

Draft Policies – Denver

Link to draft policy and comments in full received from the draft consultation stage:

Denver: <https://west-norfolk.objective.co.uk/portal/lpr2019/lpr2019?pointId=s1542882759494#section-s1542882759494>

G28.1 Denver - Land South of Sluice Road: <https://west-norfolk.objective.co.uk/portal/lpr2019/lpr2019?pointId=s1550646974419#section-s1550646974419>

Summary of Issues Raised: (Please see Appendix 1 for comments and responses)

- Minor modifications to the Site Allocation G28.1 made by the SADMP. This is to reflect the latest situation and appreciation of the local context
- Suggested amendment to the development boundary

Conclusions & Recommendations:

- Accept/make the minor modifications to the Site Allocation G28.1
- Continue forward with the development boundary for Denver as adopted by the SADMP

G28.1 Denver - Land South of Sluice Road Amendments

The examiner of the SADMP was very keen for the Borough Council to have a site allocation at Denver. It was described by the examiner at the herring session as a rather unique situation given both the services and facilities within the village and the proximity to a main town in Downham Market. In essence a very sustainable location. Extract from the examiner's report:

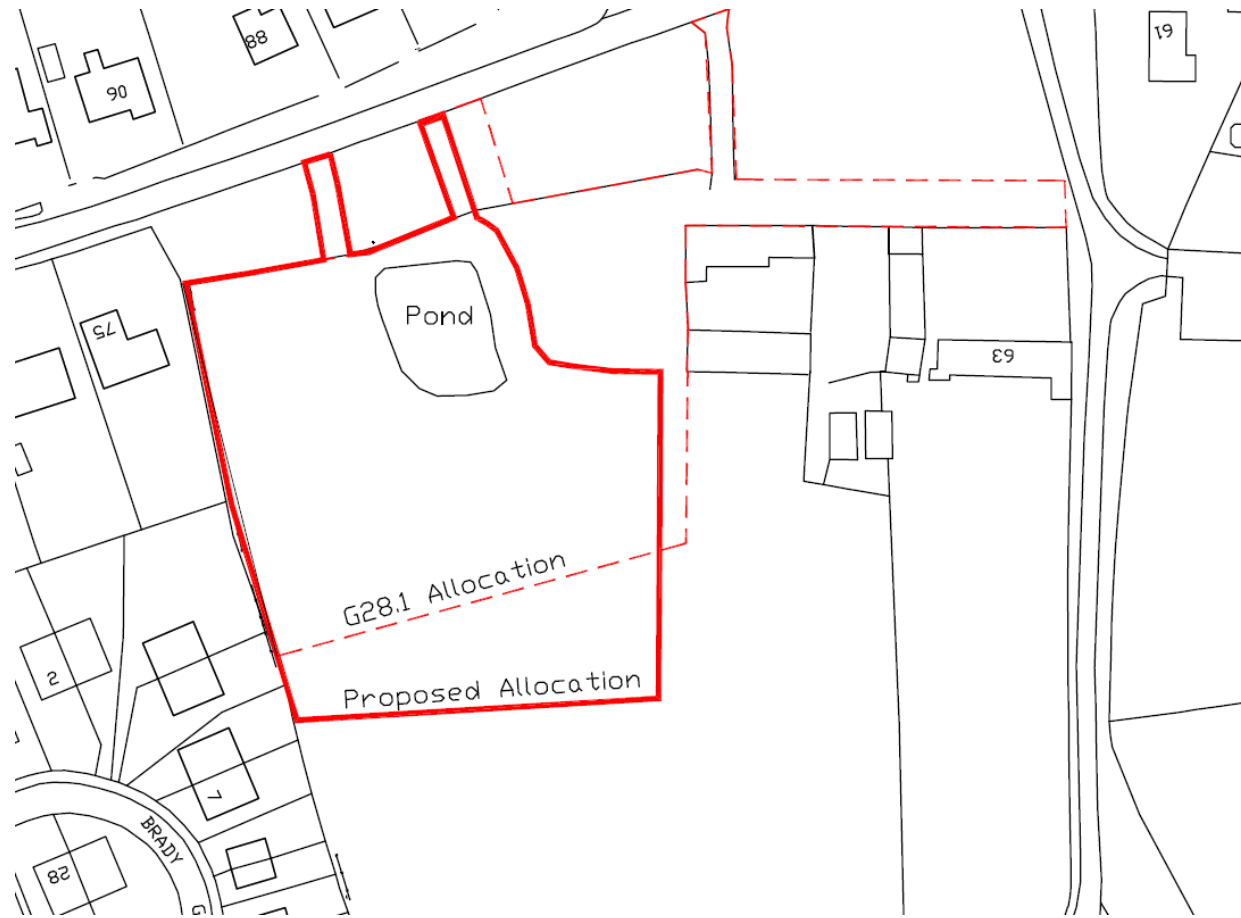
Denver

107. Denver is identified as a rural village and it lies only one mile south of Downham Market which enjoys a range of facilities and services. In other circumstances the Council suggests that the village should have an allocation of 8 dwellings but because of constraints relating to common land, wildlife habitats and access it was not proposed to make any allocations in the settlement.
108. At the preferred options stage in 2013 a site was allocated (Site DEN1) but it was discounted by the Council because access to it is across common land, there is a pond where great crested newts may be present and there is a Grade II listed building nearby. However, following the hearing, evidence was submitted at my request¹⁰ which confirms that there is a right of access across the common land; that measures would be put in place to protect the newts; and that there would be no significant harm to the setting of the listed building.
109. As a consequence of this further evidence the Council has decided to allocate a site to the south of Sluice Road for at least 8 dwellings. I agree that such an allocation is justified and represents an appropriate strategy for the settlement. The policy includes a number of requirements but there is no evidence that would suggest that they cannot all be successfully provided. **MM37** is therefore recommended.

The agents for the site have come forward with a pre-application. This seeks approval for a scheme that is slightly different to that which is allocated within the SADMP. For completeness the Agent also sent the Planning Policy Team several documents to justify this and requested that the Local Plan be amended to reflect this. The changes can be summaries as follows:

- The original Site Allocations area includes now redundant tracks across the common and land which was sold away with the adjacent Barns.
- It also includes the old stack yard which has a Group TPO's on its perimeter trees.
- The reduced site can still accommodate the number of dwellings required by the policy "at least 8". The total will need to below the Adoptable roadway threshold of 10 homes. Consequently, the pre-app and indicative layout shows 9 dwellings.
- It is proposed that the Site Allocations Boundary is amended to exclude areas which are no longer relevant, allow for management of the ecology pond and agricultural field access but amend the southerly and eastern field boundaries to allow for comfortable density and layout for 9 dwellings.
- The overall Site Allocations size was 0.6Ha and is would now be 0.54Ha.
- Please see below for site area and indicative layouts and Appendix 2 for full justification.

Given the emphasis of the examiner and subsequently that the Borough Council's adopted Local Plan contains the allocation it is a site that the Borough Council would very much like to see come forward and be delivered. It is debatable that site could still come forward as outlined in the pre-app without making changes to the Local Plan allocation as the proposal is broadly in line with the allocation policy. However, given the timing and for completeness it is recommend that these minor changes are incorporated in the Local Plan review.





Sustainability Appraisal:

Site Ref	Site Sustainability Factor										
	Access to Services	Community & Social	Economy A Business	Economy B Food Production	Flood Risk	Heritage	Highways & Transport	Landscape & Amenity	Natural Environment	Infrastructure, Pollution & Waste	Climate Change
SADMP G28.1	+	+	O	x	+	#	+	#	#	#	+/#
LPr G28.1	+	+	O	x	+	#	+	#	#	#	+/#

KEY: ++ very positive; + positive; x negative; xx very negative; ~ negligible; o none; # depending on implementation; ? uncertain

Denver - Sustainability Appraisal – Site Commentary, Discussion & Conclusion

The site agent has come forward with a pre-application and as part of this has suggested changes to the Local Plan to reflect the latest situation and additional works which have been undertaken. These minor changes proposed to the Denver site allocation, as summarised below, do not impact upon the scoring of the site. However, they do represent latest situation with regard to the site and how the site is likely to come forward and be developed (as envisaged at this time).

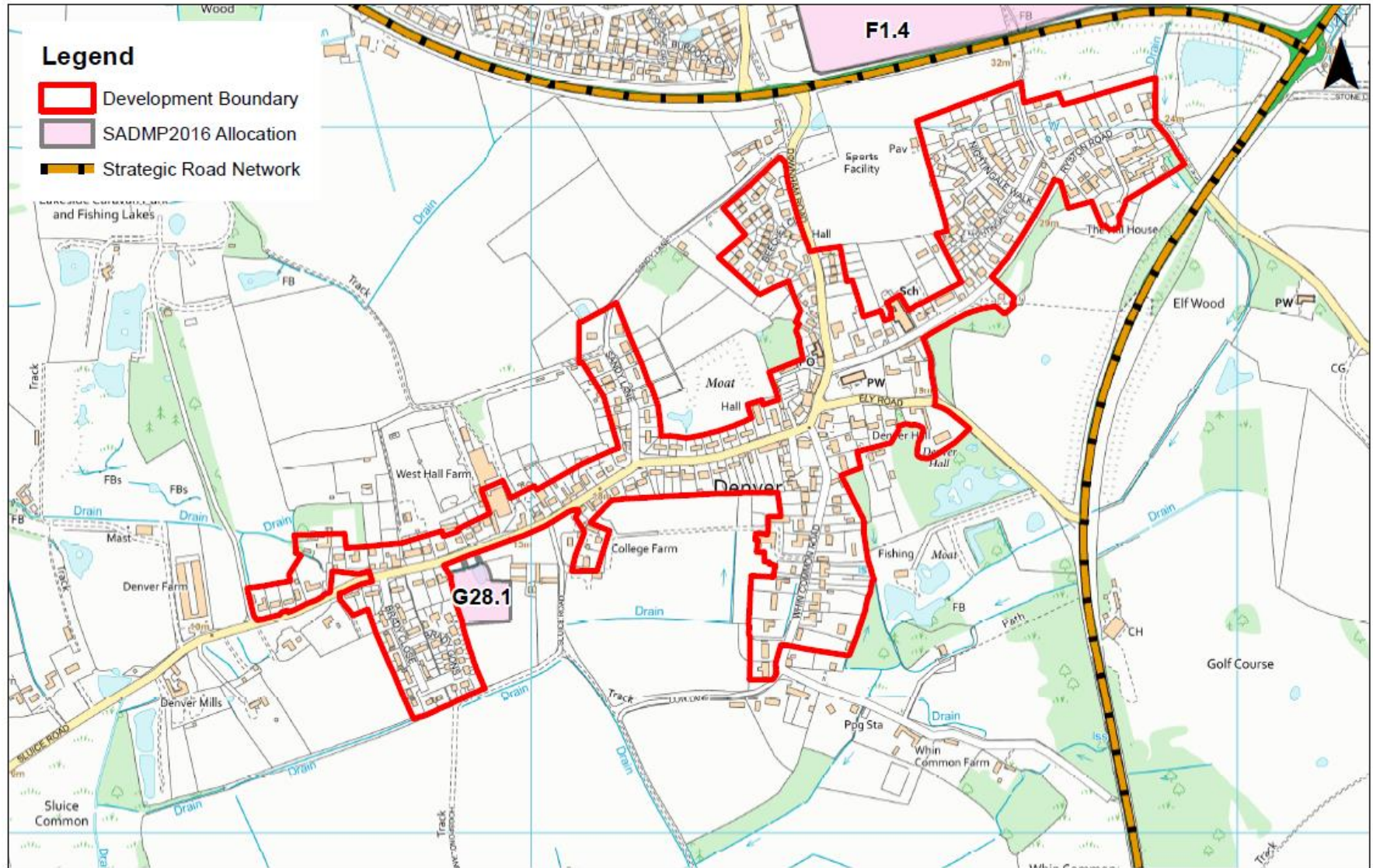
- The original Site Allocations area includes now redundant tracks across the common and land which was sold away with the adjacent Barns.
- It also includes the old stack yard which has a Group TPO’s on its perimeter trees.
- The reduced site can still accommodate the number of dwellings required by the policy “at least 8”. The total will need to be below the Adoptable roadway threshold of 10 homes. Consequently, the pre-app and indicative layout shows 9 dwellings.
- It is proposed that the Site Allocations Boundary is amended to exclude areas which are no longer relevant, allow for management of the ecology pond and agricultural field access but amend the southerly and eastern field boundaries to allow for comfortable density and layout for 9 dwellings.
- The overall Site Allocations size was 0.6Ha and is would now be 0.54Ha.
- Please see below for site area and indicative layouts and Appendix 2 for full justification.

The indicator 'Climate Change' has been incorporated since the SADMP was adopted and represents an important part of the Local Plan review. The score for both the existing allocation and the proposed amendment is '+/#' positive/dependent upon implementation. This is because the site is located within Denver which benefits from a range of services/ facilities locally including primary school, church, village hall, shop with post office, playing field, public house. It is also only a short distance from the main town of Downham Market (which benefits from train station). The two settlements are linked by the local footpath network, bus network, national cycle route. The site is located within Flood Zone 1. The design of the houses and wider scheme will need to consider climate change and as the full details of this are not known at this time, on balance the score of '+/#' is awarded for this factor.

It should be noted that the examiner of the SADMP was very keen for the Borough Council to have a site allocation at Denver. It was described by the examiner at the hearing session as a rather unique situation given both the services and facilities within the village and the proximity to a main town in Downham Market. In essence a very sustainable location.

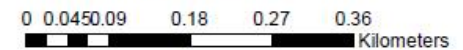
Given the emphasis of the examiner and subsequently that the Borough Council's adopted Local Plan contains the allocation it is a site that the Borough Council would very much like to see come forward and be delivered. It is debatable that site could still come forward as outlined in the pre-app without making changes to the Local Plan allocation as the proposal is broadly in line with the allocation policy. However, given the timing and for completeness it is recommended that these minor changes are incorporated in the Local Plan review

After consideration and balancing the factors these minor changes to the site allocation are proposed to be made



© Crown copyright and database rights 2020
 Ordnance Survey 100024314

Denver



Development Boundary: Comments received from both Mr Garner & Mrs Garner propose that the development boundary for Denver is amended along Sluice Road to include existing dwellings on the south side to a similar point to those included on the north side of the road, to reflect the existing built environment. The following map is provided:





Policy 4/20 In order to protect important undeveloped spacious or well-treed areas which contribute to the character of towns and villages, development will not be permitted in areas defined on the Proposals Map as:

- i) Built Environment Type A;**
- ii) Built Environment Type B unless it is ancillary to the existing principal building or, involves the alteration, extension or change of use of existing buildings and, where such development would not disturb the spatial relationship between existing buildings and their open or heavily treed settings.**

This area was included within one of the four built type environments in the 1998 Local Plan Built environment B (see above). Given the 1998 Local Plan Policy 4/20 the area of land was omitted from the SADMP development boundary for Denver. Policy DM2 Development boundaries explains the policy and the approach in removing the four environment types and replacing them with a single development boundary. Development boundaries are used to indicate the distinction between largely built up areas of settlements where development is generally acceptable, and areas of the countryside and areas of more sporadic buildings considered generally less suitable for new development, and where a more restrictive approach will be applied. The boundaries are not intended to necessarily reflect the full extent of existing built development or of settlements. They exclude parts of settlements where further development is not encouraged. For these reasons it is not considered appropriate to include the area land proposed.

Appendix 1: Summary of Comments & Suggested Response:

Consultee	Nature of Response	Summary	Consultee Suggested Modification	Officer Response / Proposed Action
Helen (Denver Parish Council)	?	?	?	No comments registered. No action
Mr A Garner	suggestion	The development boundary should be extended along Sluice Road to include existing dwellings on the south side to a similar point to those included on the north side of the road, to reflect the existing built environment. See attached document page 2.	Development boundary amendment suggested	See Development Boundary section above
Mrs A Garner	suggestion	The development boundary should be extended along Sluice Road to include existing dwellings on the south side to a similar point to those included on the north side of the road, to reflect the existing built environment. See attached document page 2.	Development boundary amendment suggested	Same as above
Ms Debbie Mack (Historic England)	Support	G28.1 Denver - Land South of Sluice Road: Support - Whilst there are no designated heritage assets within this site, a grade II listed Manor Farmhouse lies directly adjacent to the site. Development of the site therefore has the potential to impact the setting of this listed building. We note that reference is made to the listed building within the policy which is welcomed.		Support is duly noted and appreciated

Appendix 2:

**JUSTIFICATION STATEMENT
MINOR AMENDMENT TO LOCAL PLAN
G28.1 SITE ALLOCATION**

for

**NEW DWELLINGS WITH PARKING & TURNING;
CONSTRUCTION OF A NEW HIGHWAYS ACCESS**

LAND TO SOUTH OF SLUCE ROAD, DENVER

JANUARY 2020

Agent:

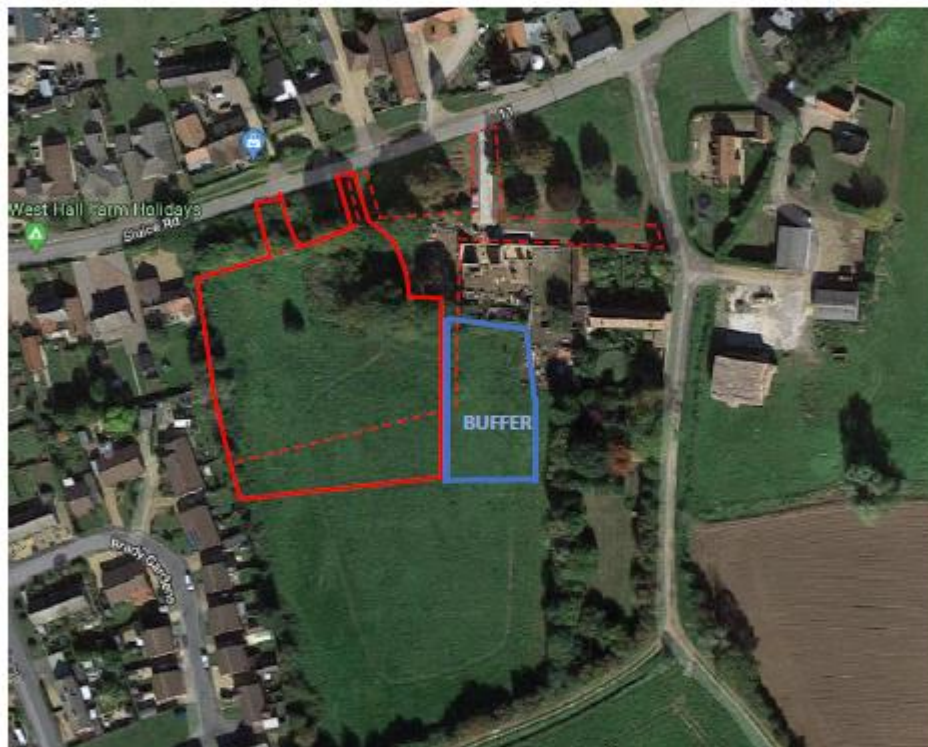
ROBERTS MOLLOY
architects & consultants
3 Church Lane
Bressingham
Diss, Norfolk
IP22 2AE

Tel: 01379 687705

1. Introduction

A pre-application enquiry was submitted to establish the level of housing development Borough Council of Kings Lynn & West Norfolk would support, on a site located adjacent to and opposite housing in Denver. A minor variation of the site is within the adopted Local Plan for development (identified in Policy G28.1) and allocated for a minimum of 8 dwellings, overall site area 0.62Ha.

Due to constraints around the existing pond as a Suds solution and also a wildlife habitat, therefore not suitable for development, it is suggested that the allocation red line could be amended to the south (proposed allocated site 0.56Ha) to provide a better development of dwellings. Also, the original allocation included tracks and property on the Common which are not logically included in the future development allocation. These have been removed as shown below.



**AERIAL VIEW OF SITE – dashed red outline shows allocated site G28.1.
Buffer to Listed Building & barns shown blue.**

2. Proposed Development

For discussions at this stage we submit a location plan which shows the previously allocated extent of development into the field. It is proposed to revise the extent whilst not increasing the allocation in hectareage, in fact there is a small reduction from 0.62 to 0.56 Hectares. The revision to the allocation site will allow the 8-9 houses required in the Local Plan, but will provide a more accurate area for development, excluding the pond and the adjacent old stack yard which is surrounding by TPO'd trees.

3. Scale

A mix of 1 & 2 storey dwellings is currently suggested for the site to replicate house scales found in close proximity to the site. Dwellings will have a mixture of open bay parking, shared or private garaging – all garaging to be single storey with traditional pitch detailing. Houses to the east of the development, facing the Listed Manor Farm house are shown as single-storey, to reduce any impact on the adjacent Barns and farmhouse.

4. Biodiversity

Ecological surveys have been undertaken in conjunction with the previous Planning Permission works to Manor Farm Barns and also as part of the justification for the development site to be included in the call for sites ahead of publication of the now adopted Local Plan. The development site itself is under-used meadow land, cut periodically.

Previous mitigation was for 3no. bodies of water to the East of the site to be established so that any Great Crested Newts could translocate from the existing poorly maintained and fed pond prior to the commencement of any development. Due to the length of time which has passed since the latest report (4years), additional works are required to confirm if the existing pond is still a suitable habitat or if it is no longer suitable for the site and whether the establishment of additional ponds and the infilling of the existing pond is still best practice or if a more appropriate mitigation is now suggested. **For this reason, for pre-application purposes we propose to retain the pond and its connection to the wider landscape.**

5. Affordable Housing

In line with local requirements – on a site of 9 dwellings, on-site provision is not required, so off-site contribution would be applied in line with local Policy.

6. Landscaping, Trees and Access

There is a ring of trees around the old stack yard which are covered by an 'Area Tree Protection Order'. The Limes and Chestnuts within this group were identified for protection in 1954. Under this site allocation amendment proposal no works would be proposed in this area and therefore no further works would be undertaken. Further works may be required, and some management needed to preserve the long-term health of this group of trees within the village. Removal of this area from the developable allocation will avoid any threat to the trees and will not impose any influence on the layout or any Root Protection Areas and any 'no dig' driveway constraints.

This area will continue to provide an agricultural vehicle route from the road to the rear and side meadow, which is an important wildlife habitat but would otherwise be land-locked, meaning sensible agricultural management of the meadow would not be possible. The current permitted agricultural track across the Common to the road would therefore be retained as a low-impact track.

The new residential access would be on a new route as shown on the plans, subject to agreement with the Common owner. Please see attached correspondence from the Common Reeve.



Existing field access across Common land, design response is to retain this in its current form and locate new access to the west on the opposite side of the pond

7. Surface Water Drainage

It is assumed for Pre-Application advice that a suitable sUDS system can be accommodated on site utilising the existing pond for additional attenuation. Sufficient space is available on site to allow for surface water to be managed within the confines of the site.