

**AGENDA ITEM NO: 8/1(b)**

<b>Parish:</b>	<b>South Wootton</b>	
<b>Proposal:</b>	<b>OUTLINE APPLICATION SOME MATTERS RESERVED: Residential development for up to 125 dwellings together with associated works</b>	
<b>Location:</b>	<b>Land On the West Side of Nursery Lane South Wootton Norfolk</b>	
<b>Applicant:</b>	<b>Bowbridge Land Ltd</b>	
<b>Case No:</b>	<b>17/01106/OM (Outline Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Mrs K Lawty</b>	<b>Date for Determination: 18 September 2017 Extension of Time Expiry Date: 17 April 2019</b>

**Reason for Referral to Planning Committee** – Raises Matters of Wider Concern.

**Neighbourhood Plan:** Yes

**Case Summary**

The site is agricultural land located on the western side of Nursery Lane and to the north west of Meadow Road in South Wootton, to the north of King's Lynn and extends to 6.09 hectares.

It is part of a wider housing allocation for South Wootton referred to under Policy E3.1 of the Site Allocations and Development Management Policies Plan 2016, with the policy requiring at least 300 dwellings on 40ha.

There are hedge boundaries and trees around part of the site with a number of established trees to the northern part of the site which are protected by TPO's.

To the south the site is bounded by an area of undeveloped land and a cemetery, beyond which is development off Church Lane which is mainly residential but also includes St Mary's Church, a Grade II\* listed building.

To the east the site is bounded by a public footpath beyond which lies existing residential development off Meadow Road and Bracken Road with frontage residential development onto Nursery Lane. An existing gated access into the site is located at the western end of Meadow Road.

There is a change in level across the site in a north westerly direction with a fall from the 10m AOD in the south east corner to 3m AOD in the northwest corner which represents the lowest part of the site area.

The site is not within the Area of Outstanding Natural Beauty and the nearest boundary is just over 500m to the north west.

The site lies within proximity of Roydon Common and Dersingham Bog SAC and Roydon Common Ramsar Site, which are approximately 5km and 9.2km away respectively.

The application is in outline and seeks planning permission for proposed residential development of 125 dwellings with access off Nursery Lane. The site adjoins the Larkfleet outline application site for up to 450 dwellings which is also for consideration on this agenda. The plans show a link road through to this adjoining site. Ultimately the link road will connect Nursery Lane with Edward Benefer Way

The application is submitted in outline with access for consideration and all other matters reserved for consideration at a later date. An Illustrative Site Layout Plan forms part of the application.

### **Key Issues**

- Principle of Development;
- Landscape Impact;
- Design, character and appearance;
- Open space;
- Archaeology and Heritage Assets;
- Impact upon Residential Amenity;
- Affordable housing;
- Highways Issues;
- Footpath/cycle links;
- Flood Risk and Drainage Issues;
- Contamination and Air Quality;
- Ecology – Protected Sites;
- Ecology - Protected species;
- Trees;
- Crime and Disorder Act 1998;
- Utilities;
- Fire hydrants;
- S106 matters and CIL;
- Other material considerations

### **Recommendation**

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

**B) REFUSE** in the event that the S106 Agreement is not completed within 4 months of the date of this Committee meeting, due to the failure to secure the provision of affordable housing, public open space and play facilities, payment of Habitats Tariff, contribution towards off-site highway improvement works and transfer of cemetery land to the Parish Council.

## **THE APPLICATION**

The site is currently arable agricultural land and extends to 6.09 hectares. There are hedge boundaries and trees around part of the site with a number of established trees to the northern part of the site which are protected by TPO's. The land is of grade 3 agricultural quality.

The site is bounded by agricultural land to the west. To the north is a treed area with the North Wootton drain running along the northern boundary in a westerly direction.

To the south the site is bounded by an area of undeveloped land and a cemetery, beyond which is development off Church Lane which is mainly residential but also includes St Mary's Church, a Grade II\* listed building.

To the east the site is bounded by a public footpath beyond which lies existing residential development off Meadow Road and Bracken Road with frontage residential development onto Nursery Lane. An existing gated access into the site is located at the western end of Meadow Road.

There is a change in level across the site in a north westerly direction with a fall from the 10m AOD in the south east corner to 3m AOD in the northwest corner which represents the lowest part of the site area.

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 and the nearest boundary is just over 500m to the north west.

The site lies within proximity of Roydon Common and Dersingham Bog SAC and Roydon Common Ramsar Site, which are approximately 5km and 9.2km away respectively.

The site is a small part of an allocation for King's Lynn under Policy E3.1 of the Site Allocations and Development Management Policies Plan 2016, with the policy requiring at least 300 dwellings on 40ha.

The application is in outline and seeks planning permission for proposed residential development of 125 dwellings with access off Nursery Lane. The site adjoins the Larkfleet outline application site for up to 450 dwellings to the south, which is also for consideration on this agenda. The plans show a link road through to this adjoining site.

An emergency vehicle access can be provided via Meadow Road with pedestrian and cycle links enhanced.

The application is submitted in outline with access for consideration and all other matters reserved for consideration at a later date. An Illustrative Site Layout Plan forms part of the application.

The key elements of the application are:-

Gross site area: – 6.09 ha

Open green space: - 1.08 ha

Proposed cemetery extension: - 0.4ha

Residential Dwellings: - 125 dwellings @ 32 dph

House types: - Semi-detached & detached 2/3/4 & 5 bedroom dwellings

## **SUPPORTING CASE**

The application has been supported by a final submission from the applicant:

The application site area extends to 6.09ha and forms the north east part of a larger housing site (40ha) - E3.1 (Hall Lane, South Wootton) which is allocated in the Site Allocations & Development Management Plan (SADMP)-September 2016. The balance of the allocated

housing site is the subject of a separate planning application (17/01151/OM) submitted by another party.

SADMP Policy E3.1 confirms that provision will be made within the allocated site area for a residential development of at least 300 dwellings subject to various criteria being met and requirements being provided as a comprehensive development. The requirements of the development include:

- Provision of a mix of house types, sizes and tenures including affordable housing
- Open space provision
- Habitat protection measures
- A new link road running north to south
- Surface water drainage on SUDS principles
- Financial contributions toward the provision of infrastructure

The current application includes an indicative masterplan for up to 125 dwellings at a density of 32 dwellings per hectare. Neither SADMP Policy E3.1 nor the South Wootton Neighbourhood Plan set out a specific housing density for the site. The density proposed seeks to reflect that of the local area and achieves an effective and efficient use of land in accordance with the NPPF. The proposed development will provide 20% of the dwellings as affordable housing in accordance with Core Strategy Policy CS09.

The indicative masterplan identifies at least 0.73ha of publicly accessible open space including the provision of greenspace around the perimeter of the development area. A site of 0.4ha is set aside adjacent to the existing cemetery to enable an extension to the cemetery. It is the intention that this area of land will be transferred to the Parish Council.

The proposed development will enable the construction of the link road through the site area extending from Nursery Lane at the north east site boundary up to the application site southern boundary where it will join up with the southern section to Edward Benefer Way, subject of application 17/01151/OM. The primary access into the site will be obtained from Nursery Lane through the provision of a new junction. The Local Highway Authority require that a secondary site access be provided from Meadow Road, although on completion of the link road this secondary access will be closed to through traffic and revert to a pedestrian/cycle link into the development area.

Surface water drainage is to be provided in accordance with SUDS principles by way of on-site attenuation with controlled discharge and soakaways primarily in the southern part of the site where permeable ground conditions are favourable.

In addition to the requisite CIL payment the development will provide financial contributions by way of a S106 Agreement towards Habitat Mitigation measures and the proposed improvement to the Wootton Gap junction.

Overall the applicant has worked with the Local Planning Authority to achieve a successful form of development, the details of which are in full accordance with the requirements of SADMP Policy E3.1

## **PLANNING HISTORY**

None

## RESPONSE TO CONSULTATION

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

**South Wootton Parish Council: OBJECT** – (latest objection) SWPC wishes to re-iterate our strong objections to the scale of the development as outlined in our previous letter dated 5th July 2017 (see attached). We would urge that the number and density of this development should be reduced to a more sustainable level and have concerns with respect to the impact that this development would have, along with the others planned for South Wootton, on traffic congestion along the main route into Kings Lynn and the Docks.

(Original objection) This development cannot be considered in isolation but must be viewed alongside the proposed adjacent development by Larkfleet for 450 properties, west of Hall Lane, as well as the combined 700 properties proposed by Camland and Clayland at Knight's Hill. Taken together they represent an increase of 70% in the size of the village. The residents of South Wootton are determined to preserve the independent village identity and maintain its separateness from King's Lynn (ref: Vision Statement and Objectives in the South Wootton Neighbourhood Plan). The impact of all this development will have a detrimental effect on the village character and infrastructure.

These new developments will have a major impact on traffic movements in the village. Nursery Lane is a busy through route for traffic travelling from the Dersingham area and North Wootton into King's Lynn. Consequently, this development, with the other developments mentioned above, will make a significant contribution to problems with traffic congestion along the main A148 route via Grimston Road, Low Road and Edward Benefer Way into King's Lynn.

A Traffic Survey carried out by the Parish Council in 2012 (the Traffic Impact Appraisal report (Bidwells) - August 2012, which has previously been submitted to the Borough Council) showed that a number of junctions leading onto the main route to King's Lynn are either close to capacity or already over capacity. Since then, traffic congestion into King's Lynn has been getting steadily worse as highlighted by a number of Borough Councillors, who were quoted in the Lynn News, 13/1/2017, saying that 'the feeling inside the town is that the transport in Lynn is dire' These new developments will add to what is an already deteriorating situation.

The Parish Council requests that the Borough Council commission an independent review of the impact that these very large developments will have on the highways and infrastructure.

We wish to make the following points regarding the Bowbridge development.

The Parish Council is pleased that the developer has taken note of our Neighbourhood Plan and set aside land for additional cemetery space. This should be gifted to the Parish Council in perpetuity for a nominal cost of £1.

The proposed number/density of properties is set too high. The layout plan shows a density of 32 dwellings per hectare (dph). This contrasts with the average density of approximately 16dph for existing residential areas in the village. The Borough Council has also suggested that 16dph is an appropriate average density level. We request that the density for this development is reduced to a level more in keeping with the openness and character of the village.(Ref: Policy H4, SW Neighbourhood Plan).

The Parish Council opposes and questions the need for a secondary access from the development into Meadow Road. The proposed link road will be providing two entry and exit

points at Edward Benefer Way and Nursery Lane for access into and from the development. A third entry/exit point is not necessary. Meadow Road serves a mainly bungalow estate where the majority of residents are elderly. Also, part of the National Cycle Route No.1, which crosses Church Lane, is used by cyclists and pedestrians via Greenacre Close and Meadow Road to link up with its continuation along Nursery Lane. Parents regularly use the access from Greenacre Close to walk their children to the nearby Infant and Junior Schools. Any increase in traffic along Meadow Road would be detrimental to the health and safety of residents, cyclists, parents and children.

We note that the public right of way along the eastern boundary will be retained. However, for the reasons given above, it should not be interrupted by a road link to Meadow Road.

The outline layout appropriately shows that the residential properties will be in the Flood Zone 1 area and that the open space along the northern boundary is in Flood Zone 2/3 areas (ref: MTC Flood Risk Report). The Geodyne, Phase 1 Desk Study Report refers to the presence of shallow ground water. Drainage issues must be dealt with in a suitable manner. The MTC report shows the presence of two ponds/swales (Appendix 5 Map), one in the open space area and the other in the more south central part of the development, for dealing with excess surface water. The Parish has concerns that the latter pond is too close to the surrounding properties and could cause safety issues. It should be relocated to the Open Space away from the properties. The developer should be made responsible for the maintenance and safety of the ponds in perpetuity. It is important too that the sustainable drainage systems employed should be used to provide wildlife areas. (Ref: Policy E 2, SW Neighbourhood Plan)

We endorse the statement in the Lockhart Garratt Ecology Report which recommends that features including the initial hedgerows and associated scattered trees should be retained as they offer potential foraging, breeding and sheltering opportunities for a range of species. Note should be taken of the Tree Preservation Orders that are already in place. Trees for Bat roosts should also be protected. This is supportive of the Policies for the Environment outlined in Section 7.1 of the SW Neighbourhood Plan. As the Lockhart Garratt report was published in March 2016, notice should be taken of their recommendation for a qualified ecologist to check whether data needs updating if no development has occurred 12 months after the date of the report.

Lockhart Garratt's Wintering Bird Survey Report records that, within the area, there are 7 birds which are listed as globally threatened and 9 having unfavourable conservation status in Europe. Appropriate steps need to be taken to protect all the birds listed. Local bird watchers have noted the presence of marsh harriers in the area and these should also be protected.

**North Wootton Parish Council – OBJECT** - (latest objection) - loss of greenfield land; brown field sites available for development of which there are several in King's Lynn and the surrounding areas; building on green field land should only be last resort; prime agricultural land needed to grow food; should not build on marshland; development on clay causes structural problems; flood risk at the bottom of Knights Hill; should not build on flood plains; will only benefit landowners; more than 70% of the homes will not be affordable; the CPRE also found that fewer than one in six homes building on the green belt since 2009 have been affordable; the green belt which is designated to prevent urban sprawl is facing a particular threat in various areas of the country; South Wootton will become just another part of King's Lynn which will have a knock on effect on our village; no infrastructure is proposed; where are the extra schools, shops, doctors' surgery, pharmacy, play areas etc.? A total of 1230 houses and that is not taking into account the proposed developments at Lynn Sport; Where are the jobs coming from?; the new road shown on Larkfield's plan will come from a new roundabout on Edward Benefer Way near the existing traffic lights, across to Nursery Lane

coming out on a very bad bend; No traffic management plan seems to be in existence; No thought given to existing traffic using Nursery Lane which will have to contend with other traffic going into and exiting from the new road on the bend; The traffic in the area of South Wootton is already far in excess of what a residential area should expect particularly given that Edward Benefer Way, Grimston Road and Knights Hill is also the main entry into town for heavy Lorries; It only needs an accident or road works on any of the roads into King's Lynn and the whole area is gridlocked with nothing moving;; This will directly affect residents of North Wootton as drivers seeking to avoid the gridlock at Knights Hill and the Grimston Road will turn off through Castle Rising and use the narrow country lanes around North Wootton as a rat run; We already suffer motorists using our lanes as a rat run at all times of the day and speeding through the village; We are not prepared to suffer any increase; We are a rural, agricultural village with many farm vehicles using the narrow lanes; None of our residents wish to see an increase in traffic which will be to the detriment of their health and the health of their children caused by the extra pollution; Wootton Park, cannot compensate for the delight of children exploring fields, ditches and hedges; The extension to The Howards went ahead despite the possible loss of the Great Crested Newt habitat and houses at the edge of the development by the woods are already suffering subsidence.

**Castle Rising Parish Council: OBJECT** - (latest objection) CRPC reiterate earlier objection; the 130 houses on this proposed development which is to be linked by road to the proposed 450 houses by Larkfleet under application 17/0115110M cannot be considered in isolation; should be rejected as is over development; the local infrastructure particularly highways will not be able to cope; object to urban sprawl and loss of green field land which currently clearly defines village boundaries.

The density of the built areas on this site defies the requirements of the SWNP; the densities are far in excess of the existing surrounding villages; totally out of character and damage village identity; likely to lead to an unacceptable risk of further flooding on marshland/flood plain.

Also Norfolk Constabulary are concerned and objecting that 3 vehicular points is excessive and threatens site security; NPPF states new developments should not contribute to or risk and adversely affect through unacceptable levels of air pollution; the levels of traffic pollution and damage to health will severely affect the local population with the impact from the traffic movements and delays caused by all the proposed developments; the open and green space on site appears totally inadequate and will harm the countryside.

The developer's total disregard to destroying the village scene and character are clearly indicated by planning for a further phase of development to which they have reserved an access the Borough Council Planning Officers need to be aware the various proposals are being strongly objected by South Wootton Parish Council, North Wootton Parish Council, Castle Rising Parish Council and the majority of local residents over 1,000 of whom have signed a petition or objected. Democratically it would be wrong to ignore this level of opposition.

(original objection) If this development is looked at in conjunction to the proposed developments in South Wootton and Knights Hill the number of houses proposed is clearly unsustainable. There are already traffic problems in the area and building what almost amounts to a small town will make it worse nor there adequate school and medical facilities.

**Highways Authority: NO OBJECTION** – subject to conditions

**Anglian Water: NO OBJECTION** but made comments - The development site is within 15 metres of a sewage pumping station; the site layout should take this into account and accommodate this infrastructure type through a necessary cordon sanitaire, through public space or highway infrastructure to ensure that no development within 15 metres from the

boundary of a sewage pumping station if the development is potentially sensitive to noise or other disturbance or to ensure future amenity issues are not created.

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 - 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 – From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Anglian Water would therefore recommend a planning condition requiring the submission and approval of a foul water strategy if the Local Planning Authority is mindful to grant planning approval.

**Environment Agency: NO OBJECTION** – but recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) Ref 1696-Rev A, prepared by MTC Engineering, dated May 2017 are adhered to.

**Lead Local Flood Authority (LLFA): NO OBJECTION** – conditionally. Original objection dropped following submission of additional information including infiltration test results, updated Micro Drainage calculations and information relating to surface water drainage. Condition recommended relating to the detailed designs of a surface water drainage scheme. Drainage scheme to take into account the phasing of the development and how each phase fits into the overall scheme for the site.

**Internal Drainage Board: NO OBJECTION** – We appreciate that the preliminary layout has been amended to allow for the 9m maintenance strip adjacent to the Board-maintained watercourse, and that an allowance has been made for access to this area. The Board require the access to this strip to be suitable for a 30 tonne machine. The applicant has confirmed that although layout is not being fixed at this stage, the intention is that the access to the 9m maintenance strip will be suitable for a 30 tonne machine.

However, as this access is fundamental to this Board's ability to maintain this flood risk management infrastructure, we request that the condition proposed by the Lead Local Flood Authority (LLFA) in their letter dated 06/03/2018 is extended to safeguard the Board's ability to access the maintenance strip via an appropriate roadway. As part of the correspondence with the applicant, a secondary access to this maintenance strip has been discussed, however I appreciate that this would not be fixed at this stage of planning. We recognise that the Local Planning Authority is the determining authority, however to assist, we suggest the following wording (in addition to the wording proposed by the LLFA):

IX. Confirmation that the 9m easement around the drain adopted by Kings Lynn Internal Drainage Board is accessible via an adopted highway suitable for machinery weighing up to 30 tonnes.

At present no application has been made to discharge surface water to the Internal Drainage



District, or to install an outfall within 9m of a Board maintained drain. 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.

**Emergency Planner: NO OBJECTION** - provided that development does not take place in the north west of the site in Flood Zones 2 & 3.

**Environmental Health & Housing - Environmental Quality: NO OBJECTION** – conditionally; standard land contamination conditions, Travel Plan and electric vehicle policy.

**Environmental Health & Housing - CSNN: NO OBJECTION** – conditionally; Foul and Surface Water Drainage Details, Lighting Scheme - before development commences, Construction site hours, Protection scheme from construction, Informatives: Environmental Protection Act 1990, Noise Dust and Smoke from Clearing and Construction Work, Soakaways, Shared private foul drainage, Culverting/Filling Ditches. Comments relating to detailed layout.

**Architectural Liaison & Crime Prevention Officer: NO OBJECTION** – but made comment relating to the permeability of the site from three vehicular access points. A no through route gives residents a feeling of ownership and encourages a feeling of community. Whilst it is accepted that through routes will be included within development layouts, the designer must ensure that the security of the development is not compromised by excessive permeability. Promotes Secured by Design principles, comments relating to security of detailed layout.

**Housing Enabling Officer: NO OBJECTION** - confirm that 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 5 or more dwellings and/or 0.165ha in South Wootton. The affordable housing provision is then further split into 70% of the affordable homes being made available for rent and the other 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 25 units would be required, 18 for affordable rent and 7 for shared ownership.

The affordable housing mix i.e., unit types, layout etc. will need to be addressed in the reserved matters stage. Whilst at this stage I appreciate that it is difficult to agree the type of affordable housing unit, ie 2bed, 3 bed etc, I would recommend that, in order to best meet an identified housing need, a mix of 1bed 2 person, 2bed 4 person and 3bed 5 person units are provided. Please note however that housing need is not static and therefore the affordable housing mix may change as time progresses particularly if there is a significant delay in submitting the reserved matters. The affordable housing should be fully integrated with the general market housing in order to achieve mixed and sustainable communities in which the accommodation is tenure blind. On a site of 125 units, the affordable units should be located in clusters of no more than 12.

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.

**NCC County Contributions: NO OBJECTION** - The following infrastructure will need to be funded through CIL:

Education: Mitigation required at Early Education Sector for 12 places, South Wootton Infant School for 16 places and South Wootton Junior School for 18 places.

Library: Mitigation required at Gaywood library to develop self-service system for local area.  
Education Claim:

The King's Lynn Local Plan indicates that there may be significant housing growth in the South Wootton area and Children's Services are in discussion with local schools on how this growth can be accommodated. There are expansion opportunities at some schools and additional land for the junior school would allow for this. Parental preference and organisation of the schools is also a consideration. Therefore at this time contributions would be sought for projects to increase capacity at either South Wootton Infant or Junior Schools or both.

When the proposed development in the area has been taken into account there is still spare capacity at High school level, however South Wootton Junior has no spare capacity and although South Wootton Infant is showing a spare capacity of 6 places, when the permitted applications are taken into account this reduces to 3 spare places and these are in the higher age range of the Infant school, so taking this into consideration we would consider the South Wootton school as full. Although there is spare capacity at Early Education level, from September 2017 additional places have been needed due to the introduction of 30 Hours Free Entitlement for eligible families. Early Education providers are in the process of planning and moving towards providing sufficient places so Early Education provision is being sought.

With a proposed development of this size and bearing in mind the comments regarding growth in this area, the current primary phase accommodation would need to be expanded and we would require 1.1ha of land free of charge in order to increase the junior school site size to allow for additional expansion. The transfer of land would need to be dealt with as a planning obligation and a S106 agreement be entered into with the applicant.

Library: A development of 130 dwellings would place increased pressure on the library and mitigation is required to increase the capacity of the library.

Fire: With reference to the proposed development, taking into account the location and infrastructure already in place, our minimum requirement based on 130 no. dwellings would be 3 fire hydrants on no less than a 90mm main at a cost of £815 each.

#### Green Infrastructure: General Comments

As outlined in the Norfolk County Council Planning Obligations Standards (2017), 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 to 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.

## Specific Comments

Norfolk County Council has just announced a feasibility study into the restoration of disused railway lines for walking, cycling and bridleways. Kings Lynn to Hunstanton is a named route and passes to the west of this site. Contributions will be sought for this work, should the project come forward in a timely manner in relation to development.

South Wootton FP3, forming part of the circular walk HW The Wootton's, lies along the eastern boundary of the site. We would expect the developer to improve surfacing, as agreed by Norfolk County Council Highways, to accommodate the increased footfall that the development will bring.

**Natural England: NO OBJECTION** - subject to appropriate mitigation being secured

We consider that without appropriate mitigation the application would have an adverse effect on:

- Roydon Common Ramsar site
- Dersingham Bog Ramsar site
- Roydon Common and Dersingham Bog Special Area of Conservation (SAC)
- The Wash Ramsar site
- The Wash Special Protection Area (SPA)
- The Wash and North Norfolk Coast SAC
- Roydon Common Site of Special Scientific Interest (SSSI)
- Dersingham Bog SSSI
- The Wash SSSI

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Provision of on-site open space and circular walk with dog 'furniture'
- Contribution of £50 per dwelling in line with the Kings Lynn and West Norfolk Monitoring and Mitigation Strategy
- Provision of connecting access to existing rights of way and open space
- Provision of information to new residents informing them of locations for dog walking which are less sensitive than international sites.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

**Norfolk Wildlife Trust: NO OBJECTION** - subject to appropriate mitigation being secured HRA requirement.

We are pleased to see that information to inform a HRA has now been provided for this development. We support the views of Natural England regarding the need for KL&WN to adopt the findings of the HRA document provided by the developer.

Recreational impacts on Roydon Common and Dersingham Bog SAC:

We support the views of Natural England with regard to mitigation measures that will be required in order to mitigate for recreational impacts on Roydon Common and Dersingham Bog. As this is a relatively small development, we accept that the £50 per dwelling should be sufficient to mitigate for impacts of those residents, who will visit these designated sites. However, this can only be if all of the other mitigation measures suggested by Natural England are put in place.

On-site impacts on Biodiversity: Our view remains that this application and the adjacent application for 450 dwellings (17/01151) should be considered in conjunction, in relation to

mitigation of impacts on biodiversity and provision of green space. This application still fails to consider on-site impacts on biodiversity, unless it is intended that the EclA submitted for the adjacent development covers these. Although green space is provided for this application, this appears to be amenity green space and will not mitigate for impacts on species that are likely to be currently present on site, particularly for farmland species such as brown hare and skylark. As a result, green space that is provided with the adjacent development for 450 dwellings will need to provide for on-site mitigation of impacts on biodiversity for both developments. Further to this, in our view, some additional measures, outside of the development site, will be required for loss of habitat for farmland species and it would be sensible for this to be carried out in conjunction with similar measures required for the adjacent development.

**Arboricultural Officer: NO OBJECTION** – conditionally; tree protection and tree retention. Commented that although these plans are indicative, there are some concerns regarding the proximity of the proposed roadway and the protected tree on the northern corner of the site boundary with Nursery Lane. The protected tree should be given enough room to grow, both now and into the future.

**Public Open Space Officer: NO OBJECTION** – the development is for more than 100 units – planning policies CS14 & DM16 require 56m<sup>2</sup> open space per dwelling, in the following proportions:

- 70% as amenity/outdoor sport (approx. 5096m<sup>2</sup>);
- 30% as suitably equipped children's play space (approx. 2184m<sup>2</sup>);
- the indicative plans do not appear to show sufficient play/sports provision;
- the 2200m<sup>2</sup> of 'suitably equipped' children's play space would not be expected to be completely equipped, but I suggest an isolated 'play area' is not sufficient – based on previous developments, 2 x LAPs and 1 x LEAP might be more appropriate;
- trees should not be within/adjacent equipped areas of play;
- the remaining open space (5096m<sup>2</sup> amenity/outdoor sport) should, in line with DM16, provide some 3640m<sup>2</sup> pitch sports (50% of overall open space provision), but could also accommodate running/walking/cycling tracks to complement the existing footpath running through the site;
- buffer landscaping along eastern perimeter complements existing public footpath so can be seen to have a shared visual/recreational function;
- the buffer landscaping on the eastern perimeter does not have a shared function & would not be counted towards open space requirements;
- if open space needs to be provided adjacent to the attenuation basin, this needs to be securely fenced against the open area;  
I would appreciate an indication as to who is proposed to maintain the IDB easement area;
- it appears there will be 'agricultural access'/access for the IDB over the open space at the end of a private driveway – vehicular movements in the open space could compromise the safety of its users as well as cause damage to the open space surface. Having machinery access via a private driveway is also likely to cause issue for the adjoining residents who will be responsible for the maintenance of the access drive, particularly as it may not be delivered to highway spec;
- if the IDB are to clear/dredge the attenuation pond, this needs to be onto land which is not adopted/classified as public open space

**Historic Environment Service – NO OBJECTION** - conditionally. An archaeological trial trench evaluation has now been completed at the proposed development site and the results recently submitted to Norfolk Historic Environment Service for consideration. The evaluation identified buried archaeological remains (comprising pits and ditches) across the majority of the site. Although many of the features did not contain datable cultural material the results

suggest multiple phases of past activity at the site, specifically during the late prehistoric, Roman and medieval periods. In particular the trial trenching confirmed the density and complexity of the archaeological features in the southern part of the proposed development site. There is potential that further heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance would 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.

## REPRESENTATIONS

**195 REPRESENTATIONS** have been received referring to the following:-

Principle of development:

- An almost complete loss of village identity caused by replacement of greenfield land (until recent years shown on Borough maps as an area of "Important Landscape Quality") with an area of high density housing, thus losing most of the rural buffer between Lynn and South Wootton (12)
- Coalescence – village merging with King's Lynn (6)
- Building on greenfield land (5)
- The first objective of the South Wootton Neighbourhood Plan is "to preserve the village identity and maintain separateness from King's Lynn, and to encourage greater geographical cohesion within the community". How, therefore, can reducing the width of the buffer by the amount proposed and replacing it with such a different scenario comply with this? (4)
- When considered together they propose the building of some 1180 homes, access for which will be almost entirely from Grimston Road (2)
- Both developments are on arable or pasture land which, as well as providing food and produce to the community, create a scenic buffer between the urban and commercial area of King's Lynn and the rural and picturesque village of South Wootton. (2)
- Why is another greenfield to be lost? (5)
- Why not development the brownfield land behind St Edmundsbury Rd?
- The new development should conform to the housing policies laid out in the Neighbourhood Plan
- Why are brownfield site like Anglia Cannery site that outline permission for 90 homes being developed.
- Other villages should take some of the housing need.
- No demand/ need for additional housing. (8)
- The new government white paper says that building on green belt sites should only be allowed in exceptional circumstances. (3)

Scale of proposal:

- The proposed number/density of properties is set too high. The layout plan shows a density of 32 dwellings per hectare (dph). This contrasts with the average density of approximately 16dph for existing residential areas in the village of South Wootton. The Borough Council has also suggested that 16dph is an appropriate average density level. The density for this development should be reduced to a level more in keeping with the openness and character of the village.(Ref: Policy H4, SW Neighbourhood Plan) (14)

- Development must be viewed alongside the proposed adjacent development by Larkfleet for 450 properties, west of Hall Lane, 700 properties proposed by Camland and Clayland at Knight's Hill, and the Marsh Lane developments (10)
- The proposed developments are out of proportion to the size of the village and the capacity of its road network and must be seen to be unsustainable.(5)
- No need for more houses in South Wootton
- The current applications would result in the increase of 1280 houses; an increase in excess of 70% in numbers on the current village size of 1800 homes
- BCKLWN should commission a totally independent assessment to evaluate what the village can comfortably absorb in terms of increased numbers of homes
- All the development will double the size of the village
- detrimental to the character of the village due to numbers and traffic congestion (3)
- too many houses on such a small area (4)
- recommend that numbers are reduced to a more sustainable level.
- Housing figures across this and Larkfleet site too high
- Village becoming a sprawling mass of houses (3)
- There will be no definition between Kings Lynn and Wootton
- The developments needs to be scaled down considerably
- Numbers should be reduced to 225
- The proposals should conform with the numbers specified in the Neighbourhood Plan
- Would it be possible for the development to be phased?
- Small houses/ slums of tomorrow.

#### Layout:

- One of the proposed ponds is too close to the surrounding properties and could cause safety issues. It should be relocated to the Open Space away from the properties (3)
- Lack of open space on the site (2)

#### Highways issues:

- Drastically increase traffic congestion ( particularly along the A148 Edward Benefer Way/Low and Grimston Road) (86)
- Object to opening up of access from Meadow Road; will become rat run and used as a short cut; not necessary (25)
- Object to amount of traffic on roads resulting in congestion on main roads and local roads (18)
- Any increase in traffic along Meadow Road would be detrimental to the health and safety of residents, cyclists, parents and children. (13)
- Object to more traffic /congestion on Nursery Lane (12)
- Meadow Road and Greenacre Close are used as a dropping off area for the local school and also part of the zone 1 cycle route (9)
- Meadow Road should be pedestrian only (8)
- The service road linking the Bowbridge and Larkfleet developments was originally planned to function as a relief road and ease traffic moving South along Nursery Lane towards the junction with Low Road but will provide a convenient "rat run" from Edward Benefer Way to North Wootton, Castle Rising and all points North, including coastal holiday destinations (8)

- Should be an independent review of the impact that these very large developments will have on the highways and infrastructure in the area (7)
- Roads already congested and accidents cause gridlock and this will be a rat run (7)
- Impact on residents and children walking to school from site traffic on Meadow Road (7)
- School traffic is already bad in the area and parents block the roads (6)
- Object to access from Nursery Lane which is a narrow lane and road safety will be severely compromised (6)
- Impact on elderly residents on Meadow Road from additional traffic (6)
- Pleased that the public right of way along the eastern boundary will be retained. However it, should not be interrupted by a road link to Meadow Road (4)
- The attraction of using the new road as a 'short cut' to the A149 is removed by some method of traffic calming, which could allow cycling, walking and public transport to cross between the two sites but not private vehicles (4)
- Insist that vehicular access to this new estate should be fed by a link road to Edward Benefer Way only, leaving Nursery Lane intact (3)
- Extra residences not only increase the number of domestic vehicles but also the volume of commercial and service traffic (2)
- More traffic will bring more delays (2)
- South Wootton is already carrying all of the traffic diverted from South Lynn, London Road and Hardwick Road, It cannot cope with more (2)
- School parking should be provided for the school on Hall Lane and this is located within the new development (2)
- Access to the site is completed first from the proposed new roundabout on Edward Benefer Way thereby alleviating the impact on Hall Lane, Church Lane, Nursery Lane and Meadow Road (4)
- Speed restrictions/traffic calming should be put along Nursery Lane.
- 1280 homes will likely result in 2000 vehicles
- 2500 additional cars will potentially increase extra journeys by 5000 per day
- New access from Nursery Lane will be on a very poor visibility bend.
- The levels of traffic will make this turning incredibly dangerous.
- Road infrastructure is already on the verge of collapse
- New school access should be provided
- Should have another exit route from the bypass to the proposed Knights Hill
- Access route shown for further expansion to the north west is objected to
- Access onto Ullswater Avenue should be retained for pedestrian and cyclists only
- An independent Traffic Survey should be carried out
- Castle Rising Junction takes 15 minutes at School Time
- A dual carriageway is needed.
- The borough council should be looking at ways to ease congestion, not increase it.
- No business will look at investing in a town with poor traffic management (3)
- Inadequate area for buses to stop.
- Forced to shop in Hunstanton/ Heacham because road will be too busy around South Wootton
- At school time in South Wootton access are blocked from dwellings and emergency vehicles would not get through.
- No speed calming measures exist of Nursery lane
- Nobody has said Meadow Road won't be used as an access in future

- Parking at the Wootton shops is already congested all day (3)
- The increased traffic will have a knock on effect on local businesses

#### Nature conservation:

- Harm to landscape/retain open space (5)
- Appropriate steps need to be taken to protect all the birds listed (5)
- Marsh harriers are in the area and these should also be protected (3)
- Endorse the statement in the Lockhart Garratt Ecology Report which recommends that features including the initial hedgerows and associated scattered trees should be retained as they offer potential foraging, breeding and sheltering opportunities for a range of species.
- Trees for Bat roosts should be protected (2)
- As the Lockhart Garratt report was published in March 2016, notice should be taken of their recommendation for a qualified ecologist to check whether data needs updating if no development has occurred 12 months after the date of the report (2)
- The meadow land that is being used for this proposed development is a wildlife habitat that cannot be replaced (2)
- On a daily basis the barn owl is seen hunting this land (2)
- General loss of habitat and harm to wildlife (3)
- Loss of agricultural land/ land used for food production (2)
- Removal of tree which incorporates a bat roost, against SW Neighbourhood Policy E1 (2)
- The historical Reffley Wood will be subject to immense pressure from increased activity (2)
- Fails to adequately recognise the sensitive landscape associated with the heritage of the area
- “Destroy” an AoNB
- Status quo should remain.
- Loss of green field, trees and hedges (19)

#### Trees/landscaping:

- Note should be taken of the Tree Preservation Orders that are already in place (4)

#### Flood risk/drainage:

- Building in a flood risk area is not sensible (3)
- Drainage issues must be dealt with in a suitable manner (2)
- The developer should be made responsible for the maintenance and safety of the ponds in perpetuity (2)
- The sustainable drainage systems employed should be used to provide wildlife areas. (Ref: Policy E 2, SW Neighbourhood Plan
- suggest pumping station will be inadequate (2)
- Existing issues with underground stream causing damage to household and seek reassurance this will be resolved
- already have low water pressure and how will surface water drains and sewer pipes cope? (16)
- The Lead Local Flood Authority has made certain stipulations which it feels should be agreed to by the developers before planning permission is granted. I cannot see any agreement at present.
- IDB comments must be addressed
- Has the possibility of flooding been looked into with the increase of 1180 homes?
- Unsustainable
- Increased surface water run-off towards existing homes (9)



- Inadequate drainage (8)
- Sewage system needs upgrading (9)
- Given the future likelihood of unprecedented adverse weather conditions, it defies logic that this is even being proposed.
- What provision is there for protection against flooding for both new and existing properties?
- Properties are already experiencing subsidence due to drainage.

#### Amenity/noise/pollution:

- Drastically increase traffic congestion and air pollution (4)
- increased noise from traffic in the area (4)
- traffic will bring more pollution and damage to existing residents' health and the environment (3)
- Noise and pollution during construction phase (2)
- Removal of trees will lead to loss of privacy to residents on Ullswater Road
- The village will become overcrowded, unhealthy and unliveable
- The development is too concentrated to sustain the current level of quality of life
- Borough council should be improving environment, no make it worse
- Increased carbon footprint from cars

#### Crime/security:

- Norfolk Constabulary have reported that it will not support the application (and future linked developments) unless the number of access and exit points are reduced, as the site's permeability would be likely to promote an unacceptable crime level, a lack of community spirit and reduced security (2)
- Concerned about the anti-social behaviour that will occur behind our property once the footpath is expanded

#### Lack of facilities:

- General infrastructure/ services impact (64)
- Impact on schools; local schools are already at full capacity (12)
- Impact on doctors; it is not possible to get an appointment at the local doctors (10)
- Impact on hospitals; latest figures for the Queen Elizabeth Hospital show that A&E attendances are up on the previous year in 8 of the last 11 months. Recent pictures of a queue of ambulances show that it is already struggling to cope, so how can large population increases in its catchment area be covered? (12)
- Infrastructure won't cope (9)
- Not enough NHS services/doctors/dentists in the area to cope now (63)
- Schools would not be able to accommodate additional pupils (62)
- Funding should be directed towards the schools and GPs in the area to support these expansions
- New / additional NHS facilities should be built (15)
- There is no current infrastructure to sustain the increase demand of basic services such health, education, that such a development requires, unless the proposed pub and a supermarket can subsidise for these needs.
- Detrimental effect on amenities/ existing infrastructure cannot cope (19)
- Infrastructure needs improving first (11)
- The site should provide a medical centre (5)
- Application should be called in, postponed and reviewed in light of a major infrastructure survey
- Not enough jobs (6)
- Insufficient bus service resources

- Rail Service is insufficient at peak times
- Where are the jobs to pay the people to buy the houses? (3)
- Need for new cycle routes
- No obvious increase in local retail and industrial expansion
- Only one veterinary practice.

Other:

- Little or no integration with the heart of the village for these unsustainable developments (3)
- it is pleasing that the developer has taken note of the SW Neighbourhood Plan and set aside land for additional cemetery space (4)
- There are brown field sites in the borough and these must take priority over green fields (3)
- Ignoring the majority would be undemocratic
- As a land owner of the field directly opposite this turning who will be directly affected by this proposal, I cannot understand why I have received no direct notification.
- issues with property owners re: property prices/values
- When will planners and developers learn to respect the surroundings and the views of local residents who take pride in their village?
- future growth should focus on smaller sites rather than large developments; economy and employment opportunities would start to spread and large areas of green belt and agricultural land would be preserved.
- The geology and flood plain make it unsuitable for building and there will be the question of
- Whether or not the householders can get insurance at a reasonable price if at all
- This amount of houses should be designed as a garden village
- Local councillors and MP will have failed us in failing to protect the greenfield and agricultural land surrounding South Wootton
- A cap of 25% or less must be put on the proposed developments
- Royal society for Public Health state that Council's should seek to increase green areas to bring better physical and mental health to residents
- agree with some development on site but not this much
- The cumulative impact of all 3 major developments will have on the quality of life of residents
- Excessive amount of hard surface that seems so dominant in new developments
- The village will be spoilt (2)
- Need for additional burial space.
- Need for more scout/ guide facilities
- South Wootton is becoming a suburb
- Rail and bus services are inadequate, particularly at peak times (3)
- Feel trapped in the village.
- South Wootton must maintain its separateness (4)

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
 Planning Practice Guidance (PPG)

### **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

**Development Management Policies**

**E3.1** – Hall Lane South Wootton

**DM 8** – Delivering Affordable Housing on Phased Development

**DM9** – Community Facilities

**DM10** – Retail Development

**DM13** - Railway Trackbeds

**DM15** – Environment, Design & Amenity

**DM16** – Provision of recreational space for residential developments

**DM19** - Green Infrastructure/Habitats Monitoring & Mitigation

**DM21** - Sites in Areas of Flood Risk

**South Wootton Neighbourhood Plan (SWNP)**

**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

## **PLANNING CONSIDERATIONS**

The key principle issues to be addressed in this instance are: -

- Principle of Development;
- Landscape Impact;
- Design, character and appearance;
- Open space;
- Archaeology and Heritage Assets;
- Impact upon Residential Amenity;
- Affordable housing;
- Highways Issues;
- Footpath/cycle links;
- Flood Risk and Drainage Issues;
- Contamination and Air Quality;
- Ecology – Protected Sites;
- Ecology - Protected species;
- Trees;
- Crime and Disorder Act 1998;
- Utilities;
- Fire hydrants;
- 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 (July 2018) is also a key material consideration representing latest Government planning policy.

The site is part of the larger site allocated for future housing development within the Site Allocations and Development Management Policies Plan September 2016 (SADMP 2016), and Policy E3.1 refers specifically to this site. Policy E3.1 includes a list of requirements to be provided on this site and requires development of at least 300 dwellings across the allocation.

In accordance with the Town and Country Planning Act 1990 (as amended) planning decisions need to be taken in accordance with the Development Plan unless other material considerations indicate otherwise.

At a size of 6.09 hectares this application site forms only part of the allocated housing site, which covers a total of 40 hectares. However, the LPA views this as part of a comprehensive development of the overall site. There are aspects of the overall development that come forward on this site, and other aspects that need to be provided on the neighbouring sites to satisfy the terms of Policy E3.1.

An Environmental Impact Assessment screening opinion was given by the local planning authority in connection with proposed development of this site in March 2017 which stated it was not necessary for an environmental statement to be submitted taking into account the indicative thresholds set out in EIA Regulations.

The site is also within the area covered by the South Wootton Neighbourhood Plan (SWNP) and needs to comply with these appropriate policies.

In respect to the provisions of Policy E3.1, the proposal seeks outline consent. The submission provides an indicative layout of the site, including areas of open space, landscaping and extensions to the cemetery.

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 also accompanies the application.

The outdoor play provision and recreational provision has been indicated on submitted plans, however the final layout will be agreed at reserved matters stage. The application has been submitted with a Habitats Regulation Assessment and a Geotechnical ground investigation report.

Clearly Policy E3.1 requires the provision of a list of infrastructure and community facilities which are not all able to be accommodated within this smaller site. The much larger part of site E3.1, for which there is a current application under consideration (lpa ref: 17/01151/OM), will need to make provision for the larger proportion of these facilities, including road layout, shops and community facilities. There is also a smaller area of land bounding the school, which will in time make provision for a car park for the school (although this has yet to come forward). This particular application will provide land for a cemetery expansion, which will be transferred to the Parish Council.

With both this and the Larkfleet application within the department at the same time the links and connections between the two sites are apparent. Although both applications are in outline (application 17/01151/OM also seeks all matters reserved apart from access), both applications are showing links between the two sites which correspond. Given that layout is a matter reserved for future consideration these details will not be agreed at this stage, but can be secured through planning condition. This is discussed in more detail below.

### **Landscape Impact**

Paragraph 170 of the NPPF stipulates that the planning system should contribute to and enhance the natural and local environment by, amongst other things, protecting and enhancing valued landscapes. Core Strategy Policy CS12 requires development proposals to reduce the visual impact of new buildings or structures.

The site is currently greenfield land and some 500m away from the AONB. The NPPF states, nationally designated areas such as Areas of Outstanding Natural Beauty (AONB), have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty.

In this case the application site is open land set out in two fields, currently used for agricultural purposes. Land levels generally drop from the south eastern corner of the site to the north western corner by a difference of approximately 6m, with smaller ground level changes within 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.

The application has been supported by a Landscape and Visual Appraisal (LVA). This assessment records the high degree of containment and concealment on the northern, eastern and southern boundaries which will mean that development of the site will have no important effect on the character and appearance of the wider landscape or on the landscape setting of South Wootton. The existing mature trees within the northern part of the site and on the western boundary will be retained and protected during development to retain the local distinctiveness of the sites key characteristics and retain a level of visual enclosure.

In summary the LVA acknowledges there would be an inevitable change in the land use of the application site as a result of the proposed residential development being in place, with the removal of the current agricultural land use. However, there would only be major visual effects in extreme close proximity to the site in several locations. Generally, the site would have minor and negligible visual effects on the local context and the development would not materially change the fundamental characteristics of the wider landscape or character of South Wootton.

No AONB or other protected land is lost as a result of the proposal. There are minimal opportunities for views to the site from the AONB or wider countryside and the proposals are not considered to change the character of the AONB or wider contextual landscape. It is considered that the proposal will only lead to minor landscape and visual change, and will not give rise to unacceptable visual impact and as such complies with the requirements of Core Strategy Policy CS12 and subject to conditions, SWNP Policies E1, E4, H2 and H4.

### **Design, character and appearance**

The main part of the application site is roughly rectangular in shape with a wider northern section and an offshoot linking through to Nursery Lane. The site has a very short road frontage before widening out behind the properties on Nursery Lane. The site is currently open fields with few constraints. The proposed vehicle links are to the north eastern corner onto Nursery Lane and an emergency vehicle access to Meadow Road in the south eastern corner.

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.

The applicant has submitted a draft indicative layout proposal showing a total of 125 units with a mix of 2, 3, 4 and 5 bedroom properties. 100 units are proposed to be market housing with 25 affordable units (20%). Affordable units are shown to be a mix of 2 and 3 bedroom

units. The gross site area is given as 15.05 acres or 6.09 hectares; the net site area is given as 9.75 acres or 3.95 hectares.

The density on the residential element of the site (excluding the open space precluded from development) is shown to be approximately 32 dwellings to the hectare. 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.

During the course of the application an amended indicative site layout has been submitted which shows 5 less units, although the average density figures remain the same. This revised layout and reduction in number of units reflects the need to provide an IDB easement to the northern part of the site for the management of the water course which must remain open and free from development.

Parish Councils and third party objection has been received to the number of units proposed on this and the adjoining site. Policy E3.1 refers to 'at least' 300 dwellings to be provided on the 40 ha allocation site. However, it should be noted that a large part of the Larkfleet site is within an area of flood risk and this area is set aside for open space and an ecological buffer zone.

It is also of note that development of the site at very low densities would not be the efficient use of land sought by Paragraph 122 of the NPPF. The Council's Local Plan Task Group report in January 2017 summarised the positive role that the 'at least' wording is playing in helping maintain a healthy supply of deliverable housing land and boosting housing land supply in line with the requirements of the NPPF. Moreover increased numbers on allocated sites helps defend other non-allocated sites from speculative development.

Parish Councils and third party objection has also been received to the density of the proposed development stating that it is too much for the site. Reference has been made to 16dph being more appropriate and in keeping with existing surrounding development. However, Policy E3.1 does not refer specifically to a density figure and nor does the SWNP, although 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.

To put this into perspective the density of the houses in Meadow Road/Bracken Road/Greenacre Close is approximately 20 dwellings per hectare (dph), St Mary's Close approximately 24dph and Birkbeck Close/Hall Lane cluster 14dph. In general the older more established parts of the villages have an extremely low density while the newer and more modern elements are higher.

Some recent development currently under construction along Nursery Lane is 24dph (Hopkins Homes lpa ref: 16/01937/FM). Bede Close to the north of this site is approximately 31.7dph, Spinney Close to the west approximately 17dph and Broom Close to the south approximately 26dph. However, as clearly stated the new NPPF requires planning decisions to support development that makes efficient use of land and applications that fail to do this should be refused ( paras 122 & 123).

In addition the 125 dwellings is a maximum number and the final number may be lower, depending on the acceptability of the final layout. On the issue of layout the illustrative layout shows a rather regimental layout with estate roads spurring off the main spine road through the site. The site layout does incorporate an area of open space towards the centre of the site which breaks up the built form and acts as an informal focal point. Whilst the layout currently shows limited opportunity for planted verges and landscaping within the residential

areas there is a significant amount of open space to the northern entrance to the site and planting and open areas to each of the site boundaries. The land identified for the cemetery will also ensure more open areas around the proposed built form.

South Wootton is well served for open space and residential areas fringed by blocks and belts of open space and woodland forms part of its character. 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 open spaces and appropriate planting.

The landscaping will be an important part of a successful scheme given that the site adjoins the open countryside. Planning conditions seeking further details of landscaping 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.

Third party concern has been raised to the siting of ponds within the site being located too close to existing dwellings and raising health and safety issues. The design of these ponds cannot be finalised until detailed plans have been submitted but it may be that for most of the year no water is contained in them. These details will be considered in more detail at reserved matters stage, including their ongoing management and maintenance.

In principle the indicative site layout shows that the number of dwellings can fit on the site and retain a degree of openness and informal open space which is in context and will help to preserve the open and green character of the village.

### **Open space**

Policy E3.1 refers to the need to provide recreational open space, referring specifically to the western part of the site which falls within the larger site (Larkfleet site).

Under the calculations used in Policy E3.1 (based on 2.33 persons per dwelling and a requirement of 2.4ha per 1,000 population) this site requires 0.7ha recreational open space. As referred to earlier in the report, the submitted indicative layout plan shows two main areas of open space; one to the north of the site and one more central. Additional areas run adjacent to the public footpath to the eastern boundary of the site. Collectively these provide just over the 0.7ha requirement.

However, 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 text to DM16 (C.17.4) requires 1.2 hectares of pitch sports provision per 1000 population which would equate to 0.35ha for this site.

The current indicative layout makes no specific provision for sports pitches within the site, and the distribution of the open space around the site as shown on the indicative layout would make it difficult to provide sports facilities on these areas. Children's play areas could be provided as per the terms of the same policy. However, this site needs to be considered in conjunction with the wider allocation that it forms part of, with these facilities in the most appropriate locations.

It is of note that there is no provision for sports facilities proposed on the larger Larkfleet site to the south due to the need to provide large areas of informal open space, SuDs drainage areas and wildlife conservation areas to the western part of the site. The introduction of



formal playing pitches, along with associated development including parking, changing rooms and floodlights, would, in the view of the developers, be likely to jeopardise the function of this wildlife area.

Policy E3.1 does not have a specific requirement for sports provision. Policy DM16 does refer to the need to provide land for amenity, outdoor sport and allotments although the Council does not have a Sports Pitch Strategy. However, Policy DM16 does allow for a flexible approach to the types of open space to be provided and it is noted that there are existing nearby sports facilities nearby at Wootton Park to the north east and Lynnsport to the south.

Accordingly taken in the round there is considered to be no policy conflict in this regard.

As a general point whilst these details do not need to be agreed at this stage as layout is not for consideration, details of the management and maintenance of the open spaces will need to be set out within the S106 Agreement to ensure it is properly and fully maintained and managed in perpetuity.

### **Archaeology and Heritage Assets**

The NPPF and Core Strategy Policy CS12: Environmental Assets require proposals to avoid, mitigate or compensate for any adverse impacts on heritage. The design of new development should be sensitive to the surrounding area, and not detract from the inherent quality of the environment.

An archaeological evaluation by trial trenching has been undertaken during consideration of the application following early comments from the Historic Environment Service who considered there to be potential heritage assets with archaeological interest (buried archaeological remains) present at the site.

Following completion of this archaeological trial trench evaluation and the results submitted for their consideration, HES, confirm that the evaluation identified buried archaeological remains (comprising pits and ditches) across the majority of the site. They state there is potential that further heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance would be adversely affected by the proposed development.

Accordingly if planning permission is granted, HES seek the imposition of appropriately worded planning conditions to ensure that a programme of archaeological mitigatory work is undertaken prior to the commencement of work, in accordance with the NPPF paras. 193 - 202.

The application has been supported by a Heritage Statement to assess the impact of the proposed new development on the setting and significance of nearby designated heritage assets.

The Heritage Statement focusses on the two habitable buildings which are designated heritage assets identified to the south of the site: The Church of St Mary the Virgin, listed Grade II\*, located on the southern side of Church Lane and the Old Hall, Hall Lane, listed Grade II, located south of the church and orientated west and set back from Hall Lane. The Heritage Statement acknowledges that the proposed development of the Site will bring about a change within the wider setting of the Church of St Mary and Old Hall. However, it concludes the change is not considered to be harmful and will not result in a change to the way in which either of these buildings is appreciated.

The significance of the two buildings is derived from a variety of elements including the quality of their external forms and appearance (architectural value) and their age and development within the settlement (historic value). The Church of St Mary holds a high degree of communal value, which will not be affected by the proposals.

In conclusion, the Heritage Statement declares the proposals are considered informed and in accordance with local and national planning policy and guidance. No harm to heritage significance (in terms of the NPPF) has been found and the heritage interests of the Church of St Mary and Old Hall will be preserved.

Accordingly, subject to conditions there is considered to be no policy conflict in this regard.

### **Impact upon Residential Amenity**

There are existing residential properties on the eastern site boundary, which back onto the site.

A proposed site layout has been submitted, but no elevation plans. The ground levels change across the site. An assessment of the impact upon the amenity of neighbouring properties cannot be fully undertaken at this stage and will need to be addressed at the detailed design stage (reserved matters).

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.

It is unlikely that the proposed development would result in any significant neighbour amenity issues.

### **Affordable housing**

Part 1. a. II of Policy E3.1 requires affordable housing commensurate with the LPA's standards. The site amounts to 6.07 ha and thus exceeds the affordable housing threshold set down in Policy CS09 of the Core Strategy 2011 and the updated national guidance. This policy requires 20% provision.

The applicant seeks consent for up to 125 dwellings which would mean that 25 dwellings would need to be provided split 70/30 between affordable rent (18 units) and shared ownership (7) dwellings, should that overall number come forward.

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 legal agreement. The applicant should be aware of the Borough requirement and Policy H6 of the SWNP with regard to dispersing the affordable housing in small groups, but this will come forward at reserved matters stage.

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

### **Highway issues**

Policy E3.1 requires a new road from north to south, a road link to the northern boundary for future development beyond the allocated site boundary, a new road access to South

Wootton Junior School to replace the current access on Hall Lane and other local highway improvements to fully integrate the development into the surrounding road network and manage the resulting additional traffic.

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 the need for adequate parking provision within new development. Para 108 of the NPPF states the need for developments to provide safe and suitable access for all and for sustainable transport modes opportunities to be taken up. 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.

This application has been supported by a Transport Assessment (TA) which seeks to demonstrate that an acceptable vehicular site access can be achieved. It also assesses the vehicular generation of the proposed development and the impact that the traffic will have upon the local road network, demonstrates that safe pedestrian and cyclist access to the site is available, and considers the opportunities for residents to use sustainable transport means over the private car along with providing a draft Travel Plan.

The application shows a new vehicle access point onto Nursery Lane. The site access itself will be a 6 metre wide road with 1.8 metre footways on either side. The Highways Authority require a 2.4m by 59m visibility splay onto Nursery Lane which will require some hedge removal and carriageway realignment.

Currently detailed plans submitted show that a safe access can be provided from Nursery Lane with adequate visibility splays. However, the detailed plans then show the access road running into the site where the position of the carriageway would result in the removal of one of the existing oak trees on site which is protected by a TPO. By contrast the indicative masterplan shows that the estate road would avoid the tree as the alignment of the carriageway runs at a different angle to the north of the tree.

The Highways Authority has not requested a set point for the access; this could be repositioned along Nursery Lane although will be dependent upon achieving the required visibility standards. It is therefore recommended that if planning permission is forthcoming full detailed plans of the access point and the alignment of the estate be submitted for future consideration. The access road into the estate should, where possible, avoid harm to the tree roots and the need to remove this protected tree. The applicant's engineer has reviewed the access arrangements and considers it should be possible to achieve this, although detailed plans have not been submitted at this stage, hence the proposed condition.

The application currently proposes that a second access point will be created into the site from the western end of Meadow Road. This is already a particularly important link for pedestrians and cyclists given the existing pedestrian and cyclist route south to local schools and King's Lynn, bus stops and cycleways at the end of Meadow Road.

During the course of the application objection has been made locally to the use of Meadow Road as a secondary vehicular access due to concerns over the impact on existing residents and also because of the presence of parked vehicles, particularly at peak times during the school run. The concern is that any additional traffic would make the flow of traffic more problematic and potentially hazardous to other vehicles as well as pedestrians, including school children. Third party comments seek to retain this link for pedestrian and cyclists only.

Ideally the Highways Authority would wish to see this secondary access retained so there are at least two points of access into the development in order to create a more permeable/resilient network.

However, following a review of the situation it is recognised that the development will eventually link through to the larger part of the allocated site to the south, creating a through road. The Highways Authority has therefore agreed that the Meadow Road link could be used as an emergency route only. It could be designed with the installation of bollards or another similar device to allow for the continued use for pedestrians and cycles but restrict vehicular access for emergency purposes only. The details can be agreed by planning condition.

The indicative Masterplan shows a new road from north to south providing access to the new dwellings and facilities. The illustrative proposals show a 'future vehicular/pedestrian link' at the site boundary with the adjoining land showing that provision has been made for the link road and that their positions correspond. The position of the link road between the two north and south applications has been based on the position of existing trees along the boundary between both sites.

Ultimately this link through the site will provide two accesses to the wider site, when the connection is made through from Nursery Lane to Edward Benefer Way. The connection point with the adjoining site is crucial, and a suitable mechanism must secure the connection, ransom free, to ensure that ultimately the road is provided. The trigger for the road is set out in the suggested planning conditions and is a balance between the LPA wanting this to be provided as early as reasonably possible in the development, and it being pragmatic from the developers' point of view.

The policy is clear in requiring a road link to the site's northern boundary to avoid prejudicing the potential for further development beyond at some point in the future. Whilst this link is shown to be provided on the larger part of the allocated site (Larkfleet application) the indicative layout shows that there could possibly be a link through to from the western boundary. This will be considered in more detail at reserved matters stage.

Policy E3.1 requires a new access to the school, but this lies within the larger part of the site to the south, (Larkfleet application), so there is no requirement to meet this criteria under this application.

Third party objection has been made to the impact of the proposal upon the immediate road network, stating that Nursery Lane is not capable of additional traffic due to its modest width in places. Concern is also raised to the impact this large residential development will have upon the general, wider road network and the creation of 'rat runs' from Edward Benefer Way to North Wootton, Castle Rising and the northern part of the Borough. Concern is also raised that more traffic will bring about more delays and the town will grind to a halt.

Parish Council and third party objection has been made to the impact of the volume of traffic upon the local road network and specific reference made to a Traffic Survey carried out by the Parish Council in 2012 (the Traffic Impact Appraisal report (Bidwells) - August 2012, which showed that a number of junctions leading onto the main route to King's Lynn are either close to capacity or already over capacity. However, the information submitted in the TA commissioned by this applicant, along with that of the adjoining Larkfleet site and by the developer of the Knights Hill development, is more up to date than the Bidwells appraisal. Each of these more recent TA's has been scrutinised by the Highways Authority.

In terms of vehicle movement generation the development of the allocated sites in King's Lynn will have an impact upon the surrounding road network. The link road from north to

south through the whole allocated site is one of the requirements of Policy E3.1 aimed at providing a degree of relief of traffic on existing roads in the vicinity.

The Highways Authority raises no objection to this proposal. Their original comments requested that land should be safeguarded around the new access into the site to enable a change of priority from Nursery Lane into the development once it becomes a link road through to Edward Benefer Way. However, after further discussion this change in priority is no longer deemed necessary.

The Highways Authority does request, however, that the existing unmade public right of way along the eastern site boundary extending to Church Road should be improved for its entire length. It is acknowledged that this forms part of the existing footpath links in the vicinity and therefore a condition is recommended seeking these works to be undertaken.

As part of the consideration of these major applications the Highways Authority has assessed the figures contained within the TA and the way the Wootton Gap junction flows. The TA junction figures were based on the absolute worst case scenario of a higher figure of 152 dwellings and an assumption that all dwellings are privately owned rather than affordable/social housing for traffic generation projections.

Assessing the information provided the Highways Authority raise no objection to the impact of the capacity of the additional traffic on the local road network, including the Wootton Gap junction, strictly subject to a contribution towards future improvements to this junction to ensure that the impact of this and other developments is mitigated, particularly for traffic 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 this allocated site and Knights Hill for which there is also a current planning application.

This contribution can be secured through the S106 Agreement.

Third party concerns about providing a new school access are noted but this is considered within the adjoining Larkfleet application. Third party concern is raised to the potential link for further expansion through to adjoining land to the north. However, it is a policy requirement (E3.1 1.f.ii) to provide a link to the site's northern boundary to avoid prejudicing the potential for further development beyond at some point in the future.

In summary subject to the imposition of appropriately worded planning conditions and the S106 agreement for the contribution towards off-site improvements at the Wootton Gap junction there are no outstanding highway safety concerns.

### **Footpath/cycle links**

Policy E3.1 requires a layout which facilitates travelling on foot and bicycle. This site benefits from its proximity to well established and well used cycleways linking through to the town centre and also northwards through North Wootton, out onto Sandringham and through to the coast. This is part of the established National Cycle Network Route 1.

The indicative Masterplan submitted shows public footpaths linking through to those existing in Nursery Lane and Meadow Road and also through to the development site to the south. The development will also be linked to the existing Public Footpath FP3.

Your attention is drawn to the comments of the NCC Greenspace Officer and PROW Officer above. Links to the wider footpath network are a requirement of Policy E3.1 and will need to be addressed with any reserved matters submission.

## **Flood Risk and Drainage Issues**

Using the latest SFRA, the majority of the site lies in Flood Zone 1, thus is at a low risk of flooding (less than 1 in 1000), except the north western corner of the site and land immediately adjacent to the access and northern boundary which lies in defended Flood Zone 2 and 3.

The application has been supported by a site specific Flood Risk Assessment. The Flood Map indicates that there is a risk to a small part of the lowest area of the site in the event that defences are breached during an extreme tidal event, but that if defences remain intact the site should remain completely free from flooding as no undefended Flood Zone 2 or 3 is indicated at the site.

The FRA states that all residential development will be located on ground currently above 4m AOD which is classified as Flood Zone 1 on the Flood Map, and therefore sequentially located within the site in the area at a lowest risk of flooding. In line with the NPPF residential development is considered a “more vulnerable” development. This type of development is appropriate in Flood Zone 1 without the need to apply the Exception Test. In addition it should be noted that as the site has been allocated for residential development through the local plan there is no further requirement to apply the sequential test.

The minimum finished floor level of all dwellings will be set at 4.3m AOD. The lowest part of the site is approximately 3.3m AoD (NW corner), rising to over 10m AoD in the south. The majority of the site is over 4.0m high and the parts of the site shown to be for housing are at the higher level. There would be no significant implications for achieving this minimum finished floor level.

The existing site drainage consists primarily of a watercourse along the northern boundary of the site which continues draining in a westerly direction along the boundary between the two fields to the west of the site and a small drain running along the western boundary that joins the watercourse along the northern boundary. There are no other significant surface water features in the vicinity of the site.

An attenuation pond will be located in the northwest part of the site, acting as a settlement pond for surface water prior to discharge to the adjacent ditch system via the control structure. A vegetated swale will also be provided at the site as indicated on the proposed indicative layout, running north along the eastern boundary of the site then west along the northern boundary to the balancing pond.

During the course of the application infiltration testing has been undertaken and additional information including updated micro drainage calculations and information relating to surface water drainage has been submitted.

Initial concerns about flood risk and drainage from the Lead Local Flood Authority (LLFA) and the Environment Agency have since been overcome by the submission of this additional information, sufficient to demonstrate that an ‘in principle’ surface water drainage solution has been provided to a suitable level for an outline planning application.

The final extent of the site at which infiltration can be used will be fully established at the detailed design phase once the layout is finalised and additional infiltration testing has been undertaken in the vicinity of all areas of permeable paving, ponds, and the swale.

At this point in time it is not clear as to whether 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. This will need to be secured by way of planning condition.

Third party objection has been raised in relation to building in flood risk areas, existing problems with on-site drainage, and maintenance and safety of the ponds. However, the applicant has demonstrated that a drainage strategy will be able to be provided to overcome initial concerns of the LLFA and Environment Agency with regard to flood risk. The proposal will need to demonstrate that it can provide for its own needs in terms of drainage and should not impact on any existing drainage issues. The ongoing maintenance and management of Suds drainage areas will be secured through a condition.

### **Contamination and Air Quality**

The application has been supported by a contamination Desk Study report which indicates that there is the potential for contamination to be present on site as well as the potential for ground gases to be present. Further work will be necessary to further characterise the site and to design a remediation scheme if necessary to mitigate any unacceptable levels of land contamination.

Accordingly the Environmental Quality Team raises no objection to the proposal subject to the imposition of appropriate conditions relating to more information regarding the identification, remediation and verification of contaminated land.

The proposal will generate additional local traffic. Third party concerns regarding increased traffic, related air pollution and noise during any construction period, as well as once the development is complete, are noted, however, this is a site allocated for housing.

Parts of Kings Lynn town centre and Gaywood are identified as Air Quality Management areas. The Environmental Quality Team has assessed the application in terms of its expected impact on air quality in the immediately vicinity along with the cumulative impact of this and other proposed major developments on the existing Air Quality Management areas.

The application includes a Traffic Assessment and draft Travel Plan. The draft Travel Plan's aim is to reduce traffic on local roads and reduce noise and air pollution from traffic. The draft travel plan proposes a number of measures 'to effect a reduction in the use of private cars for journeys to and from the site '. This includes promoting modes of transport other than the car, such as walking, cycling, public transport through sharing of information, as well as the promotion of other schemes such as car sharing. The Environmental Quality Team considers that the mitigation set out in the draft travel plan is reasonable and should prevent unacceptable levels of air pollution, providing it is implemented.

The Travel Plan proposes the appointment of a Travel Plan Coordinator to oversee, monitor and review the progress of the plan. The Environmental Quality Team recommends that the development shall not be occupied until a final Travel Plan is submitted and agreed, recommending that the Coordinator is employed to monitor the travel plan over a minimum period of 5 years post final dwelling being occupied and annual data reported to the LPA.

The Highways Authority has not requested this is covered by condition. It is accepted that a final Travel Plan should be submitted and controlled through planning condition, although the timing of the submission of this document can be later than sought by the Environmental Quality Team. However, their suggestion for a separate condition to be imposed relating to a Travel Plan Co-ordinator and 5 year monitoring post completion of the site is not considered reasonable or necessary in this case.

The comments relating to the development becoming 'Electric Vehicle (EV) Ready' are noted. Although the provision of electric charging points is encouraged in the NPPF (para 105, 110), this can be incorporated at the design stage and it is not deemed necessary to impose a planning condition in this case.

## **Ecology – Protected Sites**

The application was initially supported by an Extended Phase 1 Survey Report. The first part of this report considered the impact of the proposal upon 6 statutory protected sites and 18 County Wildlife sites (CWS) within 5km of the whole allocated site covered by Policy E3.1. This report also identified the requirement for further protected species survey works to be completed, which have been undertaken during the course of this current application (see below).

Following comments received during the consultation process the applicant has provided a Habitat Regulations Assessment – Stage 1 (Screening) for Likely Significant Effects.

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. 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 application site is currently two grassed field, devoid of buildings. Roydon Common is approximately 3.6km to the east of the application site and Dersingham Bog 5.5km to the northeast. Together they form Roydon Common and Dersingham Bog Special Area of Conservation (SAC). The Wash and North Norfolk Coast Special Protection Area (SPA) & SAC is 3.8km from the site at its closest point.

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, the Wash and North Norfolk Coast SAC and the Wash SPA and Ramsar. The assessment has considered the scheme proposals, which include the provision of areas of open space with new footpaths. It also considers the availability of alternative recreation destinations within the area, including access to a network of circular walking routes in the immediate vicinity. These will reduce the tendency for residents to access the more sensitive European sites.

The Stage 1 Assessment identifies that:

- The application site will not result in deterioration of habitat of the European sites;
- The pertinent threat to the European sites was the increased recreational disturbance;
- There are many alternative recreation destinations available in the area, including in the close vicinity, and
- The expected maximum population at the application site is 0.20% of the King's Lynn and West Norfolk District population.

The area is already well served with footpath links and cycle paths and is close to existing recreational facilities. On site provision to mitigate any effects of increased recreational



disturbance to neighbouring European sites includes delivery of public open space, within which new public footpaths will be included designed for dog-walking. Pedestrian links will be created to the adjacent Hall Lane (Larkfleet) development, which will provide further recreation opportunities, including alternate walking routes, cycling routes, open space and areas for wildlife.

Subject to full implementation, the above measures are considered sufficient to assist in reducing disturbance of surrounding European Sites to a level whether in isolation or in-combination with other developments in the local area they are unlikely to cause a significant impact. The proposed development at the application site will therefore not result in a likely significant effect on the interest features of any European site.'

In conclusion, the HRA Stage 1 (Screening) Report has identified that the proposed development will lead to no likely significant effect, either alone or in-combination, on the integrity of any European site. As such, and in accordance with Article 6(3) of the Habitats Directive, the Screening Report declares that there is no requirement for Stage 2 (Appropriate Assessment) or Stage 3 (Mitigation).

Since these submissions 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.

However, since the Screening Report was produced case law has changed 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).

Accordingly the LPA has undertaken an appropriate assessment. This found that, having reviewed the contents of the submitted HRA Stage 1 (Screening) Report officers consider that the applicant has 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 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 larger part of the site allocation and its green infrastructure and existing rights of way and open space. 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 is also agreeable to the contribution of £50 per dwelling Habitats Mitigation Tariff which will go towards projects within the designated sites as required through the Local Plan. This will be secured through the S106 agreement.

The applicant has provided sufficient information to address points 1e and 2d of Policy E3.1.

## **Ecology - Protected species**

Protected species surveys have been submitted in support of the application. These surveys focus on the larger part of the allocation site to the south (Larkfleet site) but included the area covered by this application site, referred to as being within the 'Wider Survey Area'.

**Badgers** - The Badger Survey revealed that no active or disused badger setts will be directly or indirectly impacted by the proposed works. No mitigation measures are needed in regard to badgers, although a condition is proposed that further checks are needed to ensure this remains the case.

**Bats** - A desk survey, initial on-site inspection and subsequent activity surveys have been conducted in relation to bat activity on the whole allocated site and several nearby trees. The information collected as part of this survey work was used to produce a bat mitigation scheme for the retention and creation of roosting features and commuting corridors throughout the site and other restrictions and requirements to be enforced during and after the development.

The evaluation has determined that the site is of local importance for common and soprano pipistrelle, brown long-eared bats, serotine and noctule bats, is of local/district importance for myotis bats and of county importance for barbastelle bats.

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.

The applicant states that a detailed programme of mitigation will be provided as each phase of the Proposed Development comes forward and as part of subsequent reserved matters applications. However, if outline planning permission is forthcoming it will be necessary to impose a condition at this stage requiring the submission of this information.

**Great crested newt** – A desk study was conducted followed by an on-site survey of 4 waterbodies approximately 500m from the application site. Although no GCN were found a small population of smooth newts was recorded in Pond 1 which is approximately 10m north of this application site. Accordingly it is recommended that clearance of suitable habitat on the site follows a method statement to protect amphibians present within both the aquatic and terrestrial habitat. A planning condition is recommended to be implemented to control this.

**Invertebrates** - a desk study and on-site surveys were conducted A total of 443 invertebrate species was recorded during three days of field survey. However, no species that are afforded full protection under UK or International legislation were recorded during the survey. No mitigation measures are proposed for this application site in this case.

**Reptile** – a desk study and on-site surveys were conducted. The surveys revealed that the allocated site supports a low population of common lizard and grass snake and is considered to be of local importance in this regard. Accordingly mitigation measures will be required which will focus on the clearance of scrub and vegetation. There is also scope to enhance reptile habitat which can be controlled through planning condition.

**Other - Water vole** – a desk study and on-site surveys were conducted. Many of the ditches within the Site and Wider Survey Area were dry and heavily vegetated, making them unsuitable for use by water vole. No signs of water vole were found as part of the field survey and no mitigation measures are proposed in this case.

Brown Hare - The areas of permanent pasture and arable land including cereal crops and small areas of game cover provide suitable foraging grounds for brown hare. The mature tree lines and hedgerows bounding the fields also provide sheltered commuting routes for brown hare, as well as additional protection against predators. Brown hare are a local BAP priority species for Norfolk, and have suffered significant declines in their population size in the UK in the 20th Century. This site is considered to be of local importance, but does not warrant any mitigation measures in this case.

Botanical - a desk study and on-site surveys were conducted. The field surveys have concluded that the habitats to be impacted by the proposals are of local importance and are generally of low to intermediate ecological interest. The survey concludes that the loss of this habitat, although not considered to be significant at anything but a local scale, is likely to have a detrimental impact on the biodiversity value of the allocation site, and therefore mitigation is proposed to minimise this anticipated impact and to provide habitat for other species known to be present onsite. However, the opportunity for areas of new meadow, wet grassland, standing water, scrub and native tree planting as suggested in the survey is limited within this application site and better catered for within the Larkfleet site.

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.

The applicant has provided sufficient information to address points 1c and 2c of Policy E3.1.

## **Trees**

The site is mostly grassed with trees and hedgerow to the majority of the boundary. There is a line of five mature oak trees of high quality and value situated within the northern part of the site which are protected by a Tree Preservation Order.

The application has been supported by a tree survey with a tree schedule and tree constraints plan. The DAS confirms that the future development proposals will seek to retain these trees where practical.

The Arboricultural Officer raises no objection to the proposal in principle but has commented that although the plans are indicative, he has some concerns regarding the proximity of the proposed roadway and the protected tree on the northern corner of the site boundary with Nursery Lane. The protected tree should be given enough room to grow, both now and into the future.

As discussed above, the access point into the site is for consideration as part of this application. The submitted Masterplan indicates that vehicular access and an estate road can be provided without the need to remove any of these protected trees. However, more detailed highways plans have been provided to demonstrate that safe vehicular access can be provided from Nursery Lane. These details currently show that the proposed estate road linking into this access point would require the removal of the easternmost TPO'd oak tree, closest to Nursery Lane.

The applicant has demonstrated that the site can be safely accessed, however, the submitted plans currently show that an access road leading from this access point would require the removal of this protected oak tree.

Having discussed the access arrangements with the applicant, the Highways Authority and the Arboricultural Officer it is considered there may be opportunity to achieve the required visibility splays, with an access road that would avoid damage to the root protection area of the protected tree. This would be similar to that shown on the submitted indicative Masterplan.

However, this will need to be considered in more details at reserved matters stage. Accordingly it is recommended that a condition is imposed requiring the submission of detailed drawings of the access arrangements into the site on Nursery Lane with best endeavours to avoid this tree and its roots, prior to works commencing on site.

There are other trees protected by TPO's along the south western boundary of the site. At this point in time no detailed layout has been provided so the impact upon these cannot be ascertained. These will need to be considered at the detailed, reserved matters stage.

Landscaping schemes and details should also be provided at reserved matters stage. This would accord with the provisions of SWNP Policies E1, E4 and E5.

### **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 has raised no objection to the proposal in principle but has commented on the indicative site layout. She considers that three vehicular access points into the development is excessive and ideally needs to be reduced to one as increased permeability is generally linked to increased crime. However, the requirements of the policy are to provide a link road through the whole site from Nursery Lane to Edward Benefer Way.

As discussed above, the Meadow Lane access will become a cycle and pedestrian link only with emergency vehicular access, so ultimately there will only be two vehicle access points.

The other matters raised by the Architectural Liaison & Crime Prevention Officer referring to general secured by design principles such as creating natural surveillance and defensible spaces through layout and position of windows, low level planting and boundary treatment, can be considered in more detail at reserved matters stage. Again, third party concern regarding anti-social behaviour that might occur behind properties will be considered once a detailed layout has been provided at reserved matters stage.

### **Utilities**

The application has been supported by a Utilities Statement to investigate the existing utilities infrastructure in the vicinity of the site and identify any development constraints this infrastructure may impose. Information is provided relating to the supply of utilities including electricity, gas, water, public sewers and BT.

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

Similarly Anglian Water has confirmed they have no objection and have adequate capacity for foul drainage.

## **Fire hydrants**

A total of 3 fire hydrants will need to be provided on site for this number of dwellings. This would be covered by planning condition.

## **S106 matters and CIL**

Policy E3.1 and Policy S4 of the SWNP require land to be set aside for the provision of adequate adjacent cemetery space. The cemetery lies immediately adjacent to the southern boundary of this site and also abuts the larger Larkfleet site along its western boundary. The applicant has shown land to the southern part of the site on the indicative site layout which is proposed to be land for the future expansion of the cemetery. This land will be passed over to the Parish Council and the land transfer will be secured as part of the S106 agreement.

However, in addition to the transfer of land for the future cemetery use to the Parish Council, affordable housing, open space/play equipment design and maintenance and the payment of the Habitats Mitigation Tariff will need to be secured via 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.

Whilst the detailed design of SuDS would be required to be submitted at Reserved Matters stage, the management and maintenance of SuDS features will also need to be secured. This can be dealt with in the form of a SuDS Management Plan by way of planning condition so that it will not be required in the S106 agreement.

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 and, if you assume £6000 per property, based on 125 dwellings at an average of 100 sqm, this could raise approximately £750,000 towards infrastructure provision. South Wootton Parish Council will receive 25% of CIL receipts raised on this site as they have a Neighbourhood Plan in place.

## **Other material considerations**

Policy E3.1 requires the provision of neighbourhood and community facilities. However, this falls within the other, larger part of the site allocation and is addressed within application ref: 17/01151/FM by Larkfleet (also on this Committee agenda).

Most of the 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.

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 a nearby landowner not being notified of the planning application. The local planning authority has details of property records but not property owners and does not hold records of landowners of parcels of land. However, the application has been advertised in the press, by neighbour notification and by way of Site Notices which is over and beyond the legal requirements.

Third party objection to the impact on house prices and not being able to obtain house insurance are noted but these are not material planning considerations.

Comment has been made that future growth should focus on smaller sites rather than large developments; economy and employment opportunities would start to spread and large areas of green belt and agricultural land would be preserved. Also comment has been made that this amount of houses should be designed as a garden village. However, the areas of growth are contained within the SADMP based on the principles of sustainable development and have been through public Examination.

Comment has been made that the Royal Society for Public Health state that Council's should seek to increase green areas to bring better physical and mental health to residents. The amount of recreational open space to be provided on the site is part of the package of requirements referred to in Policy E3.1 along with other local plan and SWNP policies.

Comment has been made that it is pleasing that the developer has taken note of the SWNP and set aside land for additional cemetery space.

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

### **Planning Balance/Conclusion**

This application forms a part of the overall Hall Lane housing allocation in South Wootton. The principle of delivering the site has therefore already been established through the Development Plan process.

The application is for outline planning permission, with all matters reserved with the exception of access. The applicant has provided details of how they propose to access the site off Nursery Lane and the Local Highway Authority has no objection to the proposed arrangements. The final details can be secured through planning condition. 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.

NPPF paragraph 11 stipulates that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.

This site is allocated for development under Policy E3.1 of the Site Allocations and Development Management Policies Plan 2016. This site allocation policy seeks a high quality, well landscaped development of at least 300 dwellings and associated facilities and incorporates a list of provisions to achieve this.

The application is accompanied by a raft of supporting documents including a LVA and HRA 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, therefore it would be compliant with legislation and planning policy in this regard. Having undertaken and appropriate assessment officers agree with this view. The level of open space and recreational space exceeds that of Policy DM16 and complies with the requirements of Policy E3.1.

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 good access links through to the southern part of the site with the provision of a link road that corresponds with that shown on the plans of the application on the Larkfleet site and provision of this will be phased to correspond with the growth of the development. The submitted information demonstrates that footpath and cycle links can be provided to join up with existing facilities.

There will be no harm to significance for heritage assets and, subject to appropriate conditions, there are no implications for archaeology.

Whilst the proposed development is for a higher number of dwellings than initially envisaged, it is clear that allocation figures are minimum numbers and it is considered that the site can accommodate up to 125 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, in a settlement abutting King's Lynn, and very well related to the infrastructure and facilities of the town.

Actual numbers that can be achieved will be determined at reserved matters stage taking into account relevant constraints and policy. Whatever the resulting figure the appropriate level of affordable housing will be provided and secured through legal agreement.

As required by the policy this application will provide land to be transferred to the Parish Council, to be used for an extension to the cemetery. This amounts to approximately 0.4ha.

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 and The Wash and North Norfolk Coast 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 within South Wootton, 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.

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 3.1, 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 within 4 months of the date of this resolution and subject to the imposition of the following condition(s):**

- 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 three 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 works shall commence on the site until such time as detailed plans of the roads, footways, street lighting, foul and surface water drainage 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.
- 5 Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction. This also needs to be a pre-commencement condition given the fundamental details linked to drainage and other infrastructure which needs to be planned for at the earliest stage in the development.
- 6 Condition: Prior to the construction of the 100<sup>th</sup> dwelling all works shall be carried out on roads, footways, street lighting, foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority.
- 6 Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
- 7 Condition: Before any dwelling is first occupied the road(s), footway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- 7 Reason: To ensure satisfactory development of the site.
- 8 Condition: Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 metres x 59 metres shall be provided to each side of the access



where it meets the highway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

- 8 Reason: In the interests of highway safety.
- 9 Condition: A link road as illustrated on the Overall Concept Masterplan Drawing No. KINGS/OCMP/01 shall be constructed and made freely available for use by pedestrian and vehicular traffic between Nursery Lane and the south western boundary of the site, providing an integral operational link to the larger part of the Hall Lane allocation development, no later than the commencement of the 100th dwelling on the site. Thereafter no dwelling shall be occupied until the said road has been completed to the written confirmation of the Local Planning Authority.
- 9 Reason: To ensure the provision of an estate road up to and abutting the eastern 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 E3.1 and the provisions of the NPPF.
- 10 Condition: Prior to the commencement of any works 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 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 also 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 above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works to include:
- Realignment of Nursery Lane in connection with the access into the site
  - Improvements to the Public Right of Way South Wootton FP3 have been submitted to and approved in writing by the Local Planning Authority.
- 12 Reason: In the interests of maintaining highway efficiency and safety.
- 13 Condition: Prior to the first occupation of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in

Condition 13 shall be completed to the written satisfaction of the Local Planning Authority.

- 13 Reason: To ensure that the highway network is adequate to cater for the development proposed.
- 14 Condition: Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until detailed drawings of the precise access arrangements into the site from Nursery Lane have been submitted to and approved in writing by the Local Planning Authority.
- 14 Reason: To ensure satisfactory development of the site and retention of the protected trees. This needs to be a pre-commencement condition as it deals with fundamental details which need to be planned for at the earliest stage in the development.
- 15 Condition: Notwithstanding the details indicated on the submitted drawings prior to the occupation of the development hereby approved details of the cycle/pedestrian path link to Meadow Road shall be submitted to and approved in writing by the Local Planning Authority. The cycle/pedestrian path shall be constructed and made freely available for use by pedestrian and cycle traffic, providing an integral operational link to Meadow Road , no later than the commencement of the 100th dwelling on the site. Thereafter no dwelling shall be occupied until the said cycle/pedestrian path has been completed to the written confirmation of the Local Planning Authority.
- 15 Reason: To ensure the provision of a cycle/pedestrian path shall be up to and abutting the eastern 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 E3.1 and the provisions of the NPPF.
- 16 Condition: Prior to the occupation of the first dwelling hereby approved the measures and responsibilities referred to within the submitted draft Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented for a period of time to be agreed 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 development shall commence until full details of the foul water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 17 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF. This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.
- 18 Condition: Prior to commencement of development, in accordance with the submitted FRA and letter (FRA MTC Engineering Ltd Ref: 1696-Rev A – FRA & DS Dated May 2017, amended by Ref: 1696-Let-MTC-12-02-18-Planning Application 17-01106-OM

dated 12 February 2018 and plan ref: 1696-02 Rev C), 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. Detailed infiltration testing in accordance with BRE Digest 365 at the location and depth of the proposed infiltration features,
- II. Surface water runoff rates will be attenuated to of 1.5l/s (QBAR) as per letter ref 1696-Let-MTC-12-02-18-Planning Application 17-01106-OM dated 12 February 2018). Confirmation from the Internal Drainage Board that the proposed rates and volumes of surface water runoff from the development are acceptable
- III. Infiltration features 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.
- IV. 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.
- V. 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.
- VI. Calculations provided for a 1 in 100 year critical rainfall event, plus climate change, to show, if any, the depth, volume and 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.
- VII. Plans 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 need to be provided. Finished floor levels should be not less that 300mm above any sources of flooding and not less that 150mm above surrounding ground levels.
- VIII. Confirmation that the 9m easement around the drain adopted by Kings Lynn Internal Drainage Board is accessible via an adopted highway suitable for machinery weighing up to 30 tonnes.

- 18 Reason: To prevent flooding in accordance with National Planning Policy Framework paragraph 103 and 109 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the surface water drainage system operates as designed for the lifetime of the development.

19 Condition: Prior to the commencement of groundworks, 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'.

19 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. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.

20 Condition: Prior to the commencement of groundworks, 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.

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. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.

- 21 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.

- 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: 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 requirement of condition 20 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 21.

- 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: No development or other operations shall commence on site until the existing trees and/or hedgerows to be retained 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 until all equipment, materials and surplus materials have been removed from 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.

- 23 Reason: To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.
- 24 Condition: Prior to the first use or occupation of the development hereby approved, 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.
- 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. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a 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: The development shall not be brought into use until a scheme for the provision of fire hydrants has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.
- 26 Reason: In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 27 Condition: As part of any reserved matters applications 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.
- 27 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 28 Condition: The development shall comprise of no more than 125 residential units.
- 28 Reason: To define the terms of the consent.

- 29 Condition: Prior to commencement of 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.
- 29 Reason: In the interests of protecting the environment and the future occupants of the development in accordance with the NPPF. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 30 Condition: The recommendations, mitigation and enhancement measures identified in the following protected species surveys by Lockhart Garratt shall be implemented in accordance with the approved details and a programme to the satisfaction of the Local Planning Authority:
- Great Crested Newt Survey Report, Ref: 16-0107 3764 11 Version: 3 Dated February 2017
  - Water Vole Survey Report, Ref: 16-1915 3764 4913 Version: 4 Dated April 2017
  - Brown Hare Survey Report, Ref: 16-2146 3764 4913 Version: 3 Dated February 2017
  - Reptile Survey Report, Ref: 16-0109 3764 11 Version: 3 Dated February 2017
  - Invertebrate Survey Report, Ref: 16-2216 Version: 3 Dated January 2017
  - Botanical Survey, Ref: 16-2711 Version: 3 Dated February 2017
  - Bat Survey Report, Ref: 16-1515 Version: 4 Dated February 2017
  - Badger Survey Report, Ref: 16-2147 3764 4913 Version: 3 Dated February 2017
- 30 Reason: To ensure that the development takes place substantially in accordance with the principles and parameters of the Ecology Reports
- 31 Condition: Prior to commencement of development, an updated survey for badgers should be undertaken to ensure that no new setts are present and the findings of the survey and any additional mitigation measures proposed submitted to and approved in writing by the Local Planning Authority.
- 31 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. This needs to be a pre-commencement condition given the need to ensure the survival and protection of important species.
- 32 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.

- 32 Reason: To ensure that the development takes place substantially in accordance with the principles and parameters of the Ecology Reports This needs to be a pre-commencement condition given the need to ensure the survival and protection of important species.
- 33 Condition: 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. 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.
- 33 Reason: To ensure the development is carried out in a comprehensive and controlled manner. This needs to be a pre-commencement condition given the need to ensure the survival and protection of important species
- 34 Condition: Prior to the commencement of the use hereby permitted details of a scheme to provide information to new residents informing them of locations for dog walking which are less sensitive than international sites shall be submitted to and approved in writing by the local planning authority
- 34 Reason: To ensure that the development takes place substantially in accordance with the principles contained with the Habitats Regulations Assessment.
- 35 Condition: Prior to the commencement of the use hereby permitted details of the provision of connecting accesses to existing rights of way and open space shall be 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 contained with the Habitats Regulations Assessment.
- 36 Condition: Prior to the commencement of the use hereby permitted details of the provision of on-site open space and circular walk with dog 'furniture' shall be submitted to and approved in writing by the local planning authority.
- 36 Reason: To ensure that the development takes place substantially in accordance with the principles contained with the Habitats Regulations Assessment.
- 37 Condition: 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.



- 37 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 38 Condition: No development shall take place other than in accordance with the written scheme of investigation approved under condition 37.
- 38 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 39 Condition: 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 37 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 39 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 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 the provision of affordable housing, public open space and play facilities, payment of Habitats Tariff, contribution towards off-site highway improvement works and transfer of cemetery land to the Parish Council.