

<b>Parish:</b>	<b>South Wootton</b>	
<b>Proposal:</b>	<b>Outline Major Application: Sustainable mixed-use urban extension comprising: up to 450 dwellings, a mixed use local centre comprising Class A uses (including retail facilities and public house) and Class D1 (such as crèche/day centre/community centre) and B1 uses (such as offices), open space and landscaping, wildlife area, children's play areas, sustainable urban drainage infrastructure, access and link road and associated infrastructure</b>	
<b>Location:</b>	<b>Land NW of South Wootton School Off Edward Benefer Way King's Lynn Norfolk</b>	
<b>Applicant:</b>	<b>Larkfleet Homes Ltd</b>	
<b>Case No:</b>	<b>17/01151/OM (Outline Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Mrs K Lawty</b>	<b>Date for Determination: 14 September 2017 Extension of Time Expiry Date: 17 April 2019</b>

**Reason for Referral to Planning Committee** – raises matters of wider concern; Parish Council objection

**Neighbourhood Plan:** Yes

**Case Summary**

The site is located on the northern side of Edward Benefer Way and to the north west of South Wootton Junior School on Hall Lane, to the north of King's Lynn.

The site is currently arable agricultural land and extends to just over 31 hectares.

The site is part of a wider housing allocation for South Wootton 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 up to 450 dwellings with access off Edward Benefer Way. A new spine road running north south will be provided through the development from Edward Benefer Way linking to the adjoining residential site to the north. The site adjoins the Bowbridge outline application site for up to 125 dwellings which is also for consideration on this agenda. The road will link the two developments together and provide a continuous link between Edward Benefer Way to the south, and Nursery Lane to the north.

An additional access will be provided to facilitate future access to the rear of South Wootton Junior School via this proposal.

The proposal includes areas of formal and informal open space and recreation. It also proposes a new wildlife area on the west of the site segregated from the residential and commercial areas, as well as other areas of publically accessible open space. The proposal

seeks to retain areas of important hedgerows and trees, incorporating them into the design concept.

The proposal also incorporates a mixed-use local centre comprising Class A uses (including retail facilities and public house) and Class D1 (such as crèche/day centre/community centre) and B1 uses (such as offices);

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 and hedgerows;
- Community Facilities/ Neighbourhood Centre
- Crime and Disorder Act 1998;
- Fire hydrants
- S106 matters and CIL
- Other material considerations

#### Recommendation

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

**B.** In the event that the S106 Agreement is not completed within 4 months of the date of this Committee meeting, the application shall be **REFUSED** due to the failure to secure affordable housing, details of public open space and play facility management and maintenance, Habitats Mitigation Tariff, contribution towards provision of off-site road works at Wootton Gap junction and allotment land.

## THE APPLICATION

Outline planning permission is sought for a “sustainable mixed-use urban extension comprising: up-to 450 dwellings; a mixed-use local centre comprising Class A uses (including retail facilities and public house) and Class D1 (such as crèche/day centre/community centre) and B1 uses (such as offices); open space and landscaping; wildlife area; areas of children’s play; sustainable urban drainage infrastructure; access and link road; and associated infrastructure. Detailed approval is sought for principal access arrangements from Edward Benefer Way (A1078), with all other matters reserved.”

All matters are reserved except for access.

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There is a single vehicular access proposed from a new roundabout on Edward Benefer Way to the south of the site. The indicative layout plan shows a link road running north south through the site to link into the Bowbridge site to the north, which then runs through to Nursery Lane.

The proposed development also includes a Local Centre with a mix of potential uses including a pub, A1 (retail), class D1 (non-residential institution) and B1 (office/research and development/light industrial). The applicant states that the A1 retail element will not exceed 2,500sqm in total.

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

The proposal includes a large area of open space and nature conservation site, which the indicative layout plan shows located to the western part of the site.

The site extends to 31.2 hectares. The application has been supported by a Masterplan which breaks down the land use as follows:

Residential 13.2ha  
Public open space 7.5ha  
Nature conservation area 2.4ha  
SUDS 2.6ha  
Areas of Play 0.1ha  
Allotments 0.1ha  
Local Centre 1.6ha  
Infrastructure 3.7ha

There are hedge boundaries and trees around the site. The land is of grade 3 agricultural quality.

The western boundary is formed by the disused railway line running along its entire length. The southern boundary is formed by the A1078 Edward Benefer Way. The northern and eastern boundary is formed by hedgerows and trees along with the rear of properties from South Wootton village to the east.

To the north east of the site is a cemetery, on Church Lane opposite St Mary's Church, which is a Grade II\* listed building.

The site topography falls east to west with the western boundary the lowest points of the development site.

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.

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.

An Environmental Impact Assessment screening opinion was given by the local planning authority in connection with proposed development of this site in December 2016 which stated it was not necessary for an environmental statement to be submitted taking into account the indicative thresholds set out in EIA Regulations.

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The application has been supported by a raft of supporting documents including

Design and Access Statement, Arboricultural Impact Assessment, Ecological Impact Assessment, Habitats Regulations Assessment Screening Report, Statement of Community Involvement, Acoustic Report, Air Quality Assessment, Flood Risk Assessment, Landscape and Visual Impact Assessment, Travel Plan, Transport Assessment, Archaeological Assessment, Sustainability Assessment, Phase 1 and 2 Ground Investigation Assessment, Geophysical Survey, Heritage Assessment.

## **SUPPORTING CASE**

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

The Larkfleet Group, through its Larkfleet Homes and Allison Homes brands, has built up a significant track record primarily across the Lincolnshire, Rutland and Cambridgeshire Counties over the past two decades. The Group is a privately-owned, award winning development organisation with a strong record in creating high quality homes and vibrant new communities. The Group delivers homes for sale on the open market, across the social housing sector and on a wide range of mixed-use development schemes, such as at Oakham Heights in Oakham.

Larkfleet Homes is the principal housebuilding and property development division of the Larkfleet Group. In 2014, Larkfleet Homes became one of the top 50 housebuilders in the UK and is based in Bourne, South Kesteven.

Current projects and developments across the two housing divisions range from small exclusive developments of a dozen large homes to urban extension proposals of 2,500 homes, together with mixed use and commercial developments ranging from 3 to 30 acres in size.

Larkfleet Homes prides itself on delivering high quality sustainable homes that maximise energy efficiency from the design and orientation of buildings to incorporating renewable energy technology and improving the fabric from which homes are built.

Core principles:

Early on in the design process the following core principles were established:

- Deliver a sustainable mixed-use urban extension that responds to the character of South Wootton and reflects the local environs, including a Local Centre;
- Provide a new access onto A1078 Edward Benefer Way with a link through to the north of the site facilitating a link to Nursery Road, and separate access into the Local Centre;
- Provide a new access into the rear of South Wootton Primary School;
- Establish an ecological led approach to the masterplan that includes prioritising that habitats on the site and enhancing linkages where possible, graduating the protection of areas most sensitive from west to east;
- Providing a development layout that retains and frames the views of the site from the west and define a settlement edge to South Wootton village;
- Ensure that areas of open space and play are integrated within the built areas to promote segregation of the areas of wildlife from public activities, including integrating circular dog walking routes through the built areas of the site; and

- Incorporate Sustainable Urban Drainage into areas of open space and seek to use natural features as barriers to activities rather than physical barriers when segregating parts of the development from public activity.

The submitted plans and supporting documents we believe demonstrate that these principles have been upheld.

The development will provide the following key elements:

- 13.1ha of residential development;
- 12.5ha of open space (approximately 40% of the site), which includes areas of natural green space and other space specifically designed to be attractive to dog walkers;
- 0.1ha Local Equipped Areas of Children's Play;
- 1.6ha Local Centre (mixed use);
- 20% Affordable housing as agreed with the Local Authority, but including both private and public rented homes, and low cost/discounted homes for sale;
- Associated Infrastructure

The overall density of the development amounts to approximately 14 dwellings per hectare, although this is to be divided into ranges responding to location and setting. The submitted plans illustrate how this principle will be provided. The proposal is that the lower density development will be to the western and northern periphery of the site.

#### Green Infrastructure

The development proposes significant new areas of open space as well as the retention of existing hedgerows and trees. The Green Infrastructure (GI) network, indicated on the submitted plans comprises over 40% of the site area and is underpinned by Policy E3.1 of the SADMP. This provides substantial benefits in terms of biodiversity as well being part of a Sustainable Drainage Scheme.

The GI network provides for a Primary Green Corridor to the west of the site that functions as a Nature Conservation Area and is segregated using natural features from other areas of open space and recreation. It is intended that this area is retained for wildlife to be undisturbed.

The GI network then provides for another linear Secondary Green Corridor along the western part of the site that functions as an open space buffer between the residential areas and the Nature Conservation Area. It is intended that this Corridor is used for low impact public recreation such as walking and cycling in a manner that does not impact upon the importance of the Nature Conservation Area within the site further to the west.

Other areas of the GI network allow for an integrated development with smaller pocket parks and walking routes through the development, and also linking up with locations beyond the boundary of the site. This is particularly pertinent for the land adjoining to the north that also forms part of the wider Policy E3.1 allocation. The amenity space, new hedgerows and new trees throughout the development will provide a valuable transition to the adjacent countryside. The future maintenance and management of the developments formal public landscape areas would be by a management company jointly owned by the owners of each property on the development.

#### **PLANNING HISTORY**

None

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## RESPONSE TO CONSULTATION

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

**North Wootton Parish Council: OBJECT** - 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.

**South Wootton Parish Council: OBJECTION** - This development cannot be considered in isolation but must be viewed alongside the proposed adjacent development by Bowbridge for 130 properties, west of Nursery Lane, as well as the combined 700 properties proposed by Camland and Clayland at Knight's Hill; represent an increase of 70% in the size of the village; impact will have a detrimental effect on the village character and infrastructure; will have a major impact on traffic movements through the village via Grimston Road, Low Road and Edward Benefer Way which are part of a major route (A148/A1078) from the Knight's Hill roundabout into King's Lynn town centre; to avoid the town centre, heavy duty vehicles must also use this route to access the Dock's area; Traffic congestion along this route is already high, especially during peak periods; junctions feeding onto this route are either close to capacity or already over capacity (ref: Traffic Impact Appraisal Report by Bidwells, August 2012); will inevitably add further to the traffic congestion, the developers are only looking at three junctions, one of which is outside the South Wootton Parish Council boundary; all the existing junctions should also be subject to the Traffic Survey i.e. Sandy

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Lane, Langley Road, Nursery Lane and Hall Lane; a number of Borough Councillors have complained that traffic congestion in the town and surrounding area has been getting steadily worse with the town becoming gridlocked on many occasions; will add to what is an already deteriorating situation; air and noise pollution must be investigated and appropriate mitigation measures should be introduced; the Borough Council should commission an independent review of the impact that these very large developments will have on the highways and infrastructure.

Object to the scale (numbers and density) of the development. In the proposed layout, the density of housing has not been stated clearly but as only about half of the area (approximately 20 hectares) will have residential properties this equates to an average density of 22/23 dwellings per hectare (dph); 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; request the number and density is reduced to a level more in keeping with the openness and character of the village (as per SW Neighbourhood Plan, Policy H4); must conform to the policies laid out in the Neighbourhood Plan which was approved by the Borough Council and was made legally enforceable in November 2015.

There is a need for a new parking area to be located at the rear of the school to alleviate traffic problems in Hall; should provide a rear access into the school; Larkfleet have agreed to build and finance the cost involved via CIL contributions for education; car park will be located on land owned by Norfolk County Council.

Best practice mitigation measures should be implemented to reduce possible impact of the increase in emissions from road traffic.

The swales (ponds) in the open space area must be protected for health and safety reasons and should be fully maintained in perpetuity by the Management Company to be set up by Larkfleet.

A field survey should be carried out to establish whether there are any artefacts of importance prior to the start of any construction.

The Parish Council is concerned for the protection of the flora and fauna in the area; enhancement measures are proposed to compensate for anticipated habitat loss and relate to the creation of new areas of high quality habitat associated with the Nature Conservation Area located along the western boundary and should be implemented.

As far as is possible, existing trees and hedges should be retained especially those trees with TPO orders already in place; any trees that are removed should be replaced in a more suitable location; the open space on the west side of the site with the creation of a nature conservation area is welcomed; loss of about 260 metres of important hedgerow from the area; mitigation is required to enhance retained hedgerows and for the establishment of new species rich hedgerows to ensure the longevity of the habitat.

Whilst the presence of Great Crested Newts has not been found, various reports by Lockhart Garratt have shown the presence of other animals and reptiles Common Bats and other rarer species were observed; All bat roosting sites must be maintained. To avoid loss of existing foraging areas used by these species mitigation measures, including new roost sites, should be implemented as recommended; no Badger setts had been found on the site but other animals such as brown hares and foxes were observed; mitigation is required to protect the existing habitat for these animals; the site is of local importance to common lizard and grass snakes. Action is required to ensure UK Wildlife legislation is complied with and the recommendations for enhancement should be implemented.

A Breeding Bird Survey has identified a total of 56 species during four separate occasions, of these, 11 were red listed as globally threatened and 14 amber listed as having unfavourable conservation status in Europe. A separate Wintering Bird Survey identified 7 red listed species and 9 amber listed species. Both reports recommend that action is taken to protect all the species listed.

**Planning Policy Team** - The site being proposed is a portion of a site which is allocated within the Site Allocations and Development Management Policies Plan (SADMP) (2016) as Site E3.1 – Hall Lane, South Wootton. Consequently consistency with Policy E3.1 should be achieved.

In terms of housing numbers the proposal although only encompassing a portion (although could be considered the majority of the site) of the allocation has come forward for up to 450 dwellings. A smaller portion of the site has also come forward with an outline planning proposal for up to 130 dwellings (17/01106/OM). The remainder of the site, in close proximity to the school, has as yet not come forward.

Policy E3.1 details a development of at least 300 dwellings, the fact that higher numbers are proposed by these two applications in combination is potentially acceptable providing that the overall scheme is consistent with Development Plan Policy.

Local representations at the SADMP Examination and earlier stages of preparation expressed a strong view for less units on the site. These issues were covered by the inspector, and locally a neighbourhood plan seeks to address the issue of over development.

On this subject the Justification for Policy E3.1, paragraph E.3.14 states:

‘In the event a site is brought forward for substantially more than 300 dwellings it will be important to ensure that the features and facilities mentioned in the Policy have been suitably assessed as capable of accommodating the extra development.’

The SADMP Inspectors final report covers this issue stating that it is important that the best use of land is achieved in terms of delivering housing numbers but that this should not be at the expense of other considerations such as the provision of open space.

Policy CS01 Spatial Strategy of the Core Strategy (2011) highlights that one of the key priorities for the borough is to foster sustainable communities with an appropriate range of facilities, it points out that growth will be based upon CS02 the Settlement Hierarchy.

CS02 classifies South Wootton as a ‘settlement adjacent to King’s Lynn and the main towns’. South Wootton is a large village which provides significant local facilities and due to its geographic location in relation to King’s Lynn offers the potential to support growth of the wider area; it is considered a sustainable location, more so than a Key Rural Service Centre. Whilst the settlement functions as a separate community with a range of facilities, it also supports the adjacent settlement of King’s Lynn through amongst other things significant residential development. There is also the benefit of public transport linkages to King’s Lynn. CS03 King’s Lynn highlights South Wootton as an area for growth.

CS09 Housing Distribution requires that at least 7,510 new dwellings are provided for through regeneration and urban expansion over the plan period (2001-2026).

The SADMP within Chapter D ‘Settlements & Sites –Allocations and Policies’ details that as of March 2013 completions and commitments for the King’s Lynn area amounted to some 3,500 dwellings and that a total of at least 3,927 dwellings are provided in this area by the SADMP.



South Wootton has clearly been identified as a sustainable location for urban expansion by the CS and the SADMP makes allocations accordingly. It is therefore unlikely that an increase in dwelling numbers provided on this allocated site (those proposed by this application and another application on the allocated site) would be significantly in conflict with the policy aspirations or the strategic direction of growth as sought through the Local Plan (CS & SADMP).

We would encourage those who have put forward this proposal to fully engage with the landowners/developers who control the other portions of the same allocated site, to the north of the area currently being proposed and the land close to the school, to ensure a joined up collaborative approach to developing the whole allocation as envisaged by the Local Plan. For example Policy E3.1 includes a new road network which comprises a spine road running through the development linking Low Road to Nursery Lane, and a new main entrance to the school. It is encouraging to see that both applications on the allocated site, which are currently being considered, are accompanied by the same concept master plan (prepared by Lark Fleet Homes) which covers the whole of the allocated site area. Encouragement is provided by the detail within the Design and Access Statement, the Supporting Planning Statement and the various plans submitted alongside this application. It is essential for the developers of the three portions of the allocation to work together.

In addition it will be important that the cumulative highways impact of this site (with proposed extra numbers) is considered with other sites accessing the Grimston / Low Road corridor (i.e. principally the Knights Hill allocation) and suitable improvements are put forward (as required by Policy E3.1).

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

#### Update

Further assessments/studies/ information has been submitted by the applicant in support of the proposal. They seek to provide clarity to queries raised by some consultees. This information ensures that the proposal is consistent with items i (drainage) and f (heritage) of Policy E3.1.

**Highways Authority: NO OBJECTION** – conditionally. The application will have principal access via a new roundabout on Edward Benefer Way. The roundabout will serve as the construction access point for the development and will therefore have to be constructed prior to any development coming forward on the site. The only access point for construction traffic will be from Edward Benefer Way. The roundabout will also provide pedestrian/cycle links to tie in with existing provision which in turn will provide links to local facilities including schools and employment.

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

However other developments coming forward in this area (land off Nursery Lane and the Knights Hill development) will also have an impact at this junction and so it is appropriate that this development make a contribution to delivering the scheme which is in proportion to the total amount of traffic that is generated by the new developments. Using the information provided primarily within the Transport Assessment, it has been calculated that the development will generate 50% of new traffic through the junction (AM and PM peaks combined). Therefore the applicant will be required to enter into a S106 agreement whereby they contribute 50% to the total cost (minus any contribution by the highway authority) of delivering the scheme. The scheme itself will be delivered by a S278 agreement with the various developers in order to ensure that the full cost of the scheme including future maintenance costs are recovered.

The development will also be required to provide a pedestrian/cycle link to its eastern boundary (closest to the school) so that if/when the land between the site and the school comes forward a direct link to the school can be provided. The link should be provided to the boundary of the site so that no future ransom can be obtained.

Finally to the north of the site, an adjacent site (Land off Nursery Lane, Application Number 17/01106/OM) has submitted an application. The highway authority has commented that the proposed junction within the application is appropriate. However should the link be provided linking the Nursery Lane application and this application, then a change in priority at the Nursery Lane junction will be required. The Nursery Lane application will be required to ensure that enough land is made available to facilitate this change in priority. This application should deliver the change in priority.

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

**Anglia 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 – 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.

Trade Effluent - The planning application includes employment/commercial use. To discharge trade effluent from trade premises to a public sewer vested in Anglian Water requires our consent. Recommend informative be imposed.

**Internal Drainage Board: NO OBJECTION** – conditionally - the majority of this site is within the Board's drainage district, with the remainder being within its watershed catchment,

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meaning that that land naturally drains into the Board's district. The Board's Byelaws apply here, although there are no Board-maintained watercourses crossing or adjacent to the site, so the Board's Byelaw 10 should not affect any on-site works (it could still impact on off-site ones, depending on the location and nature of any such works).

Potential surface water drainage methods for the whole site need to be considered at all stages of planning and design here, as this will be a critical factor with any development. Development of any greenfield site increases the rates and volumes of surface water run-off which are generated, prior to mitigation, with national policy aims to direct as much run-off as possible from developments into the ground.

The Board considers that further work should have been undertaken requiring full details of watercourse alterations and surface water disposal methods, drainage systems and designs - including existing and proposed rates and volumes of run-off from the site (calculated in line with the Board's comments earlier in this letter) and the adoption/future maintenance regime of any SuDS and off-site systems - to be submitted and agreed by all relevant parties, prior to commencement of works on site.

Recommend pre-commencement conditions to help ensure the proposal will not have an adverse effect on local drainage or flood risk.

**Lead Local Flood Authority: NO OBJECTION** – conditionally. A condition requiring a list of additional information at detailed design stage to prevent flooding in accordance with National Planning Policy Framework paragraphs 103 and 109 (now 155 – 165) 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.

**Environment Agency: NO OBJECTION** – conditionally - strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) Ref (MA10263- FRA-R02), prepared by Millward, dated April 2017 are adhered to.

**Environmental Quality Team: NO OBJECTION** – conditionally; Contamination - additional site investigation work is required.

Air Quality: recommend that the development shall not be occupied until a final Full Travel Plan is submitted and agreed, to include securing appointment of a Travel Plan Co-ordinator and how this will be handed over once the development has been fully built; recommend that monitoring of the travel plan shall take place over a minimum period of 5 years post final dwelling or commercial premises being occupied and annual data reported to the LPA. During the course of the construction, occupation and use of the development the owner shall carry out all requirements of the approved Travel Plan.

Recommend conditions re: Electric Vehicle charging points and low emission boilers for domestic space and water heating.

The development has the potential to create a short term impact on air quality due to dust from construction therefore I recommend that a Construction Environmental Management Plan be required by condition to mitigate this impact.

**Community Safety & Neighbourhood Nuisance Team: NO OBJECTION** – conditionally, relating to boundary treatment to the boundaries of the dwellings planned nearest Edward Benefer Way; suitable glazing, installed to avoid any leakages of noise into the dwellings, and provision of mechanical or trickle vents as another means of providing ventilation; noise levels of both domestic heating units and the air conditioning units for the commercial

premises to the south west of the site.; requirement to provide a construction management plan to cover all elements of the builds.

Conditions re: details of the foul water drainage arrangements, lighting scheme, dust suppression, site hours, and construction management plan.

**Historic England: NO OBJECTION but raised concerns** - Historic England has concerns regarding the application on heritage grounds. We are concerned that the development could harm the significance of the parish church, but it might be possible to reduce this by redesign of the development layout. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 6, 7, 14, 17, 132 and 134 of the NPPF (now 7, 8, 11, 189 and 196). In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

**Historic Environment Service: NO OBJECTION** – conditionally. A heritage assessment of the ridge and furrow and other earthworks at the proposed development site has now been submitted in support of this application; we consider that there is now sufficient information to make a decision regarding the ridge and furrow earthworks at the proposed development; the proposed development will result in the complete loss of significance of this heritage asset through its removal. However, this loss can be mitigated through an appropriate programme of archaeological work. This will comprise an earthwork survey to be carried out and intrusive investigation (trial trenching and potentially further post-determination investigations) to provide additional information about the date of the features at the site including the ridge and furrow; it is important that it is also incorporated within the proposed trial trenching. A revised written scheme of investigation for the trial trenching is currently with us for approval. However, the proposed trench layout in this will need to be amended to incorporate the additional trenches in the area of the earthworks. Trial trenches within the area of the earthworks should be positioned to investigate the buried archaeological features associated with the earthworks. However, it is imperative that the earthwork survey is carried out prior to the trial trenching in that part of the proposed development site to ensure that the earthwork features are recorded ahead of any ground disturbance.

**Norfolk Constabulary: NO OBJECTION** –I am unable to make specific comments in relation to ‘designing out crime’ at this stage in the outline application as there is not sufficient details provided to do so; however I would like to take this opportunity on behalf of Norfolk Constabulary to make reference to creating safe environments where crime and the fear of crime do no undermine community cohesion through Secured by Design measures; Section 17 of The Crime and Disorder Act (1998) places a duty on the Police and local authorities, (including in their role as planning authorities), to do all they reasonably can to prevent crime and disorder in its area including anti-social and other behaviour adversely affecting the local environment.

**Housing Enabling Officer: NO OBJECTION** -the site area and number of dwellings proposed trigger the thresholds of the Council’s affordable housing policy as per CS09 of the Council’s adopted Core Strategy.

At present a 20% provision is required on sites capable of accommodating 10 or more dwellings and/or 0.33ha in South Wotton. 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 90 units would be required, 63 for rent at 27 for shared ownership. It is noted that a

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20% provision is proposed in the Planning Statement; the mix of units should be appropriate and the affordable housing should be fully be integrated with the general market housing in order to achieve mixed and sustainable communities in which the accommodation is tenure blind. The proposal for clusters of 10 units in the Planning Statement would meet this; on a large site such as this, clusters of up to 12 affordable units are considered to be policy compliant.

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.

**District Emergency Planning Officer: NO OBJECTION – conditionally;** Because of its location partly in an area at risk of flooding and in line with best practice in business continuity, recommend conditions be imposed relating to flood warnings, flood evacuation plans at construction stage and following construction.

**Minerals and Waste Norfolk County Council: NO COMMENTS** - The application site is not on a Mineral Safeguarding Area, nor does it fall within the consultation area of any existing mineral site or waste management facility, or the consultation area of any allocated mineral extraction site.

**Infrastructure Team Norfolk County Council: NO OBJECTION** – The following infrastructure will need to be funded through CIL

Education: Mitigation required at Early Education for 43 places, South Wootton Infant School for 55 places and South Wootton Junior School for 63 places.

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

Fire hydrants - This development of 450 dwellings would require 9 fire hydrants at a total cost of £7,335. An additional hydrant may also be required for the proposed mixed use centre depending on the size and location of the building in relation to the rest of the site.

Green Infrastructure - Connections into the local Green Infrastructure (GI) network, including Public Rights of Way and ecological features, should be considered alongside the potential impacts of development. We would advise the Local Planning Authority that a maintenance/mitigation contribution or commuted sum for new and existing GI features may be required in addition to the County response, in order comply with local policy.

Enabling walking and cycling on the former railway alignment is a priority in the Kings Lynn Green Infrastructure Strategy. In addition 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. Contributions will be sought for this work, should the project come forward in a timely manner in relation to development. The site should also align itself with future intentions for the area and give priority to progressing this long-held ambition by offering potential access points into the disused railway line through the open space in the western half of the site.

**Natural England: NO OBJECTION** - subject to appropriate mitigation being secured. We consider that without appropriate mitigation the application would have significant effects 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:

- Further consideration of recreational impacts to Roydon Common and Dersingham Bog and possible mitigation

Natural England are pleased with the green infrastructure outlined in the application and welcome the creation of open space occupying 30% of the development, including a nature conservation area of 2.36ha. We also welcome the use of interpretive signage and leaflets to engage residents with the local landscape and wildlife and the provision of educational information about the sensitivity of designated sites. Natural England fully supports the creation of two onsite dog walking routes and the establishment of cycle routes that link to the National Cycle Network Route 1.

Natural England welcomes the commitment of £50 per dwelling in line with the Kings Lynn and West Norfolk Monitoring and Mitigation Strategy.

However, mitigation may be limited by low warden presence on Roydon Common and Dersingham Bog SAC. The provision of the Gongs as additional recreational space and suitable footpath access reduces the concern of recreational impact on Roydon Common and Dersingham Bog SAC

**Norfolk Wildlife Trust:** No response to latest consultation exercise. Comments made to original submission relating to detailed design features and a package of mitigation measures aimed at avoiding impacts on biodiversity; more information regarding impacts on Roydon Common and Dersingham Bog SAC. NWT owns and manages Roydon Common and we are fully aware of problems that arise particularly in relation to recreational impacts on the site; request there should be a contribution to management measures on Roydon Common and Dersingham over and above the £50 per dwelling, as that levy is designed to mitigate impacts on all European designated sites within the Borough.

On-site impacts on Biodiversity - The Ecology Impact Assessment (EclA) assesses that the development site is important for range of species that are associated with habitats on the development site. These include assessments that the site is of local or county importance for breeding and wintering birds, bats, brown hare and for common lizard and grass snake. Without mitigation negative impacts are assessed for the majority of these species. The majority of measures proposed in the EclA should be sufficient to mitigate for impacts.

However, we are not convinced that these measures will be sufficient with regard to species of open farmland, which are known to be on the development site, such as skylark and brown hare. In our view, additional measures outside of the development site will be required in order to mitigate for impacts on these species Paragraph 8.111 proposes that monitoring should take place in line with current monitoring by volunteers or NWT. This is welcome proposal but it should be noted that we are not aware of any local monitoring currently taking place and resources will need to be in place to ensure that this happens Implementation of mitigation measures

In order to put the proposed mitigation measures in place a management and monitoring plan is proposed in the EclA. We support this proposal. However, a key aspect will be how and by whom green space on site is managed and the provision of resources to enable this to happen, in perpetuity. Putting in place an agreed and resourced management and monitoring plan (often known as a Conservation Environment Management Plan) is crucial to allowing mitigation of on-site impacts on biodiversity, as identified in the EclA. In our experience this aspect is often not satisfactorily resolved before development is approved and every effort should be made to ensure that this happens.

Other Matters – should be viewed in conjunction with the other site, particularly in relation to mitigation of impacts on biodiversity of the adjacent application, as green space and mitigation measures included in the current application may also be required to mitigate for impacts of the adjacent application.

**Arboricultural Officer - NO OBJECTION** - but has commented that although the plans are indicative, he has some concerns regarding the proximity of the proposed roadway and the protected trees throughout the site. The protected trees should be given enough room to grow, both now and into the future.

**Public Open Space Team – NO OBJECTION** - In line with DM16 and CS14, a development of this size should be expected to provide 56m<sup>2</sup> per dwelling of open space, provided in approximately the following proportions:

- 70% for amenity/outdoor sport/allotments (of which 50% of the overall total should be provided for pitch sports)
- 30% as suitably equipped children's play space

Comments made about maintenance of open space from a general perspective, including advice on adoption of open space. General comments about sports facilities play equipment, surfacing, footpath links and allotments.

## REPRESENTATIONS

**209** third party comments received referring to the following:-

Principle of major residential development

- Larkfleet and Bowbridge applications cannot be considered in isolation; the combined total is 580 properties. (5)

- Breaks and erodes the attractive natural village boundary and will present itself as urban sprawl (3)
- 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 (10)
- This proposed development of 450 houses should be considered along with the nearby Bowbridge application for 130 and the proposed Knight's Hill developments of 700 dwellings. (3)
- When considered together they propose the building of some 1180 homes, access for which will be almost entirely from Grimston Road (2)
- Taken together they will represent an increase of 70% in size of the village (3)
- Negative impact on the character of the village and the local population (3)
- Loss of farmland (4)
- Loss of green area/ openness; valuable asset; will never be regained /Green areas should be retained (7)
- Brown field sites in the borough must take priority over green fields (16)
- Why is another greenfield to be lost? (5)
- Why not development the brownfield land behind St Edmundsbury Rd?
- Village will double in size and become a town not a village (2)
- 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)

#### Layout

- The number of proposed dwellings is unsustainable.(14)
- Scale is too much/ overdevelopment (18)
- Village becoming a sprawling mass of houses (3)
- There will be no definition between Kings Lynn and Wootton
- the density of number of houses across the development is too high (in excess of 16 dwellings per hectare) (26)
- the numbers are almost double the density of 16 dwellings per hectare which has been quoted by the Borough Council as acceptable (3)
- The developments needs to be scaled down considerably
- new development and existing houses integration (2)
- out of character with the rest of South Wootton/ ruin village/ loss of identity (see South Wootton Neighbourhood Plan).(9)
- There are currently approximately 1800 homes in South Wootton and the new developments total 1280/ 1306 homes, which would reflect a 70/ 72.5% increase, if they were all completed. (3)
- Number of units should be reduced to 350
- Numbers should be reduced to 225
- detrimental to the character of the village due to numbers and traffic congestion (4)
- this application of 450 dwellings represents an increase of the village homes by 25%
- 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.



## Highways issues

- Drastically increase traffic congestion ( particularly along the A148 Edward Benefer Way/Low and Grimston Road) (86)
- Hall Lane is already complete chaos at school times
- High increase in traffic along Nursery Lane
- Substantial increase in traffic using Castle Rising Road over the last 10 years
- Nursery Lane is already used as a 'rat run' for traffic trying to enter or leave Kings Lynn
- Grimston Road, Low Road etc is the designated lorry route through to the docks and already busy (19)
- Too much traffic on the road now (57)
- At full capacity this is likely to produce 2000 – 2500 extra vehicles on the road (5)
- Roads become gridlocked causing delays (15)
- Significant impact on traffic flows entering and leaving the Town (11)
- Significant hold ups at Knights Hill Roundabout at peak times (6)
- Proposed roundabout on Grimston Road will be too dangerous given the amount of heavy goods vehicles
- Kings Lynn is a heritage town and as such there is limited access to very few main roads, significant growth in the area would seriously impact on congestion on these feeder roads
- The extra amount of lorries using Edward Benefer Way while this proposed site is being built will be horrendous (2)
- Why have a roundabout within 2/300m of the set of traffic lights which has been installed to cater for other housing developments off Lynnsport Way and Marsh Lane
- A new roundabout will only create traffic problems down Edward Benefer Way (2)
- Traffic through the Woottons will increase unacceptably due both to the increased number of vehicles and the use of any new access route to avoid congestion on Grimston Rd/ Knight Hill.(3)
- Cycling and walking will be less attractive an option
- Safety of pedestrians particularly small children (2)
- Insufficient footpaths
- Common Lane has no path which puts school children at risk
- Other existing junctions off Grimston Road since their construction have proven to be problematic
- Significant congestion at the traffic lights of Castle Rising Road / Wootton Road
- These developments, together with likely increased dock traffic for their new storage facility, the proposed Anaerobic Digestion plant near the docks on Crossbank Road and Marsh Lane developments will make a detrimental and unacceptable contribution to the level of traffic along the A148 Edward Benefer Way.(2)
- Congestion is already high, especially during rush hour, as it is the main route to the docks and a main road to the town centre (4)
- The King's Lynn road infrastructure is not set up to deal with all these new developments (4)
- Should this proposal get passed what will be done to alleviate the increased traffic that these developments will bring?

- The proposed highways improvements are miniscule and totally inadequate; will lead to unacceptable levels of traffic, pollution and delay
- Hall Lane is just a lane and we already have huge issues about the number of cars accessing the school. (5)
- Nothing has been done to address speeding along Nursery Lane yet it is felt that the road can cope with hundreds more vehicles
- There is a need for a new parking area to be located at the rear of the school.(5)
- The new plans don't show the promised new road link to the school from Edward Benefer Way (4)
- All the existing junctions should be subject to the Traffic Survey i.e. Sandy Lane, Langley Road, Nursery Lane and Hall Lane, all of which have previously been identified through a traffic survey submitted by the Parish Council to the Borough Council as far back as 2012 as being close to or over capacity (3)
- Sandy Lane, Langley Lane and Green Lane are already hard exit from (5)
- The Borough Council should commission an independent review of the impact that these very large developments will have on the highways and infrastructure.(4)
- Will cause congestion on roads at the end of the school day
- The other major applications at Knights Hill, Edward Benefer Way and Hopkins Homes at Nursey Lane will also all add to the traffic
- Will be difficult getting In and out of the village.
- Will increase potential for accidents as cars attempt to join Nursery Lane (2)
- The proposed road through the development from Edward Benefer Way / Low Road and Nursery Lane would be an attractive alternative route to get to Sandringham and the North Norfolk Coast via North Wootton and Castle Rising for King's Lynn residents who would ordinarily go via Knights Hill to access the A149. Traffic restriction required to prevent rat run.(2)
- Residents in Meadow Road and adjoining roads would be greatly affected by the site traffic
- The number of lorries and heavy plant required would also be a danger to children walking to the two schools on Hall Lane and Church Lane from the surrounding area.
- Access to the site should be 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.
- The 30mph speed limit is seldom adhered to at present
- Speed restrictions/traffic calming should be put along Nursery Lane.
- Meadow Road access should be pedestrian and cycles only.
- 1280 homes likely to result in 2000 vehicles using the main town centre approach road
- 2500 additional cars will potentially increase extra journeys by 5000 per day (2)
- minimum of an additional 1600 vehicle movements per day will produce gridlock
- Exit routes from bypass into Knights Hill, similar to that from Castle Rising, would help
- Traffic lights required from Asda onto Grimston Road
- Assured that no construction traffic vehicles will be permitted on Hall Lane; what are the proposals to mitigate these problems?

- 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 ships is already congested all day (3)
- The increased traffic will have a knock on effect on local businesses

#### Amenity/noise/pollution

- Drastically increase air pollution/ health concerns.(23)
- Increased noise (5)
- Best practice mitigation measures should be implemented to reduce possible impact of the increase in emissions from road traffic.
- Construction period will cause 5 years of noise, dust, dirt and inconvenience
- Air and noise pollution along the main route should be investigated.
- 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, not make it worse
- Increased carbon footprint from cars

#### Nature conservation

- This area is a haven for many species of birds on their migratory journeys. I had two dozen Lapwing and a snipe sheltering in my garden during the recent spell of cold weather. This stop-over point will be destroyed by the development.
- The open space on the west side of the site with the creation of a nature conservation area is welcomed (3)
- Mitigation measures recommended in protected species surveys should be implemented (3)
- Harm to wildlife/ devastating impact
- Loss of green field, trees and hedges (19)
- Major loss of habitat, breeding and feeding grounds
- species such as curlews and Marsh Harriers plus much other flora and fauna which by law are protected
- 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.

#### Trees/landscaping

- existing trees and hedges should be retained (2)
- Note should be taken of the Tree Preservation Orders that are already in place.(5)
- Mitigation is required to enhance retained hedgerows and replace those to be removed (3)
- Admirable to consider the preservation of trees and ancient sites the Council should give priority to the welfare of the rate paying residents

#### 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.

#### Lack of facilities

- 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)
- 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?
- Need for new cycle routes
- No obvious increase in local retail and industrial expansion
- Only one veterinary practice.

- General infrastructure/ services impact (64)

#### Flood risk/drainage

- 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.(3)
- Has the possibility of flooding been looked into with the increase of 1180 homes?
- Unsustainable
- Building on flood plain does not make sense (8)
- How will it affect the flood risk assessment of the village. Will be the proposed 'pond' able to cope with such risk, does the house insurance premiums within and around the new development will be increased to reflect this potential risk?
- mitigation measures outlined in section 8.2 of the Flood Risk Assessment carried out by Millward Engineering Consultants should all be implemented
- will sewerage system cope?(10)
- Already have low water pressure, how will cope? (6)
- existing issues with underground stream causing damage to household and seek reassurance this will be resolved
- 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.

#### Other

- it will devalue our properties (2)
- local views not incorporates within the application plans
- The swales (ponds) in the open space area on the western edge of the site must be protected for health and safety reasons and should be fully maintained in perpetuity by the Management Company to be set up by Larkfleet.(2)
- Heritage assets: A field survey should be carried out to establish whether there are any artefacts of importance prior to the start of any construction.
- There isn't any need for another public house or a village hall; neither is there need for offices or other amenities mentioned, any area suitable for building should be for housing.(2)
- South Wootton footpath 3 - on the plans there is no exit for it at the Nursery Lane end. The path will need to join the new road with a safe exit and a safe crossing.
- severely detrimental effect on the quality of life of the residents in the area
- During the public exhibition held in November only 16% "generally supported" the proposals.
- We would like the developer to consider bungalows for over 55's behind us as this will still give us a small amount of privacy and the chance for over 55's to downsize from larger properties.

- Central government should not be able to dictate local government environments
- South Wootton, North Wootton and Castle Rising Parish Councils have all objected to the size and mass of the Larkfleet, Bowbridge and Camland developments.
- 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(3)
- this amount of houses should be designed as a garden village
- The cumulative impact of all 3 major developments will have on the quality of life of residents
- agree with some development on site but not this much (2)
- Great Yarmouth is getting another bridge; 30 years ago this was proposed here leading straight into the docks; last in line so far as Norwich is concerned
- 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
- changing the policy wording to 'at least' from "no more than" is purely a 'knee jerk' reaction to political expediency
- 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
- 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)

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS03** - King's Lynn Area

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS10** - The Economy

**CS11** - Transport

**CS12** - Environmental Assets

**CS13** - Community and Culture

**CS14** - Infrastructure Provision

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**E3.1** – Hall Lane South Wootton

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM8** – Delivering Affordable Housing on Phased Development

**DM9** - Community Facilities

**DM10** – Retail Development

**DM12** - Strategic Road Network

**DM13** - Railway Trackways

**DM15** – Environment, Design and Amenity

**DM16** – Provision of Recreational Open Space for Residential Developments

**DM17** - Parking Provision in New Development

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

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

**DM22** - Protection of Local Open Space

## **SOUTH WOOTTON NEIGHBOURHOOD PLAN (SWNP) POLICIES**

**E.1** – Landscape Character

**E.2** – Sustainable drainage

**E.3** – Open Spaces

**E.4** – Strategic landscape framework

**E.5** – New growth areas

**H.1** – Growth areas

**H.2** – Encouraging High Quality Design

**H.4** – Local Character

**B.2** – Development of Local Shops in growth areas

**S.1** – Education

**S.2** – Community Infrastructure

**S.3** – Play areas

**S.4** – Cemetery & allotments

**T.1** – Walking and cycling facilities

## **NATIONAL GUIDANCE**

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

## **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 and hedgerows;
- Community Facilities/ Neighbourhood Centre
- Crime and Disorder Act 1998;
- 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),

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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.

Any proposed development on this site needs to comply with the criteria of this policy.

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

At a size of 31.06 hectares this application site forms the majority 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 therefore 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.

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

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

The submission is supported by a raft of reports and surveys and a series of plans. A Masterplan has been provided which sets out the key areas of residential development and the local centre. This also shows the location of the proposed new roundabout along Edward Benefer Way and the indicative position of the main estate road running northwards from the roundabout to link up to the Bowbridge site to the north. A Phasing Plan has been provided to indicate that development would start in the south of the site and progress northwards over time.

The application has been supported by a Landscape and Visual Impact Assessment, Hedgerow Assessment and Arboricultural Impact Assessment. Also a Habitats Regulation Assessment, Ecological Impact Assessment and various protected species surveys. An Air Quality Assessment has been provided as well as a Geo- Environmental Assessment and Flood Risk Assessment.

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

Detailed sustainable drainage measures cannot be formalised at this stage, as this will be dependent on final layout and numbers of dwellings, however a drainage strategy has accompanied the application. In order to establish the principle of the impact of the proposal on heritage assets a Heritage Statement accompanies the application. Details of the findings of the archaeological trial trenching have been provided.

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

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

Policy E3.1 requires the provision of a list of infrastructure and community facilities and these are considered below.

With both applications for this and the site to the north within the department at the same time the links and connections between the two sites are apparent. Although both applications are in outline (application 16/011061/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 cannot be agreed through plan at this stage but can be secured through planning condition. This is discussed in more detail below.

In light of the above and with the site being an allocated site within the SADMP, it is considered that the proposal would comply with the NPPFs presumption in favour of sustainable development. Provided the proposed development accords with the provisions of the development plan, including Policy E3.1 and the relevant policies of the South Wootton Neighbourhood Plan 2015 – 2026, the principle can be supported.

### **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. The Planning Practice Guidance (PPG) states where appropriate, Landscape Character Assessments should be prepared to complement Natural England's National Character Area profiles. Landscape Character Assessment is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place.

Core Strategy Policy CS12 requires development proposals to reduce the visual impact of new buildings or structures. The site is within the countryside 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. The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas.

In this case the application site is open land currently used as agricultural land. Land levels generally drop from the north of the site to the south as well as from east to west.

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 Visual Impact Assessment. This assessment identifies the predicted landscape and visual effects of the proposal for the LVIA recognised time period of 15 years. The LVIA states that the avoidance of adverse landscape and visual impacts through design choices is a constant test throughout the evolution of a project. Where avoidance of adverse effects is not achievable mitigation measures are incorporated within the design to lessen the adverse effect.

These mitigation measures include a 15m standoff zone to the western boundary and the extension and enhancement of hedgerows to provide green infrastructure. The site also provides opportunity for planting and to fill in gaps to existing boundary landscaping along with new soft landscaping buffers. These will help assimilate the development into the countryside.

In conclusion the LVIA supports the proposed development of the site and the opportunities it presents to successfully integrate the site both visually and in landscape terms with its context.

To summarise the proposed masterplan shows that the development has been carefully designed to have regard to the potential visual impact on the wider countryside and to existing residents in the surrounding area. There are large areas of open space shown to the western site boundary, where it borders open countryside that will provide opportunity for landscaping to ensure the impact of the development is softened.

It is clear that there will be a change to the current open qualities of this landscape with the introduction of a development of this scale. However, the site layout provides opportunities for this western boundary to be kept open and softened with planting so that the impact of the development from longer views in this direction will be reduced. For this reason it is considered that the proposal will not give rise to unacceptable visual impact and such complies with the requirements of Core Strategy Policy and subject to conditions, SWNP Policies E1, E4, H2 and H4.

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

The application site comprises a series of fields to the western side of properties on Hall Lane. Only the southern boundary of the site runs along a public highway (Edward Benefer Way) and vehicular access is shown to be from this point via a new roundabout.

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 application has been supported by a Masterplan which shows the proposed land uses across the site. The applicant refers to the density of residential development on the site as being 14.4 dwellings per hectare, although this is the gross figure which included the open space which cannot be built on. The net density i.e. the amount of housing within the part of the site just used for housing (excluding the open space etc.) is around 34dph. That said, any outline planning permission would set a maximum figure of dwellings should the outline application be successful, and future reserved matters will deal with issues of precise numbers, quality of layout etc. during each application.

Parish Councils and third party objection has been received to the density of the proposed development stating that it is too much for the site. Third party reference has been made to 16dph being more appropriate and in keeping with existing surrounding development. However, 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 proposed site 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, that said 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).

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

A more detailed layout of the residential areas has not been provided at this stage so comment regarding the design and appearance of the proposed development cannot be made until reserved matters stage.

The applicant has indicated in their submitted documents that they intend to deliver the residential elements in four phases in conjunction with the Link Road. The applicant states that the phasing of development will broadly be from south to north with the Link Road and infrastructure delivered in tandem, with the junction on Edward Benefer Way being the first item of strategic infrastructure constructed on the site.

The Local Centre is intended to be delivered at an early stage; however this will be independent from the residential development and will not be constructed by Larkfleet Homes. The Local Centre has been identified individually from the residential areas on the Indicative Phasing Plan.

The applicant is agreeable to a planning condition tying the completion of the Link Road to a trigger point of around 350 dwellings in order to maintain the viability of the scheme. However, following further discussion it is proposed that this be trigger point be expressed as 75% given that the ultimate number of dwellings may change with the submission of subsequent reserved matters applications should planning permission be forthcoming.

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 details at reserved matters stage are recommended to be imposed in line with local policies.

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

In principle the indicative site layout shows that the number of dwellings can fit on the site alongside a significant degree of informal open space which is in context and will help to assimilate the development into the countryside and 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. Under the calculations used in Policy E3.1 and DM16 (based on 2.33 persons per dwelling and a requirement of 2.4ha per 1,000 population) this site requires 2.5ha recreation open space.

As referred to earlier in the report, the DAS confirms that a significant proportion of the western part of the site is within the flood zone and is therefore excluded from areas of residential development. It also refers to the ecological aspects to the west of the site which constrain the area of the site that can be developed, however, notes that this also presents itself as a substantial opportunity to enhance areas of biodiversity within the proposal through the creation of a segregated wildlife area. This area does provide opportunity to provide significant areas of open space as shown on the proposed Masterplan.

As the DAS refers, 12.5ha of open space in total is shown to be provided to the western part of the site which equates to approximately 40% of the site.

Policy DM16 of the Site Allocations and Development Management Policies Plan (SADMP) sets out open space requirements for the provision of recreational space for residential developments. The Policy requires 70% for either amenity, outdoor sport and allotments, equating to 1.2 hectares of pitch sports provision per 1000 population. For this site this equates to 1.25ha provision for the expected population.

The current indicative layout makes no specific provision for sports pitches within the site, although does provide 10.2ha of open space (but including ponds), with 2.3ha nature conservation area. The Planning Statement confirms that no formal sports pitches have been included due to the overriding need to protect European and UK protected species on the site. The Statement states that the primary aim of the Wildlife Area is to provide a quiet, undisturbed area for nature conservation that will encourage the use of this area by fauna. The introduction of formal playing pitches, along with associated development such as parking, changing rooms and floodlights, would be likely to jeopardise the function of this Wildlife Area.

The site allocation Policy E3.1 does not have a specific requirement for sports provision, but this is a requirement of the more general Policy DM16. That said, Policy DM16 does allow for a flexible approach to the types of open space required and it is noted that there are existing nearby sports facilities and pitches at Lynnsport to the south, Wootton Park to the north east and Kingsway further to the west.

Accordingly there is no policy conflict in this regard.

### **Archaeology and Heritage Assets**

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. HES highlighted the presence of ridge and furrow on the site and a Heritage Assessment was submitted by EDP, dated 24 April 2017.

Ridge and furrow is an archaeological pattern of ridges and troughs created by a system of ploughing used in Europe during the Middle Ages, typical of the open field system. Although much of Norfolk was farmed in strips during the medieval and early post-medieval periods, only in the west of the county were these ploughed in a manner that created the distinctive ridges of ridge and furrow, and they are not widespread across Norfolk as a whole. They appear as distinctive stripes or ridges in the landscape.

The Heritage Assessment considers the ridge and furrow to be most likely of late medieval or post-medieval date. Surviving earthworks of ridge and furrow in West Norfolk are atypical of the county, and most of the region, which increases, rather than diminishes, their significance. The Heritage Assessment notes that the surviving area of ridge and furrow

earthworks is just a small part of its former extent. Although its original extent is hard to determine, data suggests that further ridge and furrow might be present to the south of the proposed development site, but which is now separated from it by Edward Benefer Way.

Retaining the ridge and furrow in situ would not be feasible given the need for water management and the siting of key infrastructure. Even if left in place it would be surrounded by development and the context would be lost.

The proposed development would therefore result in the complete loss of significance of this heritage asset through its removal. However, HES consider this loss can be mitigated through an appropriate programme of archaeological work. This will comprise an earthwork survey to be carried out in accordance with a brief produced by Norfolk County Council Environment Service and intrusive investigation (trial trenching and potentially further post-determination investigations) to provide additional information about the date of the features at the site including the ridge and furrow.

It is important that the earthwork survey is carried out prior to the trial trenching in that part of the proposed development site to ensure that the earthwork features are recorded ahead of any ground disturbance. 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.

Regarding the above-ground heritage the application has been supported by an Archaeological Desk-Based Assessment by PCA, dated April 2017, to inform and advise the planning process and any archaeological investigation and mitigation as may be necessary as part of the planning and development process.

The Assessment confirms there are no Conservation Areas within the area of the proposed development or the wider study area and no Scheduled Ancient Monuments (SAM). The nearest Scheduled Ancient Monuments lie over 2.5km from the proposed development area. There are no Listed Buildings recorded within the area of the proposed development and there are six Listed Building records in the nearby vicinity; one Grade II\* and 5 Grade II.

The Church of St Mary the Virgin, listed Grade II\*, located on the southern side of Church Lane is the closest to the site (c120m east) and the Old Hall, Hall Lane, listed Grade II, located south of the church and orientated west and set back from Hall Lane (c170m east). The priory sometimes known as Church Farmhouse (Grade II), the Church of All Saints (Grade II) and Church Cottage (Grade II) are more than 800m to the north of the site.

The Assessment concludes that heritage assets within the wider study area will not be physically affected by the proposed development and it has been assessed that the distance between the proposed development area and known heritage assets, existing vegetation, buildings, topography and other landscape features limit views to and from these assets and the proposed development area. It is therefore unlikely that there would be any impact on the setting of known heritage assets, possibly with the exception of the Church of St Mary which can be seen from various positions within the proposed development area.

That said, your officers consider that any change within the wider setting of the Church of St Mary will not be harmful and will not result in a change to the way in which this building is appreciated. The significance of the building is derived from a variety of elements including the quality of its external form and appearance (architectural value) its 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 will be preserved. Your officers agree with this conclusion.

Accordingly there is 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.

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

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

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

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 31.14 ha and thus exceeds the affordable housing threshold set down in Policy CS09 of the Core Strategy 2011. This policy requires 20% provision on sites capable of accommodating 5 or more dwellings and/or 0.165ha in South Wootton.

The applicant seeks consent for 450 dwellings which means that based on this number 90 dwellings would need to be provided split 70/30 between affordable rent (63 units) and shared ownership (27) dwellings.

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.

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 to safeguard any potential future development beyond the allocated site boundary, a new road to facilitate 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 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 Edward Benefer Way to the south of the site in the form of a four arm roundabout. The roundabout would provide two points of access leading into the site, one leading directly to the Local Centre, and the other serving the residential elements.

The proposed Link Road would then run from this proposed new roundabout travelling through the site to the north-eastern corner, from which point it will continue through the land outside of this application (Bowbridge site) to the north-east to ultimately and in time create a Link Road from Edward Benefer Way to Nursery Road.

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 submitted TA finds that, following a junction capacity assessment, the junction of the A1078 Low Road / Castle Rising Road / A148 Grimston Road / A148 Wootton Road signal junction (Wootton Gap) will require improvement works in response to the additional generated traffic flow. This junction is physically constrained and there are limited opportunities to widen the affected approaches. Consequently, it is proposed that capacity at the junction is improved by upgrading the signals to include MOVA (Microprocessor Optimised Vehicle Actuation) and also reconfiguring the junction to mitigate the cumulative impact of the traffic flow. The MOVA system helps to balance the available green time to account for traffic flows on each approach to a junction and is responsive to traffic conditions offering a significant increase in capacity at a junction.

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 worst case scenario of 450 dwellings and a single retail unit of 2,500 sqm size. Although there will no longer be a single retail unit of 2,500 sqm, this level of overall retail could in theory come forward.

However, even assessing the information based on the worst case scenario, 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. This would, however, be strictly subject to a contribution towards the future improvements to this junction to ensure that it continues to flow effectively, particularly at peak times.

The applicant is agreeable to this approach provided the contribution is commensurate to the degree of impact created by this development and that the contribution to these future works is shared in a fair and reasonable manner with the other developers of this allocated site and



Knights Hill for which there is also a current planning application. This contribution for each site can be secured through the S106 Agreement.

In addition to the need to provide a roundabout on Edward Benefer Way, a link road through to the northern part of the site allocation and contributions towards the off-site highway improvements works at the Wootton Gap junction, Policy E3.1 requires a link through to a new access to the school. This site does not include land immediately adjacent to the school, but any reserved matters application will need to make provision to accommodate a future vehicle and pedestrian link from this site allowing for access through to the school. It is recommended this is secured by way of planning condition.

Additionally Policy E3.1 requires a vehicle link to be made available to the land to the north of the site allocation so that any future growth will not be prejudiced long term. Again, this can be secured through the imposition of a planning condition.

The Highways Authority raises no objection to this proposal. Their initial comments regarding the proposed physical works of the new roundabout at the access into the site have been addressed and all other matters can be secured by planning condition.

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

Subject to the imposition of appropriately worded planning conditions, including standard estate conditions as well as conditions seeking the provision of a link road through the site to the northern part of the site allocation, a link road to the school to the east, provision for future road links to the north to accommodate potential future growth and signing of a S106 agreement seeking 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 network of attractive pedestrian routes to provide a variety of terrain, routes and links to the wider public footpath network. Links to the National Cycle Network Route 1 are also required.

The Transport Assessment (TA) refers to the importance of the existing pedestrian and cyclist routes and their connections with schools, local facilities and the town centre. The National Cycle Route 1 (NCN 1) offers connection to a number of local areas including King's Lynn Town Centre, North Lynn Industrial Estate, southern residential areas of King's Lynn and the catchment primary and secondary schools. The route in the vicinity of the site is largely traffic free, lit and in good condition.

The submitted Masterplan and Access and Movement Plan show footpath and cycle routes linking within and through the site, as well as recreational paths within the area of open space. Links to the National Cycle Network Route 1 will be possible at the site boundary to the south.

The TA shows that the development maximises the opportunity to use sustainable modes of transport including:

- a 3 metres wide shared footway / cycle way along the eastern edge of the main spine road which will link to existing facilities at Edward Benefer Way including NCN 1.
- A 2 metres wide footway along the western edge of the spine road that will link to the existing facilities at Edward Benefer Way.
- Recreational walking routes would be provided throughout the site, with footpath links provided within the open space area within the western section of the site.

Third party concerns regarding cycle paths and pedestrian links are not shared as these facilities will ultimately be improved offering direct routes through the site.

### **Flood Risk and Drainage Issues**

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

The majority of the site lies in Flood Zone 1, thus is at a low risk of flooding (less than 1 in 1000), except the western part of the site which lies in defended Flood Zone 3a.

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

Site levels within the development area vary from circa 7.60m AOD to the north eastern corner, 4.65m AOD to the south eastern corner, 3.11m AOD to the south western corner and 4.00 to the north western corner, giving an average gradient east to west across the site of circa 1 in 104 to the northern extents and 1 in 230 to the southern extents.

The FRA confirms that the eastern part of the site is within Flood Zone 1 which is defined as low probability having less than a 1 in 1000 annual probability of flooding from rivers or the sea.

The site and surrounding area benefit from significant tidal flood defences which protect the land from flooding from the Great Ouse River.

To the western portion of the development site a significant area of public open space is to be provided which will contain extensive ponds which will be designed to have areas of permanent water and available volume to accommodate surface water run off generated by the proposed development surface areas. The purpose of these ponds is to store water during rainfall events allowing the discharge rate from the development to match the current rainfall scenario discharge rates. This will ensure that the receiving watercourses, ditches are protected in terms of flows into them, match the existing undeveloped discharge rates that are currently experienced.

Accordingly the site masterplan has been configured sequentially with the residential development (NPPF more vulnerable classification) situated to the east of the site area adjacent to the existing residential properties and school, with the community hub (NPPF less vulnerable classification) and public open space in the western portion of the land which is technically in Flood Zone 3.

The FRA states that the Environment Agency have confirmed that land raising is acceptable in this area and site levels for the residential areas and the community hub can be raised to a minimum floor level of 4.8m AOD (residential elements) and 4.5m AOD (community hub area) respectively. It is recommended that details of the floor levels are secured by planning condition.

The site is essentially split into numerous housing zones which are served off internal collector roads which will be drained by roadside swales which convey water through to the pond areas to the west.

These ponds are part of the SuDs scheme and will be maintained and managed by a private management company (details to be secured through planning condition as part of the SuDs development maintenance and management strategy). The maintenance and management of the open space will be secured through the S106 Agreement.

The FRA states that sustainable drainage techniques will be designed into the development infrastructure and will potentially include permeable private driveways and localised attenuation areas within the development (confirmed as the detailed design progresses) as well as potential swale areas adjacent to the proposed highways to take and treat highway run off water.

As part of the FRA the location of sewers in the vicinity of the site have been determined. There are existing public sewers owned by Anglian Water within the boundary or overlapping the site. There are two rising mains which are located to the western boundary of the site area which would require a 6m easement.

There are existing foul sewers situated to the south of the site in Edward Benefer Way. Foul drainage would connect into the adopted foul sewer network at the approved connection point in agreement with Anglian Water and the full foul sewer system designed for the development will be put forward for adoption by Anglian Water.

There are no public surface water sewers within the developable limits of the site but there are existing ditches taking the greenfield run off from this site which will take the surface water from the development.

The FRA proposes several mitigation measures to be applied as part of the development, including minimum finished floor levels and flood resilient construction. Other mitigation measures include permeable paving to private driveways and parking areas and surface water drainage to accommodate the 1 in 100 year event storm scenarios including a 40% allowance for climate change without any flood waters leaving the site.

The mitigation measures will provide further protection to the development and reduce any residual risk (however low) as far as practicable. The FRA concludes that the site is suitable for development for residential use without unacceptable risk of flooding from all sources to the site itself and elsewhere for the lifetime of the development.

Initial concerns about flood risk and drainage from the LLFA and the Environment Agency have since been overcome by the submission of 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.

At the detailed design stage, once the layout is finalised, the LLFA has requested additional modelling to demonstrate that the surface water is accommodated within the design of the surface water system and does not impact on the flood risk and does not cause flooding to people, property or infrastructure up to and including a 1 in 100 year event plus climate change. This is particularly important in parts of the site where the land will need to be raised to meet the recommended finished floor levels.

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

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

### **Contamination and Air Quality**

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

The application has been supported by a combined Phase I Desk Study and Phase II Geo-Environmental assessment undertaken to determine ground conditions, establish if there are any environmental risks associated with the site and its development and provide a geotechnical appraisal. This report did not identify any contaminants of concern deemed to represent an unacceptable risk to future site workers or residents and it has not been considered necessary to recommend any specific control measures for the development.

However, the Environmental Quality Team noted that the report did not assess the working farm yard part of the site and therefore, whilst not raising an objection to the proposal, they recommend 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 as identified within the TA. Parts of Kings Lynn town centre and Gaywood are identified as Air Quality Management areas.

The application has been supported by a Screening Level Air Quality Assessment (AQA) report. The assessment considers the baseline traffic level along Edward Benefer Way and assesses the impact of the increase in traffic. Construction-phase impacts are also assessed with a number of mitigation measures to prevent dust and air pollution as a result of the construction methods.

Overall, the assessment demonstrates that there will not be a significant impact as a result of construction, providing appropriate mitigation measures are implemented within a construction management plan. The assessment also demonstrates that the air quality impacts as a result of highway movements will be negligible and will not require any long-term mitigation.

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.

They refer to the information contained within the TA, the AQA and also the Framework Travel Plan (FTP). The FTP proposes that a residential Travel Plan and a commercial Travel Plan are produced once development is occupied. The FTP suggests that the travel plan co-ordinator would be a nominated member of the site management company and suggests production of a monitoring report within one month of the travel survey being completed and annual reports thereafter.

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 Environmental Quality Team recommends that the development shall not be occupied until a final Travel Plan is submitted and agreed. They recommend that a Travel Plan Co-ordinator is employed and that monitoring of the travel plan shall take place over a minimum period of 5 years post final dwelling being occupied and annual data reported to the LPA.

Whilst it is accepted that a final Travel Plan should be submitted and controlled through planning condition, the timing of the submission of this document can be later than sought by the Environmental Quality Team and their suggestion for a Travel Plan Co-ordinator and 5 year monitoring post completion of the site is not considered appropriate in this case.

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

### **Ecology – Protected Sites**

Para 170 a) of the NPPF states planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).

The application has been supported by a Habitat Regulations Assessment Ecological Screening Report.

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 sites, the second test (if applicable) is to determine whether the plan / project will affect the integrity of the European site.

The submitted Ecological Screening Report seeks to screen the proposal for likely significant effects on a 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 currently comprises grassed fields, devoid of buildings. Roydon Common is approximately 3.6km to the east of the application site and Dersingham Bog 8.8 km (by road) 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 approximately 17km from the site (by road).

The Wash SPA and North Norfolk Coast SPA incorporates a range of marine and associated habitats including marine areas, sea inlets (51%), tidal rivers, estuaries, mud flats, sand flats, lagoons (approximately 46%) and salt marshes, salt pastures etc. (3%). The Wash has the largest colony of common seals in the UK, with some 7% of the total UK population. The area is of significant botanical interest and is also important for the breeding of birds and as a wintering site for birds of European importance.

Roydon Common and Dersingham Bog support a valuable mosaic of different habitats including internationally important areas of wet heathland. Roydon Common SSSI is one of the best examples of lowland mixed valley mire which supports a range of nationally and locally declining plant species. The SSSI also supports substantial areas of lowland heath and is also of significant bird and invertebrate interest.

Dersingham Bog SSSI supports the largest area of acid valley mire in East Anglia. The bog supports areas of shallow pat and is characterised by a diverse range of bog mosses and severally locally rare plant species. The SSSI is also of significant bird and invertebrate interest.

The Screening 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 / SCI / cSAC, the Wash and North Norfolk Coast SAC and the Wash SPA and Ramsar. Many potential effects were scoped out due to the distances between the application site and the nature conservation sites.

The Screening Assessment concludes that the development will need to include a number of provisions in order to work with and improve the ecology in the area. Accordingly a series of mitigation measures are detailed on the Masterplan. These include specific measures to address potential recreational impacts identified as part of the screening assessment.

To minimise potential impacts on The Wash SPA and North Norfolk Coast SAC these mitigation measures include the provision of 30% of the application area to be given over as Public Open Space (POS), including a Nature Conservation Area. This space will be developed into an area of high quality open space providing extensive recreational opportunities (e.g. open areas for play), as well as less disturbed areas for wildlife. Habitat creation as part of this area will include a range of habitats to provide a visually interesting and engaging landscape for users to enjoy year-round.

Other mitigation measures include the incorporation of signage including educational information about local and regional sites of wildlife interest will be included. The signage will also include specific references to relevant codes of conduct including the Countryside Code to be followed when visiting these sites (e.g. dogs to be kept on leads and importance of remaining on footpaths to minimise the potential for trampling). The creation of 'honey-pots' where residents can interact and learn about wildlife without causing significant disturbance (e.g. bird hides, beetle banks) are recommended to be provided as well as an above average allocation of dedicated play provision for families relative to local planning policy requirements.

To minimise potential impacts on Roydon Common and Dersingham Bog mitigation measures include dedicated, circular dog walking routes supporting year-round all weather surfacing, located within 500m of homes proposed as part of the development, a dedicated network of informal and formal pedestrian footpaths (reducing pressure on dedicated dog walking routes), cycle routes through the areas of POS linking across the wider development site (reducing potential conflict with dog walkers) as well as the provision of information leaflets to new residents detailing locations to visit (outside of the nature conservation sites) and codes of conduct to follow.

Based on implementation of these measures it is considered that many of the users predicted to disperse in to nearby European protected sites will instead choose to use these areas of Public Open Space within the development.

The Screening Assessment also refers to the contribution of £50 per dwelling in line with the Kings Lynn and West Norfolk Monitoring and Mitigation Strategy

The HRA Screening Report concludes that subject to mitigation there will be no adverse effects on the interest features of the surrounding European protected sites during the construction and operational phase of the development subject to full implementation of the mitigation outlined on the accompanying Masterplan.

Natural England has no objection to the proposal, conditionally. They consider that without appropriate mitigation the application would have an adverse effect on Roydon Common and Dersingham Bog SAC and Roydon Common Ramsar Site, Dersingham Bog Ramsar site, 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 and The Wash SSSI.

However, they accept that mitigation measures can overcome adverse effects and make the development acceptable. They are pleased with the green infrastructure outlined in the application and welcome the creation of open space occupying 30% of the development, including a nature conservation area of 2.36ha. They also welcome the use of interpretive signage and leaflets to engage residents with the local landscape and wildlife and the provision of educational information about the sensitivity of designated sites. Natural England fully supports the creation of two onsite dog walking routes and the establishment of cycle routes that link to the National Cycle Network Route 1.

Natural England also welcomes the commitment of £50 per dwelling in line with the Kings Lynn and West Norfolk Monitoring and Mitigation Strategy.

They consider this development should be considered cumulatively with the proposed adjacent development to the north and for the Knights Hill sites.

Although not objecting, Natural England make comment that this mitigation may not sufficiently prevent recreational impact on Roydon Common and Dersingham Bog SAC. They consider that a low warden presence on these sites means that mitigation against increased recreational pressure is limited and not as sufficient as the HRA indicates. Natural England would welcome a financial contribution in addition to the Mitigation Tariff to increase warden presence to mitigate the SAC against recreational disturbance. However, your officers consider that the list of site specific mitigation measures and the payment of the Habitats Mitigation Tariff, which supports the improvement, replacement, operation or maintenance of European site mitigation non-infrastructure measures projects including the wardening of these areas, would satisfy the concerns of Natural England. Given the extent of the proposed mitigation measures it is not considered necessary to seek additional contributions in this case.

It is of note that case law has changed since the Screening Report was produced 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.

Therefore, in conclusion on this issue, it is considered that the proposal would not give rise to significant adverse effects upon ecology and nature conservation subject to the mitigation measures proposed which could be secured through the submission of reserved matters and the imposition of appropriate conditions.

### **Ecology - Protected species**

The application has been supported by an Ecological Impact Assessment informed by protected species surveys. These surveys focus on the application site and also include the area covered by the Bowbridge site to the north, referred to as being within the 'Wider Survey Area'.

**Badgers** - The desk study confirmed that badgers are active in the local area, however 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 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 project detailing requirements for the retention and creation of roosting features and commuting corridors throughout the site and other restrictions and requirements 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, 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 2 which is approximately 200m



north east of this application site. Based on the likely absence of great crested newts, and the potential presence of only a very small number of common newts, the site is considered to be of negligible to local importance to amphibians.

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.

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.

Breeding Bird - The purpose of the survey was to provide an overview of the general bird activity within the site, including the likely presence of any breeding activity. The survey works and analysis concluded that, based on the population size, diversity and rarity of the breeding bird assemblage within the site, is considered to be of high Local importance. Retention of the mature hedgerows and trees across the site will help mitigate for birds.

Wintering birds - the site supports a reasonably species rich wintering bird community, which is considered to be consistent with other arable / pastoral areas in the local area. No significant aggregations of wintering birds (including wading, or estuarine species e.g. pink-footed goose) were recorded within the site. The population size, diversity and rarity of birds using the site is consistent with similar farmed and arable habitats in the local area. Overall the site is considered to be of Local importance for wintering birds, 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. The opportunity for areas of new meadow, wet grassland, standing water, scrub and native tree planting as suggested in the survey exists to the western part of the site.

The submitted information shows that subject to appropriate mitigation there is no conflict with planning policy in terms of nature conservation.

In summary, it is considered that there are no overriding constraints to the development of the site in terms of ecology, and that the proposed development could result in enhancements for biodiversity and nature conservation.

The proposed enhancement features can be designed in the layout of the residential estate and landscaping scheme which will be considered at reserved matters stage. It is recommended that planning conditions are imposed relating to landscaping and implementation.

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

### **Trees and hedgerows**

The site is mostly grassed with trees and hedgerow to much of the boundary.

The application has been supported by a tree survey, with a tree schedule and tree constraints plan, and an Arboricultural Impact Assessment. The survey recorded a total of 58 individual trees, 34 tree groups and 7 hedges on the site or within the immediate vicinity which were surveyed by the assessment. These trees are located mainly around the edge of the site but do include a number within the central areas.

This development will require the removal of parts of three groups of trees, and sections of three hedges. The impact that the loss of these trees will have on the wider community has been considered in arboricultural and ecological terms. The design proposal has considered these impacts and where necessary mitigation measures have been proposed to ensure that there is no loss to the amenity of the locality.

Tree loss has been limited to that which is necessary to enable the development to take place. Replacement tree planting has been recommended as part of the landscape plan. The long term impact of this replacement planting will be for a net increase in canopy cover, providing additional habitat and ensuring that the development blends into the local character of the landscape setting.

A Hedgerow Assessment has been provided which finds that a single hedgerow (H6) has been identified as being "Important" according to the 1997 Hedgerow Regulations. This runs approximately between the proposed residential area and the open space so there are no proposals to remove it. The remainder of the hedgerows within this site, and the adjoining Bowbridge site, are considered to be of local importance.

The proposals will result in the loss of approximately 260m of hedgerow which will cause fragmentation of hedgerow to be retained as part of the proposals. However, this can be mitigated against through the enhancement of retained hedgerow, the establishment of new species rich hedgerow and/or the establishment of a long-term programme of management designed to ensure the longevity of this habitat.

Overall, however, the majority of hedgerows (including all hedgerow trees) as well as other free-standing trees within the site will be retained. A small area (approximately 0.1ha) of broadleaved woodland will be lost as part of the scheme but to mitigate compensatory planting equivalent to or exceeding the lengths/areas to be lost for each of these habitats (hedgerow, scrub and woodland) will be provided. The balance of these new habitats will be created within a dedicated Nature Conservation Area (NCA) for wildlife.

To summarise, the Arboricultural Assessment concludes that the development should allow for the retention of the majority of the trees alongside new tree planting. Key areas of

importance are along the northern and north eastern boundary, as well as along the southern boundary. Trees in these areas should be retained where possible.

The Arboricultural Officer raises no objection to the proposal but has commented that although the plans are indicative, he has some concerns regarding the proximity of the proposed roadway and the protected trees throughout the site. The protected trees should be given enough room to grow, both now and into the future. However, this will need to be considered in more detail at reserved matters stage.

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

### **Community Facilities/Neighbourhood Centre**

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

Requirement 1.b) of Policy E3.1 is for the development to provide sites which could be utilised for new neighbourhood shops, a doctor's surgery, community facilities and possibly small scale employment premises.

Accordingly, the application description includes a mixed-use local centre comprising Class A uses (including retail facilities and public house) and Class D1 (such as crèche/day centre/community centre) and B1 uses (such as offices). The indicative masterplan shows the location of this at southern end of the site, accessed from the proposed new roundabout. Clearly it is not yet known what the mix of uses would be and the application allows for some flexibility in this regard.

The DAS and TA refer to the shop unit not exceeding 2,500sqm. On this basis no Retail Impact Assessment is required. However, your officers consider it important to clarify that the policy refers to neighbourhood facilities and as such this should not be a single retail unit. A single retail unit of this floorspace could be a sizeable supermarket; anything over 2500sqm is classed as a superstore. By comparison the approved Lidl supermarket at Morston Point, King's Lynn has a floorspace of 1,700 sqm. Such a sized unit would create potential issues around impact on the town centre.

The applicant has confirmed they would be agreeable to a planning condition which clarified that no individual retail unit (Class A1) shall exceed 500 sq m unless, at reserved matters stage, a Retail Impact Assessment has been submitted, which demonstrates to the satisfaction of the LPA that there is no significant impact on existing retail centres as identified in the SADMP (Town Centre and Gaywood Clock Area). It is also recommended that a condition be imposed controlling the total amount of retail and the size of individual units.

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

## **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 made no comment at this stage given that the application is in outline only and there is not yet sufficient detail provided to allow comment on the layout, environmental design and the physical security of buildings. The applicant's attention is drawn, however, to the need to consider Secured by Design principles for "designing out crime" such as creating natural surveillance and defensible spaces through layout and position of windows, low level planting and boundary treatment. These issues can be considered in more detail at reserved matters stage.

## **Fire hydrants**

The proposed development will require 1 hydrant per 50 dwellings or the residential development (at a cost of £815 per hydrant). The number of hydrants will be rounded to the nearest 50th dwelling where necessary. This development of 450 dwellings would require 9 fire hydrants (at a total cost of £7,335).

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

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

## **S106 matters and CIL**

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

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

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

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

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, to give a broad indication of the sum involved, if you

assume £6000 per property, based on 450 dwellings at an average of 100 sqm, this could raise approximately £2,700,000 (£2.7 million) 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**

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.

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

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

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

Objection has been made to the preference for developing brownfield sites over greenfield sites wherever possible. The Local Plan allocates several brownfield sites within the centre of King's Lynn for future development. These sites have all been adopted, having been through due rounds of public consultation and due process and considered and endorsed by an independent Planning Inspector.

A significant number of third party comments received (nearly two thirds) make general comments about the three major housing applications at Hall Lane and Knights Hill. Some of the comments received make reference to just Knights Hill and are therefore not directly relevant to this particular site.

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

### **Planning Balance/Conclusion**

This is an application for outline planning permission for 450 dwellings, a local centre and the required infrastructure. All matters are reserved with the exception of access. The applicant has provided details of how they propose to access the site off Edward Benefer Way (through a new roundabout) and the Local Highway Authority has no objection to the proposed arrangements. All other matters (Appearance; Landscaping; Layout; and Scale) are reserved and it can therefore be said that the application seeks to confirm the principle of residential development of the site.

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.

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This site is allocated for development under Policy E3.1 of the Site Allocations and Development Management Policies Plan 2016. This 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. 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 northern part of the site with the provision of a link road that corresponds with that shown on the plans of the application on the Bowbridge 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 heritage 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 450 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 layout, constraints and policy. Whatever the resulting figure the appropriate level of affordable housing will be provided and secured through legal agreement.

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

The results of the Appropriate Assessment find that the applicant has demonstrated that the impacts upon the Natura 2000 sites at Roydon Common and Dersingham Bog 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 on the edge of 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 to cover the issues described in the report, within 4 months of the date of this resolution and subject to the imposition of the following conditions:**

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

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- 6 Condition: Other than highway improvement works to form the new roundabout on Edward Benefer Way, no works shall commence on any phase of the site until such time as detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage serving the residential units for that phase have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- 6 Reason: To ensure safe, suitable and satisfactory development of the site.
- 7 Condition: Except for the provision of the link road covered by condition 37, no more than 75% of the dwellings shall be constructed until all works on the roads/footways/cycleways/street lighting/foul and surface water sewers have been carried out associated with that phase in accordance with the approved specification to the satisfaction of the Local Planning Authority.
- 7 Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
- 8 Condition: Before any dwelling or unit in the local centre is first occupied the roads/footways and cycleways shall be constructed to binder course surfacing level from the dwelling/ unit to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- 8 Reason: To ensure satisfactory development of the site.
- 9 Condition: Development shall not commence on any phase until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- 9 Reason: To ensure adequate off-street parking during construction in the interests of highway safety.
- 10 Condition: Prior to the commencement of any works on any phase a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities for that phase shall be submitted to and approved in writing by the Local Planning Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.
- 10 Reason: In the interests of maintaining highway efficiency and safety. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.
- 11 Condition: For the duration of the construction period all traffic associated with (the construction of) the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority.
- 11 Reason: In the interests of maintaining highway efficiency and safety.



- 12 Condition: Notwithstanding the details indicated on the submitted drawings no works shall commence on site, unless otherwise agreed in writing, until detailed drawings for the off-site highway improvement works as indicated on Drawing No.SWO-BWB-GEN-XX-DR-TR-100 Rev P5 (roundabout on Edward Benefer way) (contained within the Transport Assessment) has been submitted to and approved in writing by the Local Planning Authority.
- 12 Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor. This needs to be a pre-commencement condition as it deals with safeguards associated with the initial construction period of the development.
- 13 Condition: Prior to the commencement of other works on site the off-site highway improvement works (roundabout on Edward Benefer Way) referred to in Condition 12 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. This is a pre-commencement condition as the roundabout will serve as the access for the site during construction.
- 14 Condition: No more than 30 dwellings shall be occupied until an Interim Travel Plan has been submitted to and approved in writing by the Local Planning Authority.
- 14 Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.
- 15 Condition: No more than 50 dwellings shall be occupied prior to implementation of the Interim Travel Plan referred to in Condition 14. During the first year of occupation an approved Full Travel Plan based on the Interim Travel Plan referred to in Condition 14 shall be submitted to and approved in writing by the Local Planning Authority. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority as part of the annual review.
- 15 Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.
- 16 Condition: Other than highway improvement works to form the new roundabout on Edward Benefer Way, no works shall commence on the neighbourhood centre phase of the development until such time as detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage serving the units within the neighbourhood centre 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.
- 16 Reason: To ensure safe, suitable and satisfactory development of the site.
- 17 Condition: Other than the highway improvement works to form the new roundabout on Edward Benefer Way no development shall commence on a particular phase of development ( as shown on the phasing plan) 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 that phase of development hereby permitted is brought into use.

- 17 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 18 Condition: Other than highway improvement works to form the new roundabout on Edward Benefer Way, no works shall commence on any phase until detailed designs of a surface water drainage scheme for that phase incorporating the following measures have been submitted to and agreed in writing with the Local Planning Authority in consultation with the Lead Local Flood Authority, in accordance with the submitted Flood Risk Assessment (Millward, MA10263-FRA-RO2, April 2017). The approved scheme will be implemented prior to the first occupation of that phase of development. The scheme shall address the following matters:
  - I. Surface water runoff rates will be attenuated to 32 l/s (QBar) as stated within section 6.6 of the FRA. Confirmation from the Internal Drainage Board that the proposed rates and volumes of surface water runoff from the development are acceptable.
  - II. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change, flood event. A minimum storage volume of 12,199m<sup>3</sup> will be provided in line with section 6.13 of the submitted FRA.
  - III. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
    - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
    - 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.
  - IV. The design of the attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period.
  - V. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding.
  - VI. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

VII. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development. This will also include and ordinary watercourses and any structures such as culverts within the development boundary.

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

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets,
- woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

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.

20 Condition: Other than highway improvement works to form the new roundabout on Edward Benefer Way, prior to the commencement of groundworks of any phase, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of

works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

- 20 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 21 Condition: 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 requirements 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: As part of reserved matters applications for each phase, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.

- 23 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 24 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details for that phase. The works shall be carried out prior to the occupation or use of any part of that phase of the development or in accordance with a 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.
- 24 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 25 Condition: Other than highway improvement works to form the new roundabout on Edward Benefer Way, no development or other operations shall commence on any phase until the existing trees and/or hedgerows to be retained for that phase have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development on that phase and until all equipment, materials and surplus materials have been removed from that phase of the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 25 Reason: To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.
- 26 Condition: The development of any phase 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: The development shall comprise of no more than 450 residential units.
- 27 Reason: To define the terms of the consent.
- 28 Condition: Notwithstanding the details submitted the development hereby permitted shall not be commenced until a phasing plan has been submitted to and agreed in writing by the local planning authority. The phasing plan shall identify and describe the phases of construction of development including the relevant infrastructure elements (such as public open space). The development shall be carried out in accordance with

the provisions of the approved phasing plan and/or any subsequent amendment to it that has been agreed in writing by the local planning authority.

- 28 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.
- 29 Condition: As part of any reserved matters applications for each phase full details of existing and proposed levels, including finished floor levels of all buildings or structures and any changes in levels proposed to the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
- 29 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 30 Condition: Other than highway improvement works to form the new roundabout on Edward Benefer Way, prior to commencement of any phase of the development a detailed construction management plan must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of construction phases. The scheme shall also provide the location of any fixed machinery, the location and layout of the contractor compound, the location of contractor parking and proposed mitigation methods to protect residents from noise, dust and litter. The scheme shall be implemented as approved.
- 30 Reason: In the interests of protecting the environment and the future occupants of the development in accordance with the NPPF.
- 31 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 in accordance with a programme to be submitted and agreed to the written 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
- 31 Reason: To ensure that the development takes place substantially in accordance with the principles and parameters of the Ecology Reports
- 32 Condition: Other than highway improvement works to form the new roundabout on Edward Benefer Way, 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. The recommendations, mitigation

and enhancement measures identified in the Lockhart Garratt Badger Survey Report, Ref: 16-2147 3764 4913 Version: 3 Dated February 2017 shall be implemented in accordance with the approved details and a programme to the satisfaction of the Local Planning Authority unless superseded by the updated badger survey.

- 32 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.
- 33 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.
- 33 Reason: To ensure that the development takes place substantially in accordance with the principles and parameters of the Ecology Reports.
- 34 Condition: Prior to the occupation of the 10<sup>th</sup> dwelling 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. The scheme shall be implemented as approved in accordance with a timetable to be agreed with 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 occupation of the 10th dwelling 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. The scheme shall be implemented as approved in accordance with a timetable to be agreed with 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 occupation of the 10th dwelling hereby permitted full details of the provision of on-site open space and circular walk with dog 'furniture infrastructure' shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved in accordance with a timetable to be agreed with the Local Planning Authority.
- 36 Reason: To ensure that the development takes place substantially in accordance with the principles contained with the Habitats Regulations Assessment.
- 37 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 Edward Benefer Way and the north eastern boundary of the site, to enable an integral operational link and through road up to and abutting the smaller part of the Hall Lane allocation development, no later than the construction of

75% of the dwellings 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.

- 37 Reason: To ensure the provision of an estate road up to and abutting the north 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.
- 38 Condition: Any layout shall make provision for a link road to be constructed and made freely available for use by pedestrian and vehicular traffic leading up to the eastern boundary of the site to provide a future link through to land adjacent to the school. The road shall be fully implemented no later than the commencement of the 75<sup>th</sup> dwelling on the site. Thereafter no dwelling shall be occupied until the said road has been completed to the written satisfaction of the Local Planning Authority.
- 38 Reason: To ensure the provision of pedestrian and vehicular links up to and abutting the eastern boundary of the site so as to enable pedestrian and vehicular links to be made through to this land, for the proper planning of the area in accordance with the terms of Policy E3.1 and the provisions of the NPPF.
- 39 Condition: Provision shall be made for a link road to be constructed and made freely available for use by pedestrian and vehicular traffic leading up to the adjoining land to the north no later than the commencement of 75% of the dwellings 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
- 39 Reason: To ensure the provision of pedestrian and vehicular links up to and abutting the northern boundary of the site so as not to prejudice potential further development 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.
- 40 Condition: The total amount of retail space shall not exceed 2500 sqm. No individual retail unit (Class A1) shall exceed 500 sqm unless, at reserved matters stage, a Retail Impact Assessment has been submitted, which demonstrates that there is no significant impact on existing retail centres as identified in the SADMP (Town Centre and Gaywood Clock Area).
- 40 Reason: The retail element is to allow a neighbourhood centre and needs to be restricted to protect established town centre/ local retail centres.
- 41 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.



- 41 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.
- 42 Condition: No development shall take place other than in accordance with the written scheme of investigation approved under condition 41.
- 42 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 43 Condition: No more than 50 dwellings shall be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 41 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 43 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 affordable housing, details of public open space and play facility management and maintenance, Habitats Mitigation Tariff, contribution towards provision of off-site road works at Wootton Gap junction and allotment land.