from the

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development on the transport network (in terms of capacity and congestion) can be cost effectively mitigated to an acceptable degree. These improvements within the transport network will benefit not only the occupants of the proposed residential development, but existing residents in the adjacent areas.

Subject to the imposition of appropriately worded planning conditions, including standard estate conditions as well as conditions seeking the off-site junction improvement works, there are no outstanding highway safety concerns.

Footpath/cycle links

Policy E4.1 requires a 'layout which facilitates travelling on foot and by bicycle within, and to and from, the new development area' (point 7) and also 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,' (point 13.b.)

A Parameters Plan on Access and Movement has been submitted in support of the application. As well as depicting proposed vehicle access points and routes through the site it also shows proposed pedestrian and cycle links into and out of the site in addition to circular routes around the site. The Plan shows that these proposed footpath and cycle routes are intended to link into the existing right of way, (Sandy Lane), as well as through to Grimston Road in the north, the Claylands site to the west, Ullswater Avenue to the west and other potential links into Reffley Wood to the south west.

More recently detailed plans of the site access and junction arrangements have been provided which show the footpath and cycle links along Grimston Road and into and out of the site. Not only are pedestrian footpaths links shown to be provided within and into the site, they are shown to be provided along Grimston Road. These will be provided on both sides of the road, running up to the Knights Hill complex on the southern side with a 3m shared use footway/cycleway with pedestrian crossing points over to the farm shop on the northern side. On the northern side of Grimston Road a 1.8m wide footway is proposed to run from the farm shop through to Gooseberry Lane, the existing Public Right of Way (Castle Rising FP12) accessed adjacent No 187 Grimston Road, to which leads northwards and then through to Castle Rising Road.

Additional footpath provision is shown to be made in the westerly direction linking through to the existing footpath outside No. 180 Grimston Road. A pedestrian crossing point is also shown, linking across from the southern side of Grimston Road to the Gooseberry Lane, footpath.

Cycle routes will be provided through the site. Cycle links to Grimston Road will be at the north east corner of the site where cyclists travelling into town will be encouraged through the site, away from the proposed new roundabout and out through Ullswater Avenue or the new Claylands site.

Within the site the DAS refers that in addition to a pedestrian route along the spine road and other internal roads, there will be footpaths and cycleways more closely associated with the open spaces. All routes will be designed to be well defined by development which will overlook them.

The proposed development layout incorporates a new footway/cycleway around the perimeter of the site, including parallel and to the south of Grimston Road. This shows permeability around the site offering circular walking routes and access to all play areas and areas of open space. The connections with other off-site recreational areas, including Reffley Wood and Footpath 12 will provide added opportunity.

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The existing, Sandy Lane, Right of Way (RoW), which dissects the site (west-east) provides pedestrian and cycle access into the site from both Sandy Lane and A149. It is proposed that the surface of this RoW will be upgraded within the application site although no changes or upgrades are proposed to the point at which it crosses the A149.

Third party concerns regarding lack of cycle paths and pedestrian links are not shared as the submitted information demonstrates that proposed facilities will allow direct routes both through and around the site. There are no issues regarding permeability and footpath/cycle links.

Ecology – Protected Sites

The application has been supported by ecological surveys and reports in accordance with the requirements of Policy E4.1, other local policies and national guidance. In particular it relies on a series of survey work and findings undertaken as part of the Ecological Impact Assessment (EclA) report by Torc Ecology Ltd. Survey work was last updated in June 2018.

The site is in proximity to designated nature conservation sites. One internationally designated site (Roydon Common and Dersingham Bog SAC) which comprises two nationally designated sites (Roydon Common SSSI and Grimston Warren Pit SSSI) is located within 2km of the site boundary. Five County Wildlife Sites (CWS) are also situated within this zone, including Reffley Wood CWS which lies directly adjacent to the site.

Dersingham Bog lies beyond the 2km zone of influence. Roydon Common is sufficiently well separated from the proposed development that it would not be affected during the construction phase therefore the significance of effect will be negligible. Similarly Grimston Warren Pit SSSI will not be affected during the construction phase and therefore the significance of effect will be negligible.

Although adjoining the site, Reffley Wood CWS is sufficiently well separated from the proposed development that it would not be affected by any land take during the construction phase provided the proposed Ecological Management Zone (EMZ) is to be retained between the development and the woodland.

However, whilst the physical works would not have a direct impact, the Ecological Impact Assessment finds that there is likely to be an increase in visitors to Roydon Common SAC/Ramsar/SSSI arising from the proposed development. These are most likely to be dog-walkers, although an increase in wildlife watchers, general walkers and fitness walkers is also likely. Visitors are most likely to arrive at Roydon Common via vehicles, as the proposed development is separated from Roydon Common by busy roads. Grimston Warren lies adjacent to Roydon Common: the eastern section of Sandy Lane lies between the two sites. Grimston Warren is not accessible by car and there is no car parking facility close by. Those visiting Grimston Warren generally park at Roydon Common and walk through this site to explore further afield.

The EIA refers that nightjar and woodlark are the most significant breeding birds on Roydon Common and Grimston Warren complex as they are in serious decline and as such are protected under various designations, including being cited under the Birds Directive. Both ground nesting birds are vulnerable to disturbance from people accessing off paths and in particular to dogs roaming beyond paths.

An increase in footfall at Roydon Common could impact on heathland and wetland vegetation if people and their dogs do not remain on established pathways around the site. Visitors also have the potential to cause damage to vegetation and open up areas to soil

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erosion. An increase in people also increases the risks of fire, stock disturbance, litter and waste disposal, and theft.

With Grimston Warren situated further from the main public access point, some of the pressure on breeding ground-nesting birds on Roydon Common might be absorbed by Grimston Warren, but there will probably be a reduction in number of breeding birds at Roydon Common. Prior to any mitigation, the effect has been assessed as moderate to major adverse.

A Habitats Regulations Desktop Review was originally submitted with the planning application, which includes an appraisal of potential impacts and opportunities pertaining to the proposed development and its close proximity to the European designated nature conservation site. Both this document and the EIA refer to the development proposing footways and cycle routes, additional circular routes, and a link to public footpaths to the north and west of the site to provide facilities for walkers and dog walkers as an alternative to using the nature conservation sites.

This, along with the over provision of public open space (in relation to the Local Plan requirements) will provide additional space for dog-walking to help mitigate the off-site effects on the Natura 2000 sites. The EIA along with the Habitats Regulations Desktop Review concluded that significant effects from increased recreational pressure on the European Designated sites are unlikely if the mitigation measures are implemented.

However, following comments received during the consultation process the applicant has provided an updated Habitat Regulations Assessment – Stage 1 (Screening) for Likely Significant Effects which provides more detailed information to supplement the initial report.

Since the original submission of the application there has also been a change in case law with regard to these matters which in effect means that 'in order to determine whether it is necessary to carry out, subsequently, an appropriate assessment of the implications, for a site concerned, of a plan or project, it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects [mitigation] of the plan or project on that site', (European Court of Justice (ECJ) Ruling People Over Wind/ Sweetman case).

Under the Habitats Regulations, competent authorities have a duty to ensure that all the activities they regulate have no adverse effect on the integrity of any of the Natura 2000 sites unless there are no alternative solutions and there are imperative reasons of overriding public interest. There are two tests; the first test is to determine whether the plan / project is likely to have a significant effect on the European site, the second test (if applicable) is to determine whether the plan / project will affect the integrity of the European site.

The submitted Stage 1 Assessment seeks to screen the proposal for likely significant effects on European Sites. Thereafter Stage 2 requires the Appropriate Assessment by a competent authority of the proposal to ascertain whether it will result in an adverse effect on the integrity of the European sites (where a likely significant effect is identified above) and Stage 3 requires the consideration of mitigation measures and alternative solutions where adverse effects on the integrity of a European site have been identified.

The Stage 1 Assessment has assessed and identified the potential effects of the proposed development on the European sites at Roydon Common and Dersingham Bog SAC / Dersingham Bog Ramsar. Roydon Common is approximately 1.4km to the east of the application site and Dersingham Bog 5.0km to the northeast. Together they form Roydon Common and Dersingham Bog Special Area of Conservation (SAC).

The assessment also undertook a review of all committed housing developments within 8 km of Roydon Common and Dersingham Bog SAC and found that, without mitigation, the Knight's Hill development is likely to have an adverse effect on the integrity of Roydon Common and Dersingham Bog SAC in combination with other residential projects such as the Hall Lane development.

Therefore a series of mitigation measures have been identified to address anticipated adverse effects including the contribution to CIL and funding for a suite of management measures for Norfolk Wildlife Trust to manage Roydon Common and the impacts likely to result from recreational pressure to ensure an adverse effect on the integrity of the European Site does not result.

In summary, in addition to on-site dog walking facilities as a form of mitigation, the application also proposes measures to encourage users to stay local and avoid the tendency for residents to access the more sensitive European sites. These measures include:

- A 50m buffer around the ancient woodland contained within Reffley Wood
- The provision of a new car park for approximately 10 cars close to Reffley Wood
- The creation of pedestrian links into Reffley Wood
- A managed boundary into Reffley Wood
- The overprovision of 6.0ha of open space compared to the standards set out within the Council's adopted standards DM16 (approx. 167%)
- An additional 4.75ha of additional land for landscape buffers and ecological mitigation areas
- A network of footpaths and routes for cycling
- A contribution towards a community ranger for Roydon Common and community engagement delivery costs for 3 years
- The payment of the Habitats Mitigation Tariff of £50 per dwelling

The Stage 1 Assessment follows advice from Natural England and Norfolk Wildlife Trust. Assuming the proposed mitigation recommendations are adopted in full, the Stage 1 Assessment considers that additional recreational visitor pressure arising from the Knights Hill development in isolation is unlikely to impose significant additional pressure on Roydon Common SAC's/Ramsar/potential SPA features of interest and unlikely to result in an adverse effect on the integrity of the European Site.

Additionally the Stage 1 Assessment considers that there would possibly be in-combination effects on Natura 2000 sites from the collective allocated and major development sites including the land at Hall Lane (Site Allocation Policy E3.1), Nursery Lane (17/01106/OM), Lynnsport (16/02227/FM or 16/00097/FM), Marsh Lane and Russett Close in the town. However, each of these sites has either proposed compensation measures to minimise potential impacts upon Natura 2000 sites through the provision of new areas of on-site accessible green space and improved access to adjoining areas or have not been considered to cause a significant effect on nearby European sites. Where relevant the applicants have also been required to pay the Habitat Mitigation Tariff.

Since the submission of this more detailed information Natural England has removed their initial objection, conditionally. They consider that without the appropriate mitigation referred to within the HRA Stage 1 (Screening) Report the application would have an adverse effect on the statutory protected sites. Accordingly they require these matters to be covered through appropriately worded planning conditions.

The LPA has undertaken an appropriate assessment (AA). This found that, having reviewed the contents of the submitted HRA Stage 1 (Screening) Report officers consider that the

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applicant has adequately demonstrated that the impacts upon the Natura 2000 sites referred to above can be mitigated against through appropriate layout, design and planning conditions, to a sufficient degree for it to be ascertained that the proposal would not adversely affect the integrity of the sites. The AA is attached to this report as an appendix.

The applicant has submitted information in the form of the Indicative Layout and the Overall Concept Masterplan to demonstrate that the site can accommodate the number of houses, infrastructure, drainage etc. as well as open space, circular dog walking routes, links through to the smaller part of the site allocation, Reffley Wood and other existing rights of way. Through planning conditions onsite and offsite mitigation measures, such as the provision of footpath/cyclepath links to wider public open greenspace, can be provided.

The applicant has provided sufficient information to address points 8, 12 and 13 a), b) and c) of Policy E4.1.

Ecology - Protected species

The application was initially supported by an Ecological Impact Assessment (EclA) report by Torc Ecology Ltd. The assessment of the site's ecology took into account the presence of protected areas within a radius of 10km, and with particular attention to nearby features, such as ponds and woodland, which are linked to the Site's ecosystems. A desk study was undertaken in March 2012 by Torc Ecology, covering a wider area and updating a previous desk study by Norfolk Wildlife Services (January 2008). Specific surveys for bats, birds, badgers, great crested newts, reptiles and invertebrates were undertaken at the site between May 2011 and September 2015.

However, since this time a revised assessment of the ecological impacts from the proposed development has been undertaken with a desk based search/review carried out in May 2018 and field surveys undertaken on the 8th and 15th June 2018.

The 2018 updated assessment found that the mitigation measures set out within the Ecological Impact Assessment report (Torc Ecology Ltd, 2016) are still fit for purpose and comply with the intentions of national and local planning policies with regards to priority species and biodiversity, by minimising impacts to biodiversity and providing an opportunity for an ecological gain.

The site is formed by two fields; Whistle Wood field to the north and Reffley Wood field to the south. The two fields are dissected by the Sandy Lane public right of way. There are a series of ponds on the site and groups of trees. Reffley Wood lies to the south western part of the site.

With regard to individual species the survey works found:

Badgers - No evidence of badgers were found during the surveys on site or within 30m of the site boundary where access was possible and/or permitted. No mitigation measures are needed in regard to badgers.

Bats – A total of at least eight bat species were recorded during site surveys. The results indicate that the south-eastern by-pass embankment adjacent to the southern former arable field may act as a commuting route for off-site pipistrelle roost(s), with Sandy Lane as the crossing point where it meets the embankment. Estimated large numbers of bats were also seen commuting along trackways within Reffley Wood CWS close to emergence time, which may indicate the presence of bat roosts (possibly maternity roosts) close to the site.

The woodland and tree/shrub boundaries provide sheltered areas for less light-tolerant species such as brown long-eared bats, with noctule, Leisler's and barbastelle bats also recorded along and/or close to these boundaries/features on occasion. Common pipistrelle bats use different areas of the site depending on local weather conditions commuting to and from feeding areas along the field boundaries.

No bat roosts in trees were confirmed on the site, but a suspected small common pipistrelle bat roost was located in trees adjacent a pond between the patchy woodland to the north-west and the former arable field adjacent to the east.

Accordingly mitigation measures will be required which will focus on the clearance of vegetation, removal of structures, hours of construction, lighting, connectivity of hedgerow, habitat and roost creation and long term management. Also for the supervised tree removal under licence where appropriate and the provision of bat boxes on selected remaining trees.

Other mammals – The application site is known to support hedgehog (UK Biodiversity Action Plan (BAP) species), roe deer and muntjac and provides suitable resources for both harvest mouse (UK BAP species) and brown hare (UK BAP species), which have both been recorded in close proximity to the site. However, no specific mitigation measures are needed in this case.

Amphibians - Great crested newt – Ten water bodies either on the Site or within 500m of the site were assessed as potential habitat to accommodate breeding great crested newts. Prior to the construction of the A149 King's Lynn by-pass, these ponds would have originally been connected with Roydon Common and Grimston Warren, including Grimston Warren Pit which has a thriving great crested newt population. The severance of the site from the wider countryside to the east by the A149 King's Lynn by-pass would have isolated any great crested newt population on the site, if they were ever present. Combined with other pressures such as arable farming on the site it is highly likely that if any great crested newts had been present, that population has been lost. No mitigation is proposed in this case.

Reptiles - The results of the reptile population assessment surveys suggests a good grass snake and slow worm population, and a low adder and common lizard population. The reptile species on the site are restricted to the boundary habitats and their edge features. Mitigation measures are proposed to avoid injury during construction and operational phases of development, including the provision of safe reptile refuge and storing materials away.

Breeding birds - Skylark is recorded as probably breeding on the former arable land of the northern field. The field boundaries provide breeding habitat for common whitethroat, dunnock, and willow warbler. Green woodpecker breeds in the veteran pollarded oaks on the boundary with Reffley Wood. Curlew breed nearby on Roydon Common and Grimston Warren and several have been seen feeding on the former arable land. Sightings were made of woodlark and nightjar although no evidence of breeding activity. Proposed mitigation would be to avoid works during nesting season (March to April inclusive) and establish Ecological Mitigation Zones (EMZ's) incorporating boundary hedge/tree lines.

Invertebrates - The desk study shows a number of records for invertebrates in the vicinity of Reffley Wood CWS. Most important are *Amara fusca*, a ground-dwelling beetle associated with bare ground and wall *Lasiommata megera* and grayling *Hipparchia semele* butterflies.

The main area of invertebrate interest identified on the site is the south-western corner of the northern former arable field and the northern half of the southern former arable field. This combined area is dominated by short turf and bare ground which has the potential to support an important assemblage of invertebrates including many species of principal importance and those listed in the relevant Red Data Book. The invertebrate groups of primary concern

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are solitary bees and wasps, of which there are a number of important species recorded within the 2km zone of influence. The open bare ground and sparse sward mosaic also provides habitat for ground beetles (one noted locally) and potential for grayling, small heath, grizzled skipper and dingy skipper butterflies, which currently have very limited distribution in Norfolk.

Mitigation measures would predominantly include the incorporation of open ground areas into EMZ's and the creation of areas of wild flowers as pollen and nectar sources.

To summarise, in terms of impact on protected species the following effects are expected during the construction phase (prior to mitigation):

- Habitat loss, fragmentation and isolation through land-take;
- Direct impacts on fauna caused by incidental mortality during site clearance;
- Indirect effects upon fauna as a result of habitat loss, fragmentation and isolation;
- Alterations to groundwater regime and possible effects on surface water flow and quality;
- Disturbance to biodiversity features ;
- Indirect impacts on designated sites within the 2km Zone of Influence (Zol)

In response to these effects the following mitigation measures are proposed at construction stage:

- Reptile assemblage: provision of safe reptile refuges, basking areas, reptile tunnel and culverts into site infrastructure at crossings of habitat features;
- Bat assemblage: provision of bat boxes on selected trees and follow guidelines as set out/endorsed by the Bat Conservation Trust (BCT); and
- Breeding birds: the construction works will be carried out outside bird breeding season (May to August inclusive) and provision of landscape planting to include native species as hedges and group planting.

In terms of the completed development, this may cause longer-term changes which will result from:

- loss of vegetation and openness caused by new buildings and structures;
- changes in lighting provision giving rise to night-time impacts; and
- changes in the local population and (by implication) increased pressures on nearby habitats due to leisure uses.

Accordingly longer term mitigation measures include the provision of mixed length walks (people and dogs) and open space recreational areas within the development. Also proposed is the creation of an Ecological Management Zone (EMZ) to mitigate habitat loss and impacts on species. The EMZ will:

- incorporate a soil disturbance management plan to ensure that plant populations remains on site;
- be wider in buffer along woodland boundary to protect veteran trees;
- incorporate open ground, sparse sward mosaic and wildflower mosaics as pollen and nectar sources to reduce the loss of suitable specialist invertebrate habitat;
- incorporate all ponds to be managed by appropriate management intervention to increase water levels and enhance aquatic biodiversity.

In summary, the loss of arable land for breeding skylarks is a moderate adverse residual effect. However, this may become a negligible effect if compensation measures are agreed

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and implemented. The provision of Ecological Management Zones to mitigate habitat loss and impacts on species will overall have a positive residual impact on the site boundary margins including boundary hedgerow and trees and, with appropriate planting, create a positive residual impact for invertebrates. There will be an overall neutral residual impact on bats, reptiles and breeding birds as protection, mitigation and enhancement measures will be in place through the provisions of EMZs and landscaping enhancements.

Through the implementation of the proposed mitigation therefore the applicant has demonstrated that appropriate measures can be put in place to ensure that there are no significant effects on protected species. The applicant has provided sufficient information to address the policy requirements of Policy E4.1 with regard to ecological assessment.

Parish Council objection refers to the landscape document stating that a tree which incorporates a Bat Roost will be removed and that removed limbs will be 'Strapped onto the limbs of retained trees'. They claim this is totally against the SWNP Policy E1 and is totally adverse to the impact on nature conservation. Within the Residual Impact Assessment: Summary of Magnitude and Significance of Residual Impacts the submitted EIA refers to potential impact on bats (and other protected species) and mitigation proposals to assess the residual impact of the proposed development. One such mitigation measure may be to retain the removed limbs of certain trees to be removed and attach them to retained trees within the EMZ where appropriate. However, not all trees are to be removed in this area and other mitigation measures are proposed including the provision of bat boxes on selected trees. Collectively the mitigation measures will not have a harmful ecological impact and the proposed replacement and additional tree planting should enhance the landscape character. There is no conflict with Policy SWNP Policy E1 in this case.

Third party objection has been raised to the impact on birds and wildlife habitat. However, the submitted information shows that subject to appropriate mitigation there will be no significant harm and therefore no conflict with policy in terms of protected species. It is noted, however, that should the application be successful it may be necessary to provide updated protected species surveys given that circumstances change over the passage of time and the length of time the site might take to construct. This will, however, be addressed at reserved matters stage.

Trees and Hedgerows

The site is mostly grassed with trees and hedgerow to much of the boundary. Reffley Wood lies to the south west of the site. The southern portion of Reffley Wood, which borders the southern field to the southwest of the site, is however designated as semi-ancient woodland.

There are three Tree Preservation Orders on the site; two groups and one single tree relating to ash trees. The site does not lie in or adjacent to a Conservation Area.

The application has been supported by a tree survey, with a tree schedule and tree constraints plan, and an Arboricultural Impact Assessment (AIA) and Arboricultural Implications Plan. A separate tree survey was undertaken for land adjacent to Reffley Wood.

Within the AIA the trees were assessed as groups as this is their role in the landscape. On this basis nine groups (G), one wood (W), and one plantation (P) were identified. Significant 'example' trees within the younger plantation (PL1) were noted individually. These trees are located mainly around the edge of the site but do include a small number within the central areas

The AIA found that the proposed development will necessitate the removal of many of the trees within the site, including woodland to the west of the northern field, many of which are

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considered to be in good physical health and condition. However the assessment also states that many of the trees would be easily replaced within a relatively short timescale and that the value of the trees must be seen in the context of the value of the development in the broader planning sense.

Moreover the LVIA explains that the proposed development will introduce approximately 3.5ha. of new planting into the site, resulting in a net increase in vegetation coverage across the site of about 1.3ha.

Figure 13 of the Revised DAS and the submitted Landscape Strategy Plan show a 30m buffer zone around the key veteran trees to be retained on the south western boundary of the site and a 50m buffer around the Reffley Wood ancient woodland.

Overall despite the loss of woodland in the north western part of the site, this loss will be mitigated by the substantial tree and shrub planting proposed throughout the site. The DAS explains that the structural planting proposed around the perimeter of the site is intended to:

- screen long views of the site, particularly from the Gaywood valley (to the south) and from Castle Rising (to the north);
- screen views of the site from the A148 and the north of the site;
- increase tree cover on the site so that it acts as a visual 'bridge' between Reffley Wood and the more open countryside to the east of the A149;
- complement the commitments made above to the proper management of existing trees; and
- support the delivery of the nature conservation strategy.

Although the layout is a matter reserved for future consideration the DAS states that trees and shrubs will be planted within some or all areas of public open space, both between and within blocks of new development. A high degree of landscape planting (inc. semi-mature street trees, ornamental shrub and herbaceous planting and native buffer planting) is proposed throughout the development in order to mitigate the loss of vegetation in the north of the site.

In addition to the proposed enhancement around Reffley Woods, the Landscape Strategy also incorporates some earth mounding along the Grimston Road frontage to increase the height of the proposed tree planting to enhance screening potential and create parkland-like appearance between housing and the main road, the infilling of existing hedgerow and mature tree planting along Grimston Road to create a continuous native hedgerow with native tree planting limiting pedestrian access to the main road to safe crossing locations and highway paths, native tree planting and thicket to reinforce the north-eastern corner, shared with the grounds of Knight's Hill Best Western Hotel, to visually soften and filter the elevation of the proposed building elevations and earth mounding, native tree planting and thicket to reinforce the eastern boundary, shared with Queen Elizabeth Way to reinforce the visual filtering of views from the east/south-east, create a strong physical deterrent to accessing Queen Elizabeth Way and add to the existing wildlife corridor along the eastern edge of the development.

Given the amount of information submitted the Arboricultural Officer raises no objection to the proposal.

Landscaping schemes and details should be provided at reserved matters stage. It is recommended that such details are secured by way of planning condition. This would accord with the provisions of SWNP Policies E1, E4 and E5.

Open space

Part 8 of Policy E4.1 refers to the need to provide public open space for recreation and visual amenity and to reduce the pressure on adjoining areas including Castle Rising and Dersingham Bog and Roydon Common SAC. Part 13 a. also refers to the need to provide informal open space (over and above the Council's normal standards for play space).

Policy DM16 of the Site Allocations and Development Management Policies Plan (SADMP) sets out open space requirements for the provision of recreational space for residential developments. The Policy requires 70% for amenity, outdoor sport and allotments, equating to 1.2 hectares of pitch sports provision per 1000 population and 30% for suitably equipped children's play space.

Under the calculations used in Policy DM16 (based on 2.33 persons per dwelling and a requirement of 2.4ha per 1,000 population) on completion this site would be expected to cater for a population of approximately 1400 and therefore requires 3.3ha recreation open space provision for the expected population. Of this provision, 2.35ha should be provided as amenity, outdoor sport or allotments and 0.95ha should be provided as equipped children's play space.

As referred to earlier in the report, the updated DAS confirms that the application proposals will provide a total amount of 7ha of open space. As a consequence of the amendments to the application proposals, a minimum of 5ha informal open space is proposed to be provided plus 1ha of children's play space, 0.7ha of formal open space and 0.3ha for allotments/community orchard. In addition at least 4.75ha of land is shown to be provided as landscape buffers and ecological mitigation areas. The landscape buffers are also likely to perform some form of open space function with walks/routes potentially provided through them.

The site allocation Policy E4.1 does not have a specific requirement for sports provision, but this is a requirement of the more general Policy DM16. In response to this the Illustrative Masterplan shows provision of 0.7ha of formal open space in the form of football pitches and tennis courts.

Policy DM16 also refers to the need for the application to include robust arrangements for the management and future maintenance of all open space. The exact details of the open space provision (in terms of the amounts and breakdown of each use) along with future management and maintenance arrangements would need to be secured through the terms of the S106 Agreement.

The information contained within the amended DAS and Illustrative Masterplan shows that there is a considerable overprovision of open space across the site. Accordingly there is no policy conflict in this regard.

Third party objection has been raised to the provision of sports pitches and lighting of these pitches. However, these matters will be considered in more detail at reserved matters stage.

Flood Risk and Drainage Issues

Para 155 of the NPPF refers that inappropriate development in areas at risk of flooding should be avoided. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).

The whole site lies in Flood Zone 1, thus is at a low risk of flooding (less than 1 in 1000) annual probability of river or sea flooding in any year (<0.1%).

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The application has been supported by a detailed Flood Risk Assessment.

The levels change significantly across the site. Generally the topography of the northern and western fields falls to the west / south west, from 47m above ordnance datum (AOD) in the north eastern corner to 33m AOD on the western boundary, and 31m AOD at Sandy Lane. The southern field falls to the south west / south, from Sandy Lane to approximately 8m AOD at the southern pinnacle. The fall of 39m across the site equates to an overall gradient of approximately 1 in 35, with the exception of a north western portion of the site which falls to the northwest.

The FRA confirms that in line with the NPPF all sources of flooding have been considered and assessed. At this stage no detailed modelling has been undertaken, however, the initial findings suggest that the risk of flooding is limited to only pluvial (that which occurs when precipitation does not drain away) and surface water sources, yet, even these risks are low, only occurring at long return periods.

The Illustrative Masterplan shows that the site is essentially split into numerous housing blocks to be arranged in clusters either side of a central spine road, which will run north to south from a new roundabout on Grimston Road. In addition, local community shops will be located around a central square in the northern end of the site.

The landscaped and open park land areas are proposed to feature a football pitch, tennis courts, cycle paths, allotments, and an orchard, along with Local Areas for Play (LAPs), Local Equipped Areas for Play (LEAPs), and Neighbourhood Equipped Areas for Play (NEAPs). An essential part of the proposals is to integrate a number of SuDS features within both the built environment and the open space.

A Drainage Strategy has been provided with the application. Some preliminary works were undertaken with regard to soil types and soakaway testing and trial pits were dug to provide an indication of the infiltration potential. Although full testing was not undertaken the results of the testing were considered suitable for the purposes of the master planning stage. The use of infiltration techniques is considered viable for most of the site and as such this will be the primary method of surface water disposal.

At this master planning stage, to provide a robust strategy, alternative methods of disposal have also been considered to ensure the site can be adequately drained, and is not dependent solely upon infiltration techniques. The following positive drainage solutions could be considered, in order of preference:

1. A gravity connection into the naturally formed channels within Reffley Wood.
2. A direct gravity connection to the Black Drain.
3. A pumped connection to the public surface water sewerage.

In accordance with national and local guidance it is a requirement for any new development to include sustainable surface water drainage systems as a technique to manage surface water regimes sustainably. Based on the Illustrative Masterplan it is estimated that swales with a total length of up to 3km could be incorporated into the development proposals; this would provide approximately 3,000m³ of strategic attenuation storage. Due to the topography of the site check dams would need to be installed across the flow path at regular intervals to provide attenuation storage and to increase pollutant removal and infiltration.

Initially the LLFA, Water Management Alliance (King's Lynn Drainage Board) and Anglian Water raised objection to the lack of information to demonstrate that surface water arising from the development would not result in flooding on or off-site or that surface water could

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be managed on the site and discharged to the ground via infiltration without resulting in an increase in the risk of flooding elsewhere. They also raised concern that an alternative method of drainage had not been sufficiently provided should infiltration rates in the location of the proposed soakaway prove to be unfavourable during detailed design as well as a lack of information relating to management and maintenance of all components of the surface water drainage system.

However, the applicant has now provided additional information within the revised Drainage Strategy which accounts for the local flood risk issues and surface water drainage at this location. This includes photos together with correspondence with the Water Management Alliance (WMA).

Accordingly the LLFA has removed their objection provided that a pre-commencement planning condition is attached to any consent if this application is approved. This condition requires the detailed designs of a surface water drainage scheme to be agreed with the Local Planning Authority in consultation with the LLFA and to be implemented prior to the first occupation of the development.

At the detailed design stage, once the layout is finalised, the LLFA has also requested additional modelling to demonstrate that the surface water is accommodated within the design of the surface water system and does not impact on the flood risk and does not cause flooding to people, property or infrastructure up to and including a 1 in 100 year event plus climate change.

The LLFA also require additional information relating to surface water runoff rates, surface water attenuation storage and drainage details based on modelling.

The submitted FRA also refers to finished ground floor levels of properties to be a minimum of 300mm above expected flood levels of all sources of flooding and this can be covered by planning condition. At reserved matters stage the developer will need to demonstrate what these expected flood levels will be and show that the required floor level heights are appropriate.

It is intended that the development will be completed in phases and this will become apparent at reserved matters stage. However, the drainage strategy will need to demonstrate that the correct drainage is in place at the correct time during the construction phase. The detailed drainage strategy will need to be secured by way of planning condition.

Although the WMA no longer objects to the application, they advise that the viability of the drainage strategy is evidenced prior to determination of the planning application, and comment that they would not be in a position to agree land drainage consent prior to determination based on the information provided. That said, they note that it is for the Local Planning Authority to determine the appropriate level of detail required to determine an outline planning application on the site.

Land Drainage Consent is a consent needed by the developer under the Land Drainage Act 1991 and is separate to planning permission. It is, however, generally not required by the LPA at outline stage given that the details of the layout of the development are not known.

Accordingly it is considered that the information contained within the revised Drainage Strategy, the submission of further comments from the applicant rebutting the concerns of the WMA and their agreement to accept a suitably worded pre-commencement condition requiring the provision of an Overarching Drainage Model that meets the approval of the relevant bodies, (LLFA, the WMA and Local Planning Authority), adequately overcomes the concerns of the WMA. It is considered that the proposed pre-commencement condition

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would provide the necessary information to ensure the development will not have an adverse impact on local drainage or lead to an increase in flood risk.

Many of the comments received by third parties relate to concerns over surface water drainage and whether the proposed swales will be able to prevent flooding of houses at lower levels, particularly during times of downpour and flash flooding. However, the detail of the methodology of the attenuation will need to be provided as part of the drainage strategy to be secured by planning condition. This information will be scrutinised by the relevant statutory consultees including the EA, LLFA and WMA at that time.

Contamination and Air Quality

Paragraph 170 e) of the NPPF states planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The application has been supported by a Phase I Desk Study Geo-Environmental assessment undertaken to determine ground conditions and establish if there are any likely environmental risks associated with the site and its development. The report recommends that a Phase II Site Investigation is required to assess potential contamination on the site.

The Environmental Quality Team has assessed the application and is in agreement with the conclusions of the Desk Study Report. They therefore recommend that planning conditions are imposed to ensure this additional work is undertaken, remediation methods are implemented where necessary and the results recorded.

The proposal will generate additional local traffic as identified within the Transport Assessment. Parts of Kings Lynn town centre and Gaywood are identified as Air Quality Management areas.

The application has been supported by an Air Quality & Dust report. The assessment considers the air quality impact of traffic on nearby residential properties and future occupants. Data from the Transport Assessment is used to assess the increase in traffic. Cumulative impacts of this and other committed developments are considered. The assessment also considers the potential for dust from construction.

The assessment reports that nitrogen dioxide (NO₂) and annual mean particle (PM₁₀) concentrations will be within accepted levels and the predicted magnitude of impact will be negligible. The Environmental Quality Team find that the evidence supplied supports this conclusion and therefore they have no objection regarding air quality impacts.

The risk assessment for potential dust impacts during construction concluded that the site is deemed to be a medium to high risk site for dust soiling impacts and low risk for human health and ecological impacts. To mitigate this impact the Environmental Quality Team recommends that a construction environmental management plan (CEMP) be required by condition which should contain the mitigation measures set out in section 11.8 of the Environmental Assessment. Construction should then be carried out in accordance with the approved CEMP and controlled through planning condition.

The Environmental Quality Team also recommends that the development includes the good practice measures set out in chapter 5 of the 'EPUK/IAQM Land-Use Planning &

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Development Control: Planning for Air Quality' document and that this should be required by condition. However, whilst the intention of designing layouts to reduce exposure to emissions etc. and the provision of electric charging points is encouraged at paragraph 110 of the NPPF, this can be incorporated at the design stage and it is not necessary for a specific planning condition in this case.

Affordable Housing

Part 1. ii of Policy E4.1 requires the provision of affordable housing commensurate with the LPA's standards. The site amounts to 35.3 ha and thus exceeds the affordable housing threshold set down in Policy CS09 of the Core Strategy 2011. This policy requires 15% affordable provision on sites within the built up areas of King's Lynn and 20% in all other areas.

The northern part of the site is within the parish of Castle Rising, a small part of the site is within South Wootton and the southern part lies within the unparished area of King's Lynn. Accordingly the provision of affordable housing varies across different parts of the site. This means the number of affordable units cannot be accurately ascertained at this stage.

The applicant seeks consent for up to 600 dwellings which means that based on this number roughly between 90-120 dwellings would need to be provided, split 70/30 between affordable rent and shared ownership dwellings. The applicant's suggested figure will be in the region of 112 affordable units, which would result in 78 affordable rent and 33 shared ownership.

Whilst the affordable housing mix i.e., unit types, layout etc. will need to be addressed at reserved matters stage the amount can be secured through the S106 legal agreement. The applicant will be made aware of the Borough requirement and Policy H6 of the SWNP with regard to dispersing the affordable housing in small groups.

The Applicant has agreed to provide affordable housing and the details will be covered within the S106 agreement.

Community Facilities/Neighbourhood Centre

NPPF paragraph 91 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages

Part 2 of Policy E4.1 is for the development to provide a site, or sites, which could be utilised for neighbourhood shops, a doctor's surgery and community facilities.

Accordingly, the application description includes a mixed-use local centre comprising Class A1, A2, A3 and/or A5 in the alternative, (including retail facilities, financial & professional services, restaurant or cafe and/or hot food takeaway). The retail element is proposed to be capped at 279m².

Also the proposal incorporates a D2 community floorspace (such as gymnasium, sports hall or community hall) and B1 uses (such as offices). The illustrative masterplan shows the location of this centrally within the site. Clearly at this stage it is not yet known what the mix of uses would be and the application allows for some flexibility in this regard.

Policy E4.1 refers to the provision of a Doctor's surgery. However, the applicant has been in discussion with the NHS who confirms that there is no requirement to provide an on-site doctors surgery, or any other healthcare orientated facility. Therefore the proposal does not include the provision of such a facility.

Impact upon Residential Amenity

There are existing residential properties along two small sections of the western site boundary, which back onto the site.

Indicative site layout plans have been submitted, but no elevation plans at this stage. The ground levels drop steadily by approximately 40m across the site from the north eastern corner down to the south lowest point.

An assessment of the impact upon the amenity of neighbouring properties cannot be fully undertaken at this stage with such limited information and will need to be addressed at the detailed design stage.

The key areas for the consideration of the impact upon the amenity of the occupants of neighbouring properties are issues of overlooking, overshadowing and whether or not the dwellings will be over bearing. However, it is considered that the site is of sufficient size to ensure that appropriate measures can be designed into the scheme to ensure loss of privacy and loss of daylight is mitigated effectively.

Third party concerns have been raised regarding potential overlooking of nearby properties and anti-social behaviour. However, the relationships between properties and the layout of roads and pathways will be reviewed at reserved matters stage. It is unlikely that the proposed development would result in any significant neighbour amenity issues.

Noise

The application has been supported by a noise assessment report.

An assessment of the potential effects of road traffic noise on the proposed development has been undertaken by Aria Acoustics. Road traffic noise was modelled to predict the sound levels at several locations.

These predictions have concluded that, for most of the buildings elevations that front on to the A148 and A149, the internal ambient sound level cannot be met with the windows open. However the acoustic report concludes that this should not preclude residential development as the levels are exceeded by not more than approximately 6 dB between 11pm and 7am and, for daytime resting, not more than approximately 9 dB. The report goes on to confirm that, provided conventional thermal insulation glazing is installed, together with acoustically treated ventilation, the internal criteria can be met.

The CSNN Officer considers there are a number of potential noise implications from the proposed development on the future residents of the site. Therefore a scheme is required to protect future residents and existing nearby properties from an adverse impact as a result of the development. Consideration needs to be given to a range of noise issues including (but not exclusively) the following: suitable windows and other attenuation for properties identified to be most at risk from traffic noise, hours of deliveries, opening times, and machinery for any of the shops/businesses/community facilities, and noise from the sports pitches. If air source heat pumps are being considered then full details of these will also be required.

The CSNN Officer therefore raises no objection to the proposal subject to the imposition of appropriately worded planning conditions.

Lighting

The application has been supported by a lighting strategy.

This confirms that all exterior lighting will be designed to minimise light spillage onto sensitive areas. It states that the maximum height of lighting columns along the spine road will not exceed 9m and for all other roads, footpaths and cycleways lighting columns will not exceed 7m.

The lighting strategy states that play areas should not be lit and that any sports pitches within 250m of either the western boundary of the site or Sandy Lane should not be lit.

The proposed new roundabout on Grimston Road is not proposed to be lit. National Design guidance for highways does not require it and the Highways Authority have no highway safety concerns in this case.

The CSNN Officer raises no objection to the proposal subject to the imposition of appropriately worded planning conditions relating to lighting details.

However, any lighting scheme can be considered in more detail at reserved matters stage. Accordingly it is recommended that these details are covered by way of planning condition.

Crime and Disorder Act 1998

Section 17 of the above act requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties.

The Architectural Liaison & Crime Prevention Officer confirms that Norfolk Constabulary have no objection in principle to the development and are pleased to advise that the development is broadly compliant to the principles of Secured by Design for which the applicant is encouraged to apply for.

They welcome the 13 references to crime reduction and fear of crime in the Design and Access Statement and recognise the proposed layouts contribution to natural surveillance and support the applicant's inclusion of environmental design principles.

These issues will be considered in more detail at reserved matters stage.

Utilities

The application has been supported by a Utilities Report to consider how utility services can be provided to the new development and evaluate whether the existing networks have capacity to sustain the proposed demands.

Information is provided relating to the supply of utilities including electricity, gas, water, public sewers and BT.

Electric - It is anticipated that a new connection to serve the development would be taken from the HV overhead route at the intersection with the eastern boundary.

Gas - The new connection to serve the development is expected to be taken directly from the Gas Compound to the South East corner of the north field, adjacent to Sandy Lane, where a new gas governor will be required.

Water (Potable) - It is anticipated that a new connection to serve the development will be taken from the main at the junction of Sandy Lane and Grimston Road. This will require the laying of a new 750m long, main diameter to be confirmed up to the site entrance.

Water (Foul Drainage) - A new connection to serve the development will be made with the 150mm diameter foul sewer in Sandy Lane. The existing public sewer system can accommodate foul flows for up to 428 dwellings. To accommodate the remaining dwellings, Anglian Water has proposed the upgrading of 186m of sewer in Sandy Lane from 150mm diameter to 600mm diameter to attenuate the flow to a lower level.

Foul drainage flows from the northern half of the development will be attenuated at a new pumping station located near to the western boundary adjacent to Sandy Lane and pumped to the connection with the foul sewer in Sandy Lane.

Foul drainage flows from the southern half of the development will be attenuated at a new pumping station located at the southern extremity of the site and pumped up to the connection with the foul sewer in Sandy Lane.

BT - A new BT connection to serve the development is expected to be taken from the north verge of Grimston Road.

The Utilities Report shows that there appear to be no significant constraints associated with the provision of new utility services to the proposed residential development.

Many third party responses have objected to the principle of pumping foul sewage uphill as a solution, and also to the potential for fumes at night. However, Anglian Water has confirmed they have no objection to any element of the proposal and have adequate capacity for foul drainage. The use of pumped sewage systems is commonplace and modern systems have valves in place to prevent the escape of fumes.

Many third party responses have objected to the existing low water pressure in this area. However, this development would not be expected to resolve issues not related to the development. This development would have no direct impact on the water pressure of existing properties.

Fire hydrants

The proposed development will require 1 hydrant per 50 dwellings or the residential development (at a cost of £816 per hydrant). The number of hydrants will be rounded to the nearest 50th dwelling where necessary. This development of 600 dwellings would require 12 fire hydrants (at a total cost of £9,792).

An additional hydrant may also be required for the proposed mixed use centre depending on the size and location of the building in relation to the rest of the site.

The onus will be on the developer to install the fire hydrants during construction to the satisfaction of Norfolk Fire Service. The installation of the fire hydrants will be covered by planning condition.

Minerals

The application site is partially underlain by a Mineral Safeguarding Area (Silica Sand) and, as required by Policy E4.1, the application has been supported by a Mineral Assessment. Investigations have been made to identify whether the resource is viable for mineral extraction and, if viable, how the silica sand could be extracted prior to development taking place. The Mineral Planning Authority has previously responded to the Mineral Assessment, and these responses are included within the planning application. These responses concluded that no viable mineral occurred on the application site and that needless sterilisation would not take place. Therefore, Norfolk County Council in its capacity as the Mineral Planning Authority does not object to this application

S106 matters and CIL

The applicant has submitted Heads of Terms confirming that the development would meet the requirements for the costs of relevant infrastructure, facilities and resources reasonably related to and directly arising from the development. Given the adoption of CIL in February 2017, the site is now CIL liable.

The S106 legal agreement would need to cover the provision of affordable housing, maintenance and management of open space/play equipment and the payment of the Habitats Mitigation Tariff. The detailed design of SuDS would be required to be submitted at reserved matters stage, and it is considered that the management and maintenance of the SuDS features can be secured through planning condition rather than secured via the S106 Agreement.

Additionally details of the financial contribution towards the junction improvements to the Wootton Gap traffic lights will need to be secured through the S106 agreement.

The Masterplan shows the provision of allotments to the centre of the site. The S106 agreement would need to make provision for the maintenance and management of the allotments, and their transfer to a suitable body.

In addition to the payment of the Habitats Tariff, the applicant proposes a contribution towards a Community Ranger for Roydon Common and the community engagement delivery costs for 3 years. This will need to be secured within the S106 also.

Section 70(2) of the Town and Country Planning Act 1990 provides that a LPA must have regard to a local finance consideration as far as it is material. This includes New Homes Bonus and Community Infrastructure Levy (CIL).

Given the adoption of CIL in February 2017 by the Council, the site is now CIL liable. This will be calculated at £60 per sqm for dwellings in the parts of the site within the Castle Rising Parish and South Wootton Parish. For dwellings in the King's Lynn unparished areas the CIL rate is zero. In this case all residential development north of Sandy Lane (Phases 1 and 2) would be CIL liable. This part of the site is shown to have a higher density of development than the southern, narrower part of the site.

To give a broad indication of the sum involved, if you assume £6000 per property, for Phases 1 and 2 north of Sandy Lane, based on 445 dwellings at an average of 100 sqm, this could raise approximately £2,670,000 (£2.67 million) towards infrastructure provision. South Wootton Parish Council will receive 25% of CIL receipts from residential development within their area raised on this site as they have a Neighbourhood Plan in place. Castle Rising Parish Council will receive 15% of CIL receipts from residential development within their area raised on this site as they have no Neighbourhood Plan.

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Other material considerations

Most of the Parish Councils and third party concerns have been addressed within the body of this report.

Third party comments have been made regarding the impact of the proposal on the village infrastructure, including schools and doctors, which it is stated are both at full capacity. However, this would have been addressed through the LDF process and in any case a national issue such as a lack of GP's is not a reason for the refusal of the application. Schools, and indeed a relevant NHS body, can bid for CIL monies in the future for projects.

Objections to the increased number of houses on the site have been addressed earlier in this report.

Objection has been made to there being no need for more houses in South Wootton; however, this is an allocated site which provides for future growth. Third parties have requested an independent review of the village's ability to cope with the additional housing, however, consultations with statutory consultees have been undertaken through the Local Plan process and agreed by an independent Planning Inspector after a public examination.

Third party objection has been made to the loss of agricultural land. However, this site is allocated for future development through the Local Plan when the loss of agricultural land would have been part of the considerations during the allocation process.

Objection has been made to building on greenbelt land which should only be built on in special circumstances, but this borough has no designated greenbelt land. Objection has been made to the preference for developing brownfield sites over greenfield sites wherever possible. The Local Plan allocates several brownfield sites within the centre of King's Lynn for future development. These sites have all been adopted, having been through due rounds of public consultation and due process and considered and endorsed by an independent Planning Inspector.

A significant number of third party comments received make general comments about the three major housing applications at Hall Lane and Knights Hill. Some of the comments received make reference to issues relating to the Hall Lane sites and are therefore not directly relevant to this particular site.

Objection from the South Wootton Parish Council and third parties refer to the need for South Wootton Parish to receive compensation as they will be most affected by the proposal but will receive less CIL. However, this is not how the CIL system has been set up and the seeking of additional payment from the developer is not deemed appropriate and would not meet the tests for planning obligations.

Castle Rising Parish Council commented that there was little active engagement that shaped the proposed development. However the applicant has submitted a Statement of Community Involvement, and the submission of the series of changes and amendments to the proposal demonstrate that the applicant has taken into account the issues raised during the initial public consultation exercise.

Objection has been made that the development has a lack of employment facilities for the increased population. However, the development will provide employment in building trades during construction. The provision of land for employment purposes is not a requirement of the site specific policy E4.1 covering this allocation.

Objection has been made that not enough emphasis has been placed on energy saving systems, such as solar panels and heat pumps. However, the application has been supported by an Energy Statement which considers the use of low and zero carbon technologies across the site in line with the requirements of Policy CS08. This includes reference to the use of solar PV, air source heat pumps. However, a detailed energy strategy, setting out the use of sustainable energy technology, will be submitted in support of each reserved matters application.

Objection has been made that the value of existing houses will depreciate as a result of the proposed development and that insurance for vehicles will be more expensive. However, the issues of house prices and insurance premiums are not material planning considerations.

Other comments and issues raised are considered to have been covered within the report.

Planning Balance/Conclusion

This is an application for outline planning permission for up to 600 dwellings, a local centre and the required infrastructure. All matters are reserved with the exception of access. The applicant has provided details of how they propose to access the site off Grimston Road (A148) through a new roundabout and the Local Highway Authority has no objection to the proposed arrangements. All other matters (Appearance; Landscaping; Layout; and Scale) are reserved and it can therefore be said that the application seeks to confirm the principle of residential development of the site.

This site is allocated for development under Policy E4.1 of the Site Allocations and Development Management Policies Plan 2016. This policy seeks a high quality, well landscaped development of at least 600 dwellings and associated facilities and incorporates a list of provisions to achieve this.

The application is accompanied by a raft of supporting documents including an Environmental Statement, a Landscape and Visual Impact Assessment and Habitats Regulations Assessment Ecological Screening Report, which conclude that no significant adverse or cumulative effects on the environment have been identified during the construction and operational phases of the proposed development. Accordingly it would be compliant with legislation and planning policy in this regard. The level of open space and recreational space exceeds that of Policy DM16 and complies with the requirements of Policy E4.1. This excess is justified as part of the mitigation against off-site impacts.

The applicant will be able to provide an appropriate drainage strategy at reserved matters stage and the proposed level of development can be achieved without flood risk. The applicant has demonstrated the scheme will incorporate pedestrian and cycle links through to the smaller part of the allocation site at the Claylands site and that the link through to Ullswater Avenue can provide emergency access if required in addition to pedestrian and cycle links.

The submitted information demonstrates that footpath and cycle links can be provided through the site and also to join up with existing facilities including public footpaths and cycle ways which lead to existing services and local recreation facilities.

The applicant has submitted sufficient information to provide a full assessment of the designated heritage assets and their setting and has provided a balanced analysis and assessment of the impact upon them. Overall it is considered that the less than substantial harm caused to Castle Rising and St James Church (Bawsey ruins) is outweighed by the significant public benefits of the provision of housing and your officers consider there is no

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policy conflict in this regard. Subject to appropriate conditions, there are no implications for archaeology.

In terms of quantum of development the policy requirement is for at least 600 dwellings. The smaller part of the allocated site already has permission for 60 units. Whilst the proposed development would result in a marginally higher number of dwellings across the whole site, it is clear that allocation figures are minimum numbers and it is considered that the application site can in principle accommodate up to 600 dwellings without material harm to the visual amenity of the locality, highway safety or for any other technical reasons. In addition this is a highly sustainable location, abutting King's Lynn, and is very well related to the infrastructure and facilities of the town.

Whilst actual numbers that can be achieved will be determined at reserved matters stage taking into account relevant layout, constraints and policy, this amount of dwellings is very close to the policy requirement and there is considered no conflict with policy in this regard. Whatever the resulting figure the appropriate level of affordable housing will be provided and secured through legal agreement.

The details of the local centre will be agreed at reserved matters stage but the Illustrative Masterplan makes provision for such facilities within the indicative layout, and seeks flexibility at this stage for a range of uses, including retail.

The results of the Appropriate Assessment find that the applicant has demonstrated that the impacts upon the Natura 2000 sites at Roydon Common and Dersingham Bog can be mitigated against through appropriate layout, design and planning conditions, to a sufficient degree for it to be ascertained that the proposal would not adversely affect the integrity of the sites.

Whilst outline in form, your officers are content that, subject to the imposition of reasonable planning conditions and obligations, the general principle of this level of development on the site is considered acceptable, and is in keeping with both the site's location on the edge of the town and the need to facilitate on site landscaping, above general policy level of open space, nature conservation areas and dog walking facilities. Furthermore, the proposal would ensure that the living conditions of existing and future residents would be protected from any materially detrimental impacts whilst providing much needed housing within the Borough.

The application has required an Appropriate Assessment to ascertain whether the proposed development will result in an adverse effect on the integrity of the European nature conservation sites. Para 177 of the NPPF states that the presumption in favour of sustainable development does not apply where development is likely to have a significant effect on a habitats site unless, as is the case here, an appropriate assessment has concluded that the development will not adversely affect the integrity of the habitats site. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

A core objective of the NPPF is to significantly boost the supply of housing and to support this it is important that a sufficient amount and variety of land can come forward where it is needed (para 59). The NPPF emphasises the importance of delivering a wide choice of high quality homes and creating sustainable, inclusive and mixed communities. Development of this site will help maintain the supply and delivery of housing as required by the NPPF.

In this case the site is an allocated site within the 2016 Site Allocations and Development Management Policies Plan proposed for additional housing having been chosen as a

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preferable site through the Local Plan process. Provided the proposed development accords with the provisions of the development plan, including Policy E4.1 and the relevant policies of the South Wootton Neighbourhood Plan 2015 – 2026, the development can be supported.

Accordingly the applicant has demonstrated that all other matters can be adequately conditioned or secured via the S106 Agreement. For these reasons, the proposal is considered acceptable in accordance with the NPPF, NPPG, Policies CS01, CS02, CS03, CS06, CS08, CS09, CS11, CS12 and CS14 of the Core Strategy 2011, Policies E 4.1, DM1, DM2, DM12, DM15 and DM16 of the Site Allocations and Development Management Policies Plan 2016 and South Wootton Neighbourhood Plan Policies E1, E2, E4, E5, H1, H2, H4, H6, S1, S2, S3, S4 and T1.

RECOMMENDATION:

A) APPROVE subject to the completion of S106 to cover the issues described in the report, within 4 months of the date of this resolution and subject to the imposition of the following conditions:

- 1 Condition: Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition: Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition: The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition: No more than 25 dwellings in any one phase shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets in that phase shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act (1980) or a Private Management and Maintenance Company has been established.
- 5 Reason: To ensure safe, suitable and satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable standard.

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- 6 Condition: Other than highway improvement works to form the new roundabout onto Grimston Road, no works shall commence on any phase of the site until such time as detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage serving the residential units for that phase have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- 6 Reason: To ensure safe, suitable and satisfactory development of the site.
- 7 Condition: No more than 75% of the dwellings in any phase shall be occupied until all works on the roads/footways/cycleways/street lighting/foul and surface water sewers have been carried out associated with that phase in accordance with the approved specification to the satisfaction of the Local Planning Authority.
- 7 Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
- 8 Condition: Before any dwelling or unit in the local centre is first occupied the roads/footways and cycleways shall be constructed to binder course surfacing level from the dwelling/ unit to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- 8 Reason: To ensure satisfactory development of the site.
- 9 Condition: Prior to the commencement of any works on any phase a scheme detailing provision for on-site parking for construction workers of that phase for the duration of the construction period shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- 9 Reason: To ensure adequate off-street parking during construction in the interests of highway safety. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.
- 10 Condition: Prior to the commencement of any works on any phase a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities for that phase shall be submitted to and approved in writing by the Local Planning Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.
- 10 Reason: In the interests of maintaining highway efficiency and safety. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.
- 11 Condition: For the duration of the construction period all traffic associated with (the construction of) the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority.
- 11 Reason: In the interests of maintaining highway efficiency and safety.
- 12 Condition: Notwithstanding the details indicated on the submitted drawings no works shall commence on site, unless otherwise agreed in writing, until detailed drawings for the off-site highway improvement works as indicated on Drawing No. KHD-CAP-00-00-

SK-C-0002 Rev P02 Grimston Road Roundabout Option 2 have been submitted to and approved in writing by the Local Planning Authority.

- 12 Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor. This needs to be a pre-commencement condition as it deals with safeguards associated with the initial construction period of the development.
- 13 Condition: Prior to the commencement of any other works on site the off-site highway improvement works (roundabout on Grimston Road) referred to in Condition 12 shall be completed to the written satisfaction of the Local Planning Authority. submitted to and approved in writing by the Local Planning Authority.
- 13 Reason: To ensure that the highway network is adequate to cater for the development proposed. This is a pre-commencement condition as the roundabout will serve as the access for the site during construction.
- 14 Condition: Other than highway improvement works to form the new roundabout onto Grimston Road, development shall not commence on any phase until detailed drawings for the off-site highway improvement works for the Grimston Road - Langley Road Proposed Traffic Signal Junction as indicated on Drawing No. KHD-CAP-00-00-SK-C-0006 Rev PO2 have been submitted to and approved in writing by the Local Planning Authority.
- 14 Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.
- 15 Condition: Prior to the occupation of the 200th dwelling of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in condition 14 shall be completed to the written satisfaction of the Local Planning Authority.
- 15 Reason: To ensure that the highway network is adequate to cater for the development proposed.
- 16 Condition: No more than 30 dwellings shall be occupied until an Interim Travel Plan has been submitted to and approved in writing by the Local Planning Authority.
- 16 Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.
- 17 Condition: No more than 50 dwellings shall be occupied prior to implementation of the Interim Travel Plan referred to in condition 16. During the first year of occupation an approved Full Travel Plan based on the Interim Travel Plan referred to in condition 18 shall be submitted to and approved in writing by the Local Planning Authority. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority as part of the annual review.
- 17 Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.
- 18 Condition: Other than highway improvement works to form the new roundabout on Grimston Road, no works shall commence on any phase until, in accordance with the

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submitted Drainage Strategy (Welland Design and Build Limited, WDB_SWDS_07, October 2018), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

- I. Surface water runoff rates will be attenuated to 38 l/s (QBar) as stated within section 5.7 of the FRA.
 - II. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change, flood event. A minimum storage volume of 12,341m³ will be provided in line with section 4.3.2 of the submitted drainage strategy.
 - III. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
 - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.
 - IV. The design of the attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period.
 - V. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding as demonstrated by the applicant.
 - VI. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
 - VII. A maintenance and management plan detailing the activities required and details of who will adopt and maintain all the surface water drainage features for the lifetime of the development. This will also include ordinary watercourses and any structures such as culverts within the development boundary.
- 18 Reason: To prevent flooding in accordance with National Planning Policy Framework paragraph 163, 165 and 170 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.
- 19 Condition: Other than highway improvement works to form the new roundabout on Grimston Road, no works shall commence on any phase until full details of the foul water drainage arrangements for that phase have been submitted to and approved in

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writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of that phase of development is brought into use.

19 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

20 Condition: Other than highway improvement works to form the new roundabout on Grimston Road and notwithstanding the details already submitted, prior to the commencement of groundworks on any phase, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets,
 - woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

20 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

21 Condition: Other than highway improvement works to form the new roundabout on Grimston Road, prior to the commencement of groundworks of any phase, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

- 21 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 22 Condition: The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

- 22 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 23 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 19, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 21, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 22.

- 23 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 24 Condition: As part of reserved matters applications for each phase, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate and include details and cross sections of the heights of bunds to be created along the site boundary.

- 24 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.

- 25 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details for that phase. The works shall be carried out prior to the occupation or use of any part of that phase of the development or in accordance with a

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programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

- 25 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 26 Condition: Other than highway improvement works to form the new roundabout on Grimston Road, no development or other operations shall commence on any phase until the existing trees and/or hedgerows to be retained for that phase have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development on that phase and until all equipment, materials and surplus materials have been removed from that phase of the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 26 Reason: To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.
- 27 Condition: No existing trees within the site that are shown as being retained in the submitted Arboricultural Implications Assessment and shown on the Landscape Strategy Plan (Appendix G) shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees, shrubs or hedges removed without such approval or that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.
- 27 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 28 Condition: Prior to the occupation of any phase of the development hereby approved fire hydrants shall be installed and implemented in accordance with a phasing scheme that has previously been submitted to and approved in writing by the Local Planning Authority.
- 28 Reason: In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 29 Condition: The development shall comprise of no more than 600 residential units.
- 29 Reason: To define the terms of the consent and so it is in accordance with the Environmental Statement accompanying the application.
- 30 Condition: Other than highway improvement works to form the new roundabout on Grimston Road, notwithstanding the details submitted the development hereby permitted shall not be commenced until a phasing plan has been submitted to and agreed in writing by the local planning authority. The phasing plan shall identify and

describe the phases of construction of development including the relevant infrastructure elements (such as public open space). The development shall be carried out in accordance with the provisions of the approved phasing plan and/or any subsequent amendment to it that has been agreed in writing by the local planning authority.

- 30 Reason: To ensure the development is carried out in a comprehensive and controlled manner and for the purposes of the CIL.
- 31 Condition: As part of any reserved matters applications for each phase full details of existing and proposed levels, including finished floor levels of all buildings or structures and any changes in levels proposed to the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
- 31 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 32 Condition: Other than highway improvement works to form the new roundabout on Grimston Road, prior to commencement of any phase of the development a detailed construction management plan must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of construction phases. The scheme shall also provide the location of any fixed machinery, the location and layout of the contractor compound, the location of contractor parking and proposed mitigation methods to protect residents from noise, dust and litter. The scheme shall be implemented as approved.
- 32 Reason: In the interests of protecting the environment and the future occupants of the development in accordance with the NPPF.
- 33 Condition: The recommendations, mitigation and enhancement measures identified in the following protected species surveys by Torc Ecology Ltd, shall be implemented in accordance with the approved details and in accordance with a programme to be submitted and agreed to the written satisfaction of the Local Planning Authority:
- Mitigation measures for Reptiles within the Environmental Statement Volume 1 Ecology & Nature Conservation Dated December 2016
 - Invertebrate Survey Report, Ref: 30.07.14 Dated 28 July 2014
 - Bat Survey Report, Project Ref: TE/LB/2012_157 Dated November 2016
- 33 Reason: To ensure that the development takes place substantially in accordance with the principles and parameters of the Ecology Reports
- 34 Condition: Other than highway improvement works to form the new roundabout on Grimston Road, prior to commencement of development, details of the future management of the Ecological Management Zones (EMZs) shall be submitted to and agreed in writing by the Local Planning Authority.
- 34 Reason: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to the National Planning Policy Framework.
- 35 Condition: No clearance works of existing habitats shall be scheduled during March to August inclusive, when nesting birds are most likely to be present, unless a pre-

commencement survey of nesting birds (to be undertaken by a qualified ecologist) has been submitted to and approved in writing by the local planning authority.

- 35 Reason: To ensure that the development takes place substantially in accordance with the principles and parameters of the Ecology Reports.
- 36 Condition: The development hereby approved shall not be first occupied unless and until Welcome packs (to include information relating to the availability of and whereabouts of locations for dog walking which are less sensitive than international sites and the provision of connecting accesses to existing rights of way and open space) have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the agreed Welcome Packs shall be issued to each first time occupier.
- 36 Reason: To ensure that the development takes place substantially in accordance with the principles contained with the Habitats Regulations Assessment.
- 37 Condition: Prior to the occupation of the 10th dwelling hereby permitted full details of the provision of on-site dog 'furniture infrastructure' shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved in accordance with a timetable to be agreed with the Local Planning Authority.
- 37 Reason: To ensure that the development takes place substantially in accordance with the principles contained with the Habitats Regulations Assessment.
- 38 Condition: Prior to the occupation of the 10th dwelling hereby permitted full details of the layout and the management of the car park provision for Reffley Wood shall be submitted to and approved in writing by the local planning authority. The scheme for the car park shall be implemented as approved in accordance with a timetable to be agreed with the Local Planning Authority.
- 38 Reason: To ensure that the development takes place substantially in accordance with the principles contained with the Habitats Regulations Assessment.
- 39 Condition: Prior to the occupation of the 10th dwelling hereby permitted full details of the layout and boundary treatment, including anti-motorcycle gates, for the 50m buffer zone around Reffley Wood shall be submitted to and approved in writing by the local planning authority. The scheme for the boundary treatment shall be implemented as approved in accordance with a timetable to be agreed with the Local Planning Authority.
- 39 Reason: To ensure that the development takes place substantially in accordance with the principles contained with the Habitats Regulations Assessment.
- 40 Condition: A pedestrian/cycle link shall be constructed and made freely available for use by pedestrian and cycle traffic between the Claylands site and the western boundary of the site, to enable an integral operational link up to and abutting the smaller part of the Knights Hill allocation development, no later than the construction of 50% of the dwellings on the site. Thereafter no dwelling shall be occupied until the said link has been completed to the written confirmation of the Local Planning Authority.
- 40 Reason: To ensure the provision of a pedestrian/cycle link up to and abutting the north western boundary of the site so as to enable a pedestrian/cycle link to be made through to the highway layout on the adjoining land, for the proper planning of the area in accordance with the terms of Policy E4.1 and the provisions of the NPPF.

- 41 Condition: A pedestrian/cycle and emergency vehicular access link, in the indicated position shown on the Parameters Plan - Access and Movement Drawing No. CS053683-PL-002e, shall be constructed and made freely available for use by pedestrian and cycle traffic and for vehicles in emergencies only between Ullswater Avenue and the western boundary of the site, to enable an integral operational link up to and abutting Ullswater Avenue, no later than the construction of 50% of the dwellings on the site. Thereafter no dwelling shall be occupied until the said link has been completed to the written confirmation of the Local Planning Authority.
- 41 Reason: To ensure the provision of a pedestrian/cycle and emergency vehicular access link up to and abutting the north western boundary of the site so as to enable a vehicular link to be made through to the highway layout on the adjoining land, for the proper planning of the area in accordance with the terms of Policy E4.1 and the provisions of the NPPF.
- 42 Condition: The total amount of A1, A2, A3 and/or A5 space shall not exceed 600 sqm and the total quantum of A1 sales area shall not exceed 279 sqm.
- 42 Reason: The retail/A2/A3/ A5 elements are to allow a neighbourhood centre and need to be restricted to protect established town centre/ local retail centres.
- 43 Condition: The A3 and A5 premises which form the subject of this permission shall not be open to the public, trading, or have members of the public, as customers or guests, on the premises before 7am; or after midnight; Friday – Sunday or before 7am or after 11.30 Monday-Thursday unless otherwise agreed in writing with the Local Planning Authority.
- 43 Reason: In the interests of the amenities of the locality in accordance with the NPPF.
- 44 Condition: Before any A3 use hereby permitted commences, a scheme shall have been submitted to and approved in writing by the Local Planning Authority for the effective control of fumes and odours from the premises. Such a scheme shall be implemented as approved prior to the first use of the premises.
- 44 Reason: In the interests of the amenities of the locality in accordance with the NPPF.
- 45 Condition: Other than highway improvement works to form the new roundabout onto Grimston Road, no development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.
- 45 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 46 Condition: Other than highway improvement works to form the new roundabout onto Grimston Road, no development shall take place other than in accordance with the written scheme of investigation approved under condition 41.
- 46 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.

- 47 Condition: No more than 50 dwellings shall be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 41 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 47 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 48 Condition: No development above foundation level on any phase shall take place on site until a scheme to protect the future residents of the site and residents of existing nearby properties from traffic noise from the adjacent main roads (A148 and A149), noise from commercial units/ community facilities and sports pitches has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use.
- 48 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 49 Condition: Prior to the first occupation of each phase of the development hereby approved, a detailed outdoor lighting scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include where relevant details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 49 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 50 Condition: The maximum height of development shall be restricted to 8 metres (floor to ridge level) and 9.5 metres (floor to ridge level) respectively in the areas indicated on the Parameters Plan – Land Uses (Drawing No. CS053683-PL-001e).
- 50 Reason: In the interests of safeguarding heritage, landscape and visual amenity interests in accordance with the NPPF.
- 51 Condition: The development hereby approved shall be carried out in accordance with the approved Illustrative Masterplan (Drawing No. CS053683-PL-01N).
- 51 Reason: To define the terms of the consent and ensure delivery of dwellings, infrastructure and open space so it is in accordance with the Environmental Statement accompanying the application.
- B) REFUSE if the S106 is not completed with 4 months of the date of this resolution to approve due to a failure to secure affordable housing, details of public open space and play facility management and maintenance, allotment land, Habitats Mitigation Tariff, contribution towards Community Ranger for Roydon Common and community engagement delivery costs for 3 years, contribution towards provision of off-site road works, including the Wootton Gap junction improvements.**

APPENDIX

Habitats Regulations – Appropriate Assessment

Application 16/02231/OM Outline Application: Residential development of the land to provide up to 600 dwellings, incorporating affordable housing, together with a local centre for uses A1, A2, A3 and/or A5 (600m²) with the total quantum of A1 net sales area not to exceed 279m² in the alternative, D2 community floorspace (up to 500m²), open space, formal sport pitches, a car park to serve Reffley Wood and associated development to include substations, drainage features, roads, cycle and pedestrian paths and other such works - Land West of Knights Hill Village, Grimston Road, South Wootton, King's Lynn Norfolk ('the Site')

1 Background

- 1.1 The Conservation of Habitats and Species Regulations 2017, commonly referred to as 'The Habitats Regulations', transpose the European Union Habitats Directive on the conservation of natural habitats and of wild fauna (92/43/EEC) into national law and sets out the provisions for the protection and management of habitats and species of European importance.
- 1.2 The Habitats Regulations require a Competent Authority (for planning decisions this is the Local Planning Authority) to make an Appropriate Assessment of the implications of a plan or project which is likely to have a significant impact on European (or Natura 2000) sites and is not directly connected with or necessary to the management of those sites.
- 1.3 In the context of The Habitats Regulations, European sites comprise:
 - Special Areas of Conservation (SAC) and candidate Special Areas of Conservation (cSAC), which are designated under the Habitats Directive
 - Special Protection Areas (SPA) and potential Special Protection Areas (pSPAs) classified under the 'Birds Directive' (2009/147/EC); and
 - Ramsar sites – although not included within the Habitats Regulations definition of European sites, government policy requires Ramsar sites to be given the same protection as European sites.
- 1.4 The Habitats Regulations provide for the control of potentially damaging operations, whereby consent for a plan or project may only be granted once it has been shown, through the Habitats Regulations Assessment process, that the proposed operation will not adversely affect the integrity of the European site(s) either individually or in-combination with other plans or projects.

1.5 HRA: Key Stages

i) Stage 1: Screening for Likely Significant Effect - screening to identify whether a plan is likely to have a significant effect on a European Site.

ii) Stage 2: Appropriate Assessment and ascertaining the effect on site integrity - where likely significant effects have been found, appropriate assessment of the development to ascertain whether it has an adverse effect on the integrity of the European site.

iii) Stage 3: Procedures where Significant Effect on the Integrity of International Sites Remains - consideration of mitigation measures and alternative solutions where adverse effects on the integrity of a European site have been identified.

1.6 The recent European Court of Justice Ruling in the People Over Wind/ Sweetman case (ref: C-323/17, April 2018) found that measures to avoid or reduce harmful effects of a plan or project on a European site must not be considered at the screening stage details of mitigation for any project where there is a risk of significant effects on a European Site should be set out in information to support an Appropriate Assessment carried out by the Competent Authority.

1.7 When considering potentially damaging operations, the Competent Authority must apply the precautionary principle i.e. consent cannot be given unless it is ascertained that there will be no adverse effect on the integrity of the site with regard to the site's conservation objectives.

Stage 1: Screening for Likely Significant Effect

1.8 The application site is not within and does not contain any European sites. The nearest sites and their internationally designated sites:

- Roydon Common SAC / Ramsar / SCI / cSAC, approximately 1.1km due east
- Dersingham Bog SAC / Ramsar / SCI / cSAC, approximately 6.0km due north
- The Wash and North Norfolk Coast SAC, approximately 14.8km (by road) due north
- The Wash SPA and Ramsar, approximately 14.8km (by road) due north

1.9 The Site is part of a wider housing allocation for South Wootton under Policy E4.1 of the Site Allocations and Development Management Policies Plan 2016 (SADMP), with the policy requiring at least 600 dwellings on the 36.9ha of

allocated land. The Habitats Regulations Assessment (HRA) carried out to inform the site/policy selection process for the SADMP concluded that this project, due to its cumulative impact with other large housing allocations, would likely have a significant effect on Dersingham Bog Ramsar, Special Area of Control and Special Protection Area and Roydon Common Ramsar, Special Area of Control Special Protection Area.

- 1.10 An initial Stage 1 Screening Report (Capita. 2016) was submitted with the application. Appendix B of the initial Ecological Impact Assessment (December 2016) provided a list of sites to be included for the appropriate assessment. This list included the Wash SPA, The Wash and North Norfolk Coast SAC and The Wash Ramsar. However, given that the distance between the Site and The Wash is a long way beyond the 2km Zone of Influence it has not been necessary to consider effects upon The Wash. This is consistent with the findings of the Local Plan strategic HRA conducted in 2015.
- 1.11 Since the initial Stage 1 Screening Report submission by the applicant a subsequent project level Habitats Regulations Assessment Addendum was submitted in October 2018 to enable the Competent Authority and other consultees to undertake an Appropriate Assessment of the applicant's proposals after it was identified that without mitigation there is a risk of significant effects to Roydon Common and Dersingham Bog SAC.
- 1.12 This updated report contains relevant information from further research that was not available at the time of the Stage 1 Screening Report namely the "Visitor surveys at European Protected Sites across Norfolk during 2015 and 2016" (Panter et al. 2016).
- 1.13 The updated Ecological Screening Report considers the potential effect of the proposed development in terms of habitat loss or habitat degradation. It considered the reasons why the Natura sites are important, their characteristics and designated features. In addition, this report includes an in-combination assessment with other similar projects within 5 miles (8km) as requested by Natural England.
- 1.14 The Report found that the development, alone, is not likely to have a direct impact on the European Sites. However there is a risk with a development of this size and in combination with other similar projects in the vicinity that indirect impacts are likely relating to access and recreation to Roydon Common which is a component of the Roydon Common and Dersingham Bog SAC and lies 1.4 km away at its closest point to the Site. The Report then considers the potential impacts of the proposed development upon the designated features in

terms of increased population and increased visitor levels, associated increased levels of domestic pets and harm to the sites through increased activity, noise and lighting etc.

- 1.15 The report includes greater detail on the measures that will be incorporated into the development to address:
- Recreational pressure to Reffley Wood adjacent to the Site
 - Recreational pressure to Roydon Common which forms part of Roydon Common and Dersingham SAC
 - Dog walking facilities on the Site
 - Details of the greenspace and recreational mitigation included within the scheme design
 - Details of the contributions the developers will make to the Community Infrastructure Levy and Habitats Mitigation Tariff
 - Details of the contributions the developers will make to the Norfolk Wildlife Trust to address a wider suite of mitigation measures, including contributions to facilitate appropriate management of Roydon Common.
- 1.16 The finding of the Ecological Screening Report is that the development will need to include a number of on-site provisions in order to work with and improve the ecology in the area. These include a dedicated wildlife area, the retention of trees and hedgerows and substantial areas of open space with a network of footpaths, dedicated dog walking areas and information boards.
- 1.17 The Ecological Screening Report concluded that, subject to mitigation there will be no adverse effects on the interest features of the surrounding European protected sites. It stated that no adverse effects on the integrity of any features of the European site were identified and as a result there is no need to consider further mitigation measures above and beyond those that are set out in the accompanying Ecological Impact Assessment in support of this application.

Stage 2: Appropriate Assessment

- 1.18 This requires the consideration of the impact on the integrity of the Natura 2000 sites of the project, either alone or in combination with other projects or plans, with respect to the Natura 2000 site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts.

Q1. Is the proposal directly connected with or necessary to European site management for nature conservation?

- 1.19 The proposal is in outline for the construction of up to 600 dwellings, a local centre for uses A1, A2, A3 and/or A5 (600m²), a community building floorspace (up to 500m²), a car park to serve Reffley Wood, open space and associated infrastructure. It is not directly connected with or necessary for the management of any European sites.

Q2. Is the proposal likely to have a significant effect on the internationally important interest features of the European site, alone or in combination with other plans or projects?

- 1.20 The Site is approximately 1.1km to the west of Roydon Common SAC and Dersingham Bog SAC is 6.0km to the north.
- 1.21 The Site has been considered as part of the Local Plan works in connection with the SADMP and is covered by Policy E4.1. It features in the Borough-wide HRA of Detailed Policies and Site Plan (updated September 2015). This document was produced to inform the Site Allocations and Development Management Policies – Proposed Submission Document (formerly known as the Site Specific Proposals Development Plan Document).
- 1.22 This Borough wide HRA takes into account comments received from Natural England and the RSPB on the previous HRA (September 2014) undertaken for the Preferred Options stage, and comments received from these and other parties (including Norfolk Wildlife Trust) at the submission stage. The SADMP forms part of a hierarchical process and adds detail to the policies from the Core Strategy (adopted in July 2011). The SADMP forms part of the Local Plan (along with the existing Core Strategy) for the Borough. The Core Strategy was subject to a HRA to ensure no adverse effects of the policies on sites within the European nature protection area network (Natura 2000); i.e. SACs and SPAs.
- 1.23 The HRA document considers the potential effects of the site-specific policies and allocations on designated sites of European importance. The Site has therefore been assessed through this Borough-wide HRA.
- 1.24 'Potential effects' were considered to arise from loss of supporting habitats, habitat fragmentation, non-specific proximity impacts, increased recreation and leisure pressures, increased use of roads, and the cumulative recreational impacts on sites arising from multiple housing allocations.

- 1.25 By far the most important of these, in a Borough-wide context, was considered to be the multi-faceted and complex impacts arising from increased recreation and leisure pressures on European sites. These were considered in some detail, and the best available evidence was used to inform the assessment. This indicated that visitors likely to cause greatest impacts were those local site users, in particular those exercising dogs. Impacts were predicted to be greatest where local users were within comfortable walking distance of European sites (estimated to be 1km), and would also occur where sites were in a reasonable range of driving (estimated to be around 8km or 5 miles).
- 1.26 While the effects of individual preferred options for housing were considered not to give rise to a '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.
- 1.27 With regard to this Site the originally submitted project level Stage 1 HRA Ecological Screening Report (2016) concludes the following:
- Mitigation during construction
- The construction impacts of the proposed development on the European nature conservation sites can be considered to be 'negligible' due to the distance between these wildlife sites and the site and the lack of any specific direct ecological connectivity. No direct mitigation for construction impacts are proposed for these sites.
- Mitigation during operation
- In the absence of mitigation, the operational phase of the proposed development is considered 'likely to have a moderate to major ecological significance' on these sites (Dersingham Bog and Roydon Common SAC/cSAC/Ramsar/SSSI,) due to potential increased recreational pressure.
- 1.28 The supporting HRA Addendum (2018) includes a detailed review of the extent of this potential increase in usage based upon an assessment of projected increases in visitor numbers arising from fulfilment of the existing housing allocations for the King's Lynn and West Norfolk District.
- 1.29 Based on this analysis, users of the site most likely to have a significant impact upon adjoining European Protected Sites, were identified to be dog walkers in relation to Dersingham Bog and Roydon Common. At Roydon Common 96% of visitors to the site came from home (rather than on holidays) and 46% gave the

reason to visit the site as being close to home. 36% of visitors stay for a duration of 30 minutes and 54% of visitors were visiting from home within 5 km.

- 1.30 The most common activity recorded on the site was dog walking (41%) and the second was walking (26%) with the remainder being a mix of the following activities: wildlife watchers, runners/joggers, photography. Of the visitors interviewed 96% arrived by car.
- 1.31 It is reasonable to assume that a proportion of residents of new developments such as the Knight's Hill scheme will own dogs and are likely to be seeking local dog walking facilities. For those visitors not visiting to see the wildlife, which was not recorded as the majority of reasons people visited the site, the sites provide a convenient, attractive local space for activities such as dog walking and walking, and while visitors make a positive choice to visit the site, it appears there is little awareness of the nature conservation importance of the sites.
- 1.32 The Panter report concludes that sites including Roydon Common would benefit from increased wardening provision (promoting codes of conduct, disseminating information of the site, nature conservation interest and alternative sites to visit, and actively managing disturbance), awareness raising (dogs on leads) and additional access infrastructure.
- 1.33 Specific mitigation designed to minimise these impacts, and ensure no significant likely effects on these sites includes a series of generic and specific mitigation measures. These have been submitted as part of the current planning application.
- 1.34 These generic measures to minimise recreational pressures on these sites, as informed by the desk study completed as part of the HRA Screening Report and existing allocation policy for the proposed development (Policy E4.1) include:
- A 50m buffer around the ancient woodland contained within Reffley Wood
 - The provision of a new car park for approximately 10 cars close to Reffley Wood
 - Creation of pedestrian links into Reffley Wood
 - A managed boundary into Reffley Wood

- Overprovision of 6.0ha of open space compared to the standards set out within the Council's adopted standards DM16 (approx. 167%)
 - An additional 4.75ha of additional land for landscape buffers and ecological mitigation areas
 - A network of footpaths and routes for cycling
 - Payment of the £50 Habitat Mitigation Tariff for specific projects. Based on 600 dwellings this would contribute £30,000 towards this.
- 1.35 Specific mitigation measures to minimise recreational impacts upon Dersingham Bog and Roydon Common, with reference to dog walkers include:
- A contribution towards a Community Ranger for Roydon Common and community engagement delivery costs for 3 years
 - The provision of an area of approximately 1.5ha for off lead dog walking that will be incorporated into the development at the northern end of the site adjacent to Grimston Road.
- 1.36 The HRA considers that there would possibly be in-combination effects on Natura 2000 sites from the collective allocated and major development sites including the land at Hall Lane (Site Allocation Policy E3.1), Nursery Lane (17/01106/OM), Lynnsport (16/02227/FM or 16/00097/FM), Marsh Lane and Russett Close in the town. However, each of these sites has either proposed compensation measures to minimise potential impacts upon Natura 2000 sites through the provision of new areas of on-site accessible green space and improved access to adjoining areas or have not been considered to cause a significant effect on nearby European sites. Where relevant the applicants have also been agreeable to the payment of the Habitat Mitigation Tariff as well as liable for CIL.
- 1.37 Since the original submission the amount of open space has been further increased to provide specific off lead dog walking areas of approximately 1.5ha. Based on the implementation of the mitigation proposed across the Site, including the provision of additional areas of publicly accessible green space, and in particular dog walking mitigation measures, this site taken alone as well as in-combination impacts with other housing sites is considered unlikely to give rise to significant adverse effects on Natura 2000 sites.
- 1.38 Further, the payment of the Habitat Mitigation Tariff, which will provide for funding of monitoring and small scale mitigation of impacts on European sites

goes further towards mitigation. It contributes towards the Habitat Mitigation Advisory Panel, which advises the Borough Council on such measures and provides recommendations for allocation of funds.

- 1.39 This Strategy contributes to safeguarding the integrity of European sites within, and adjacent to the Borough boundary and is monitored and reviewed to ensure the effectiveness of the identified measures. Partnership working is a key component of the Strategy and the Borough Council continues to pursue a joined up approach with all relevant authorities, organisations and site owners with responsibility for managing the designated European Sites.
- 1.40 Additionally the applicant proposes to support the enhanced management of nearby designated nature conservation sites by contributing financially towards the funding of a Community Ranger in line with the Norfolk Wildlife Trust 'Roydon Project' covering Roydon Common and Grimston Warren. This will assist in managing the area most at risk from visitor pressure through face to face engagement and promoting positive attitude and behaviours. This can be secured through S106 legal agreement.
- 1.41 Accordingly, the ongoing implementation of the Natura 2000 Sites Monitoring and Mitigation Strategy together with the generic and specific mitigation measures proposed to minimise recreational pressures on European sites as a required part of this development, provides the required certainty that any likely effects of the development of this Site on the Natura 2000 sites will be avoided or mitigated against.

Q3. Assess implications of the effects of the proposal for the European site's conservation objectives, consult Natural England and, if necessary, the public.

- 1.42 Consideration has been given to the in-combination effects of recreational pressure on the, Dersingham Bog SAC / Ramsar / SCI / cSAC and Roydon Common SAC / Ramsar / SCI / cSAC identified through the screening process.
- 1.43 As stated above, the Borough implements a Habitat Mitigation Tariff for all new residential development. This funding secures the monitoring and small scale mitigation of impacts on European sites. The Habitat Mitigation Tariff is set at £50 per house (index linked) plus a £50 fee to cover legal and administration costs. The proposal for 600 houses would contribute £30,000 towards the monitoring and small scale mitigation of impacts on European sites.

- 1.44 The Habitat Mitigation Tariff would be used to ensure timely and efficient mitigation of the recreational pressures arising from new development. As referred to above, this is initiated through the Habitat Mitigation Advisory Panel, made up of representatives of bodies that have expertise in managing impacts on these habitats e.g. BCKLWN Officers, RSPB, Norfolk Wildlife Trust, Natural England, NCC, National Trust, Forestry Commission, Water Management Alliance and the Environment Agency. They make recommendations for projects and expenditure of monies and set priorities for future action to meet the requirement of the HRA.
- 1.45 It is considered that such mitigation measures, when implemented, will ensure that likely significant impacts identified in the HRA as a result of policies proposed in the SADMP document will be avoided or mitigated against.
- 1.46 Natural England has been consulted through the planning application process. They raise no objection subject to appropriate generic and specific mitigation to minimise recreational impacts on European sites being secured.
- 1.47 Natural England welcome the provision of public open space over and above the Councils open space standard, including 5ha of informal open space, 1ha of children's play space, 0.7ha of formal open space and 0.3ha of allotment/community orchard. They accept the provision of 1.5ha of safe off the lead dog walking space that will be incorporated into the north side of the development footprint and linked to foot and cycle paths.
- 1.48 With regard to Reffley Wood County Wildlife Site Natural England states that all proposed access and pathways should be agreed with the Woodland Trust. They advise that the measures recommended by the Woodland Trust as described in the HRA (section 5.1) are conditioned as part of planning permission.
- 1.49 With regard to Roydon Common SSSI/SAC Natural England understands that, based on the information provided in section 5.2.1 of the HRA, the developer will contribute to the funding of a full time Community Ranger for a period of three years and community engagement costs for three years. They advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. This will be included within the S106 legal agreement.
- 1.50 With regard to Natura 2000 Sites Monitoring and Mitigation Strategy Natural England welcomes a financial contribution of £50 per dwelling towards the King's Lynn Borough Council Natura 2000 Sites Monitoring and Mitigation

Strategy as in line with Policy DM19. This will be included within the S106 legal agreement.

1.51 Public consultation has been undertaken through the planning application process. Norfolk Wildlife Trust has been closely involved with the proposed mitigation measures and has made comments similar to those made by Natural England, but otherwise no other comments relating to European sites have been made by statutory consultees.

Q4. Can it be ascertained that the proposal will not adversely affect the integrity of the European site(s)?

1.52 Yes – see response to Q.2.

Q5. Would compliance with conditions or other restrictions, such as planning conditions and obligations, enable it to be ascertained that the proposal would not adversely affect the integrity of the European site(s)?

1.53 Yes, conditions / legal agreement re: Habitat Mitigation Tariff and incorporation of visitor improvements to Reffley Wood, dog walking routes and high level of open space within the site enable it to be ascertained that the proposal will not adversely affect the integrity of the European sites – see detailed response to Q.2. and Q.3, which lists the measures to be secured either through condition or within a S106 legal agreement.

Q6. Are there alternative solutions that would have a lesser effect or avoid an adverse effect on the integrity of the European site(s)?

1.54 N/A – see response to Q.2.

Q7. Might a priority habitat or species on the European site(s) be adversely affected by the proposal?

1.55 No – see response to Q.2.

Q8. Are there imperative reasons of over-riding public interest relating to human health, public safety or benefits of primary importance to the environment?

1.56 N/A – see response to Q.2.

Conclusion

- 1.57 The submitted application incorporates large areas of open space across the Site. Up to 7 ha of open space is currently proposed (approximately 20% of the Site), made up of 6ha for amenity, outdoor sports or allotments and 1ha of equipped children's play space which includes areas of natural green space and other space designed to be attractive to dog walkers. This included a dedicated 1.5ha area for dog walking. A further 4.75ha of additional land is proposed for landscape buffers around and within the Site. These areas offer benefits in terms of ecological aspects and present substantial opportunities to enhance areas of biodiversity within the proposal through the creation of wildlife areas.
- 1.58 These areas planned into the proposal therefore not only provide areas for landscaping and ecology but also present opportunity to offer the mitigation to the Natura 2000 sites.
- 1.59 Additionally, with regard to off-site measures, in order to help the enhanced management of nearby designated nature conservation sites, the applicant is proposing financial contributions towards the appointment of a community ranger at Roydon Common to actively engage with the local community and visitors and help promote positive attitudes and behaviour. This can be secured through S106 legal agreement.
- 1.60 It is of note that Natural England has been consulted throughout the planning application process and raises no objection, subject to appropriate mitigation being secured.
- 1.61 As referred to above, the Ecological Screening Report sets out a list of mitigation measures which will ensure the development will not have significant effects on the Natura 2000 sites. It is considered these elements can be secured through planning condition or legal agreement and will sit alongside the additional mitigation measures achieved through the payment of the Habitat Mitigation Tariff.
- 1.62 Accordingly, subject to the development incorporating additional recreational provision in the form of informal open space or dog walking facilities in addition to the list of generic and specific measures referred to at paras 1.34 and 1.35, and the ongoing implementation of the Natura 2000 Sites Monitoring and Mitigation Strategy through payment of the Habitat Mitigation Tariff, to be secured through planning condition or S106 agreement, it is considered that the impacts upon the European sites can be mitigated to a sufficient degree for it to be ascertained that the proposal would not adversely affect the integrity of the European sites, and permission may be granted for this application.