

Borough Council of King's Lynn and West Norfolk's
Response to
the Issues and Questions raised by Inspector David
Hogger
in relation to the
King's Lynn and West Norfolk Local Plan:
Site Allocations and Development Management
Policies

**Issue 15: Clenchwarton (G.25)** 

Examination June 2015

# Table of abbreviations used with the Council's Statements

Abbreviation	Full Wording
AONB	Area of Outstanding Natural Beauty
BCKLWN	Borough Council of King's Lynn and West Norfolk
BDC	Breckland District Council
CLG	Communities and Local Government
CITB	Construction Industry Training Board
CS	Core Strategy
DM	Development Management
DPD	Development Plan Document
EA	Environment Agency
FDC	Fenland District Council
FRA	Flood Risk Assessment
GI	Green Infrastructure
GTANA	Gypsy and Traveller Accommodation Needs Assessment
ha	Hectare
HELAA	Housing and Economic Land Availability Assessment
HLF	Heritage Lottery Fund
HRA	Habitats Regulation Assessment
HSEHA	Health and Safety Executive Hazard Areas
IDB	Internal Drainage Board
KRSC	Key Rural Service Centres
KLATS	King's Lynn Area Transportation Strategy
LDS	Local Development Scheme
LLFA	Lead Local Flood Authority
LPSO	Local Plan Sustainability Óbjectives
NCC	Norfolk County Council
NE	Natural England
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
NORA	The Nar Ouse Regeneration Area
NWT	Norfolk Wildlife Trust
OAN	Objectively Assessed Need
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
RV	Rural Village
RAF	Royal Air Force
RLA	Residential Land Assessment
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SADMP	Site Allocation and Development Management Policies Plan
SCI	Statement of Community Involvement
SEA	Strategic Environmental Assessment
SFRA	Strategic Flood Risk Assessment
SHMA	Strategic Housing Market Assessment
SHLAA	Strategic Housing Land Availability Assessment
SMP	Shoreline Management Plan
SPA	Special Protection Area
SSF	Site Sustainability Factors
SSSI	Site of Special Scientific Interest
SuDs	Sustainable Drainage systems
SVAH	Smaller Villages and Hamlets
SWMP	Surface Water Management Plan
THI	Townscape Heritage Initiative
UPC	Un -attributable Population Change

#### 15.1:

Is there evidence that any of the following proposed residential development sites in Clenchwarton are not justified, sustainable, viable, available or deliverable:

- Between Wildfields Road and Hall Road (G25.1)
- Land north of Main Road (G25.2)
- Land south of Main Road (G25.3)

If such evidence exists what alternatives are available and have they been satisfactorily considered by the Council?

#### 1. Introduction

- 1.1. The proposed residential development sites in Clenchwarton, Between Wildfields Road and Hall Road (G.25.1), Land north of Main Road (G.25.2) and Land south of Main Road (G.25.3) are chosen and justified for the SADMP proposed document following the comparative assessment in the SA. Further justification can be found in the supporting text accompanying the proposed policies G.25.1, G.25.2 and G.25.3.
- 1.2. The deliverability form prepared by agent Ian Bix on behalf of the landowner (Appendix 1) for this site, dated 14/02/14; shows that the allocated site and access are under their ownership but the agricultural land behind it (formerly part of the preferred option site) is under separate ownership. They state the site is available and deliverable within the first 5 years of the plan period to 2026.
- 1.3. The Deliverability Form, for site G.25.2, is prepared by the landowner (Appendix 2), dated 26/02/2014; and states that the land is occupied by one dwelling and a shed, is available and deliverable within the first 5 years of the plan period to 2026.
- 1.4. There are 5 Deliverability Forms for site G.25.3 as the land is under multiple ownerships but all 5 identify one landowner as the main contact for the site. The site is divided in two halves with 3 landowners (members of the same family) owning one half of the site and the remaining area owned by two landowners. All landowners have shown a commitment to developing land and have submitted deliverability forms: (Appendix 3), dated12/11/14; (Appendix 4), dated 11/11/14; (Appendix 5), dated 11/11/14: (Appendix 6), dated 11/11/14 and (Appendix 7), dated 11/11/14. Each owner states the land is currently occupied in agricultural use, available and deliverable within the first 5 years of the plan period to 2026.

1.5. Clenchwarton is a large village and had one of the highest responses to the original 'call for sites' consultation. The village has developed sporadically, is surrounded by low lying, high quality agricultural land and large parts of the village is subject to flood risk. Accordingly there are a number of issues identified in the representations which are addressed below.

# 2. Site Specific Issues

# 2.1. Development boundaries

2.1.1.1. A number of representations dispute changes to the development boundary in Clenchwarton (Adrian Parker ID: 134084, Mrs Sophie Adams ID: 500854, Russell Swann, Swann Edwards Architecture ID: 645374). This matter is principally addressed by policy DM2 – Development Boundaries which outlines the proposed policy approach to development boundaries. The Council does not consider that the proposed development boundary for Clenchwarton undermines the selection of sites for allocation and suggests this issue is addressed as part of the approach to development boundaries generally.

#### 2.2. Flood risk

2.2.1.1. Representations by Mrs Sophie Adams (500854), Mr D. Thorpe (285128) and Mr and Mrs Alflatt (786119) express concern about the level of flood risk in the settlement and suggest that the Council have not allocated in the areas at least risk of flooding. All sites within Clenchwarton are within tidal flood risk zone 3 (SFRA) and all sites are all within the hazard zone according to the Environment Agency breach modelling and therefore it is not possible to locate development sequentially in areas of lower risk. Due to the issue of flood risk, the option not to develop at all in Clenchwarton was presented at Issues and Options stage but was rejected in favour of sustaining the settlement as a KRSC in accordance with Core Strategy Policy CS02 – Settlement Hierarchy. Detailed explanation regarding the approach to areas of flood risk is presented in the SADMP.

# 2.3. Level of housing

2.3.1.1. The representation by Clenchwarton Parish Council (ID: 502952) express concern regarding the overall level of development in the village should a recent overturned planning appeal be

implemented (Fosters Sports Ground - residential development up to 40 dwellings of which 8 will be affordable planning appeal ref. 14/00030/REF). The Council has applied for a judicial review against this decision and are awaiting the outcome. The Council have planned positively and have proposed 50 dwellings in Clenchwarton which the council considers are commensurate with the level of services and facilities provided in the village. The Council have progressed the SADMP to a stage where it is anticipated the Council would be in a stronger position to defend any decision relating to new housing sites outside the proposed development boundaries.

#### 2.4. G25.1 Between Wildfields Road and Hall Road

- 2.4.1.1. Representation by Joan Hodkinson (ID: 502952) Clenchwarton Parish Council indicates that the allocation of 10 dwellings on this site may be unsound due to the overburdening of the drainage and sewage systems on site G.25.1. The Council are satisfied that the supporting information provided by the landowners agent Ian H. Bix Associates Ltd. submitted 8/10/13 (Appendix 8) proves that early exploration into sewage issues and drainage issues has taken place with the IDB and that there is no evidence that a solution to drainage and sewage issues cannot be achieved.
- 2.4.1.2. Representations received from Mr and Mrs Manning (ID:787035) and Jennifer and Anthony Dabney (787525) express a number of concerns regarding site G25.1 including loss of high quality agricultural land, peripheral location not in walking distance to facilities, within flood hazard zone, not in keeping with form and character of surrounding linear development, unpopular with residents. They additionally query the validity of the Councils SA and consider the scoring does not support its selection. The Council maintains that the explanatory text accompanying the proposed policy and in the SA provides a detailed justification for the choice of site. The representations suggest site 463/705 performs better in the SA scoring than G22.1 but that is not true for the category 'Economy A Business' in which site 463/705 received (x) negative to reflect the loss of a nursery with greenhouses. In balancing the options, the Council have used the SA to aid the selection of more sustainable sites.

# 2.5. G25.2 Land north of Main Road

2.5.1.1. Representation by Joan Hodkinson (ID: 502952) Clenchwarton Parish Council expresses concern with the proposed density of the

site following the increase in proposed dwellings from 10 to 20 at pre- submission stage. The Council used the density multiplier to determine that the site could accommodate a greater number of dwellings (see council response to Inspectors question 3.1 How has the Council assessed the potential density of each of the allocated sites? for an explanation of the density multiplier). Whilst the nature of the surrounding development to the east and west of the site is very low density, in the interest of making the most efficient use of land and reflecting the majority of residential development in the village, the Council consider that a higher density could be achieved in the form of a cul de sac development. Most of the new development would be located away from Main Road and behind existing dwellings and therefore would not be seen to be incongruous with lower density linear development along Main Road. Clenchwarton Parish Council also noted concern regarding the access to the site but and there is an existing safe access to the property on the site and no objections were raised by NCC Highways Authority.

#### 2.6. G25.3 Land south of Main Road

- 2.6.1.1. Representation by Joan Hodkinson (ID: 502952) Clenchwarton Parish Council states that the development of site G25.3 will not compensate for the loss of high quality agricultural land and that development would detract from the rural aspect of the village. Representations received by K.G Woods (ID:891275), Raymond J. Plater (ID: 499632) and Simon Lemmon (ID:780919) also indicate a number of issues regarding the site including the loss of agricultural land, safety issues regarding the bend in the road, distance from villages services, impact on neighbouring amenity and presence of standing water.
- 2.6.1.2. The Council maintains that the explanatory text accompanying the proposed policy and in the SA provides a detailed justification for the choice of site. No objections were raised with infrastructure providers or NCC Highways Authority. Only a small amount of agricultural land is required to accommodate the linear development and the remainder of the large open fields would remain in agricultural use. The site would be served by bus stops promoting sustainable access to services and is adjacent a public house and Methodist church and is therefore not remote. The site presents an opportunity to mirror linear development to the north of Main Road, reflecting the existing form and character of this part of the

settlement and therefore should not detract from the rural aspect of the village.

# 3. Comparison of alternative options

3.1. The SA presents the detailed assessment of alternative options. Most sites in Clenchwarton are subject to issues with flood risk, loss of agricultural land and issues related to the sporadic nature of development and the wide open views of the countryside afforded by the low lying landscape. In this context the Council have selected the more sustainable sites which present the greatest opportunity for sustaining Clenchwarton as a KRSC.

# 4. Conclusion

4.1. The Council considers that the proposed allocations in Clenchwarton are justified, sustainable, viable, available and deliverable. The Council have considered representations made during the pre-submission consultation which highlight issues with the selected sites as well as with the proposed development boundary, flood risk and level of housing. The Council does not consider that evidence has been presented which suggests more sustainable options are available.

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DEVELOPMENT SERVICE
RECEIVED
1 9 MAR 2014

Dear Sir / Madam,

Without prejudice

King's Lynn & West Norfolk Local Plan Preferred Option Site CLENCH1 (Site Ref No: 474 & Part of Site Ref No: 338)

The Borough Council published the Preferred Options for the Detailed Policies and Sites Plan on July 29<sup>th</sup> 2013. In preparation for the final submission version, we are seeking to contact landowners and agents of sites considered as potential options for allocation. We hold your contact details as the landowner or representative for a site. If this is not the case, please contact me directly or return the form provided.

It is important for us to be able to show, at the Plan examination, that the development promoted is 'deliverable' (viable, available and achievable). Therefore we wish to understand, as far as possible, the likely prospects for development of each of the sites under consideration before making final decisions on what allocations to include in the Plan. I am therefore writing to encourage you to submit further information about the site, in order to help us decide whether to include such an allocation in the final 'Proposed Plan'.

The proposed Plan will be submitted for examination, where an independent planning inspector will decide whether it is legally compliant and 'sound' and can therefore be adopted by the Council. Deliverability is one of the key tests the Inspector will be applying to the Plan.

We request that you please return the form by the **deadline 1<sup>st</sup> April 2014.** Please complete the form, even if you have previously provided this information to us at any stage. The Planning Inspectorate requests that any evidence to support an examination of plan documents is up to date and provided in a clear format. In the case that more detailed information has previously been submitted there is no requirement to repeat this. We would appreciate if you could complete the basic questions and tick box answers and refer to your submission for further details.

[Type text]

# **Disclaimer**

The Council is still assessing all potential options for housing allocation. Completion of this form will be used to consider whether a site is deliverable within the plan period (to year 2026). However, completion of this form does not guarantee that any site will continue to be identified for housing allocation at the submission stage.

Yours sincerely

Alan Gomm

LDF Manager

[Type text]

### Site Deliverability Form

- Please complete this form to the best of your knowledge and return to the
  Council by post by 1<sup>st</sup> April 2014. If you would prefer to complete these
  electronically please contact the LDF team on <a href="LDF@west-norfolk.gov.uk">LDF@west-norfolk.gov.uk</a> or
  01553 616443 to receive an electronic version.
- If you have previously sent more detailed information to the Council, for example, in response to the preferred options consultation (29/07/13 – 04/10/13) please indicate this on the form.
- Where more detailed information has been submitted previously, there is no requirement to repeat this information. The Council appreciates you taking the time to complete basic questions on the form and indicating that more detail is available elsewhere.
- The form provides the Council with an overview of the deliverability of any site, and will be collated as evidence to support the Detailed Policies and Sites Plan.

#### Return Address

Please return completed forms to:

Planning Policy Team (Deliverability Form)
Environment and Planning
Borough Council of King's Lynn and West Norfolk
King's Court, Chapel Street
King's Lynn, Norfolk
PE30 1EX

### Data Protection and Freedom of Information

The information collected in this response form will be used by the Borough Council to inform the Detailed Policies and Site Plan and subsequent components of the Local Plan.

By responding you are accepting that your response and the information within it will be in the public domain, and that it may be disclosed if requested under the Freedom of Information Act.

Site Reference	
Are you the correct person/company to contact about the site?	▼ Yes No If no, please explain why you are no longer the contact person/company for the site and please provide the correct contact details, if known, on the form below
Contact details	
Name	
Relation to the site	☐ Landowner  ☑ Agent ☐ Other, please provide details
Company	IAN H BIX ASSOCIATES LTD
Address	SANDPIPER HOUSE, LEETE WAY, WEST WINCH, KING'S LYNN, NORFOLK
Postcode	PE33 0ST
Telephone	01553 844077
Email	mail@ianbix.co.uk
Ownership	

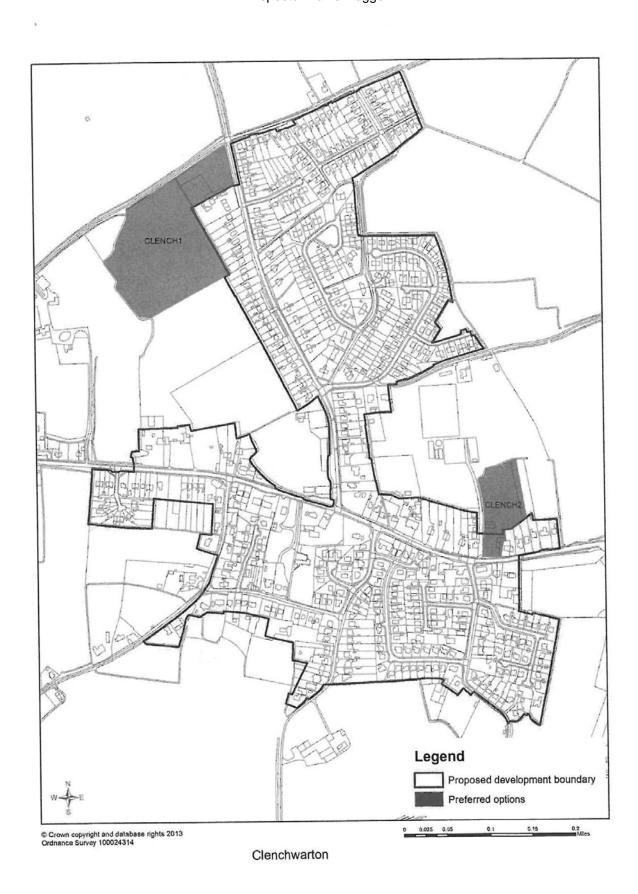
Is the land under single ownership? If 'no' who are the other landowners?	Yes  No  Our client only owns site ref no 474  Please list other owners:  THE OWNER OF THE SITE REF no 338 IS THE KITCHENS.  THEY HAVE SUBMITTED DETAILS USING THEIR AGENT MR BAGSHAW
Is the access to the site under separate land ownership/s	Yes  X No  If yes, please provide details  ACCESS IS AVAILABLE TO ALL OF THE LAND THROUGH OUR CLIENT'S SITE REF No 474.
Council may conta possible to indica documentation to	ne site, or access to the site is owned by more than one landowner, the act you to establish which part of the site is under your control. If it is te this on the attached map, or you have previously detailed this in the Council, please confirm this by providing details below.  DIVIDED DETAILS RELATING TO OWNERSHIP WITHIN THE PREVIOUSLY SUBMITTED RION.

Availability

Is the site occupied?	Occupied Part occupied  X Vacant If occupied, please provide details
When is the site available?	Available now     Not immediately available but could be developed within the plan period (before 2026)     not within the plan period (2027+)
If the site were allocated for development, when would you intend to develop the site?	x 2014/15-2018/19 2019/20-2032/24 2024/25-2025/26  Please provide any comments you may have on how firm the indicated dates are, and what would cause this to change.
Constraints	
Are there any financial considerations that you are aware of that may influence whether or when the site would be developed?	☐ Yes  ■ No  If yes, please provide details

Are you aware of any abnormal costs associated with bringing forward this site for development, e.g. contaminated land?	Yes  No  If yes, please provide details
Are there any other constraints that may prevent or delay development of the site? (see examples)	e.g. access issues, land contamination, ecology issues, land covenants, heritage issues, flood risk, legal issues, infrastructure requirements, hazards, land use, occupation of land, market demand, other?  Yes  No  If yes, please provide further details or state 'see submission for full details'

Further Information	
If the site was identified by the Council as a	x Yes No
preferred option, have you read the draft policy relating to it?	Do you have any comments on the requirements and consideration set out in that draft policy?
Other	
Please provide of Borough Council or this form (use	details of any other viability issues in relation to the site that the should be aware of that has not been covered in your submission separate sheets if necessary)  NONE. PLEASE REFER TO THE PREVIOUSLY SUBMITTED ATION 1809 - 02.10.13.
Signature	Land
Print name	IAN H BIX
Date	14-2-14



Is the land under	Yes
single	□No
ownership?	□ NO
If 'no' who are	
the other	Please list other owners:
landowners?	
	· ·
× -	
200	
Is the access to	
the site under	Yes
separate land	√ No
ownership/s	
	If yes, please provide details
	*,
	*
In the case that th	e site, or access to the site is owned by more than one landowner, the
	ct you to establish which part of the site is under your control. If it is
possible to indicat	e this on the attached map, or you have previously detailed this in
documentation to t	the Council, please confirm this by providing details below.
	*

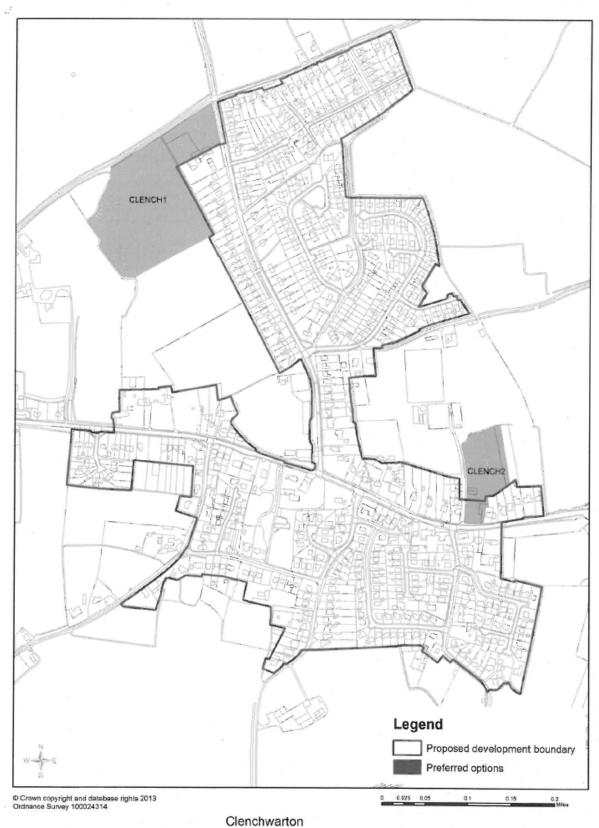
Availability

Is the site occupied?	Occupied Part occupied Vacant If occupied, please provide details OHE DWELLING AND SHEP
When is the site available?	Available now  Not immediately available but could be developed within the plan period (before 2026)  not within the plan period (2027+)
If the site were allocated for development, when would you intend to develop the site?	<ul> <li>✓ 2014/15-2018/19</li> <li>☐ 2019/20-2032/24</li> <li>☐ 2024/25-2025/26</li> <li>Please provide any comments you may have on how firm the indicated dates are, and what would cause this to change.</li> </ul>
Constraints	
Are there any financial considerations that you are aware of that may influence whether or when the site would be developed?	☐ Yes ☑ No If yes, please provide details

Are you aware of any abnormal	Yes
costs associated with	<b>√</b> No
bringing forward this site for	If yes, please provide details
development, e.g.	
contaminated land?	
2	
*	
A 4b	
Are there any other constraints that may prevent or	e.g. access issues, land contamination, ecology issues, land covenants, heritage issues, flood risk, legal issues, infrastructure requirements, hazards, land use, occupation of land, market demand, other?
delay development of	Yes
the site? (see examples)	<b>√</b> No
,	If yes, please provide further details or state 'see submission for full details'

Further Information	on the Color of th
If the site was	√ Yes
identified by the Council as a	□No
preferred	L
option, have	- jour many comments on the requirements and
you read the draft policy	consideration set out in that draft policy?
relating to it?	SEE ATTACHED LETTER,
4 A	
2 1	
Other	
Borough Council	letails of any other viability issues in relation to the site that the should be aware of that has not been covered in your submission separate sheets if necessary)
9	SEE ATTACHED LETTER.
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te	l.
K P -	<u> </u>

Signature KK truger
Print name RICHARD R. FREEZER ASSOC RICS ACIOB.
Date 26-2-2014



Site Reference	G 25. 3 CLENCHWARTON
Are you the correct person/company to contact about the site?	☐ Yes ☑ No  If no, please explain why you are no longer the contact person/company for the site and please provide the correct contact details, if known, on the form below  REFER TO CONTACT DETAILS

Contact details	
Name	KEITH KITCHEN
Relation to -the	Landowner
site	Agent
	Other, please provide details
	SOLE CONTACT FOR FAMILY
	MEMBERS
Company	
Address	HERDLINGFIELD FARM
	MAGDALENRD
	ISLING-TON
	KINGS LYNN
Postcode	PE 34 3 FQ
Telephone	01553 617372 07979 867803
Email	ke@kandejkoplusocom
Ownership	

Is the land under single	Yes	
ownership?	₩ No	
If 'no' who are the other landowners?	Please list other owners: ALL OWNERS  PHILIP A.J. KITCHEN  NICOLAZJ ROGER  LISAM. HALLIDAY  PAUL R. KITCHEN	
Is the access to the site under separate land ownership/s	☐ Yes ☑ No	
	If yes, please provide details	
-		
In the case that the site, or access to the site is owned by more than one landowner, the Council may contact you to establish which part of the site is under your control. If it is possible to indicate this on the attached map, or you have previously detailed this in documentation to the Council, please confirm this by providing details below.		
As in	) (CATE) ON MAP	

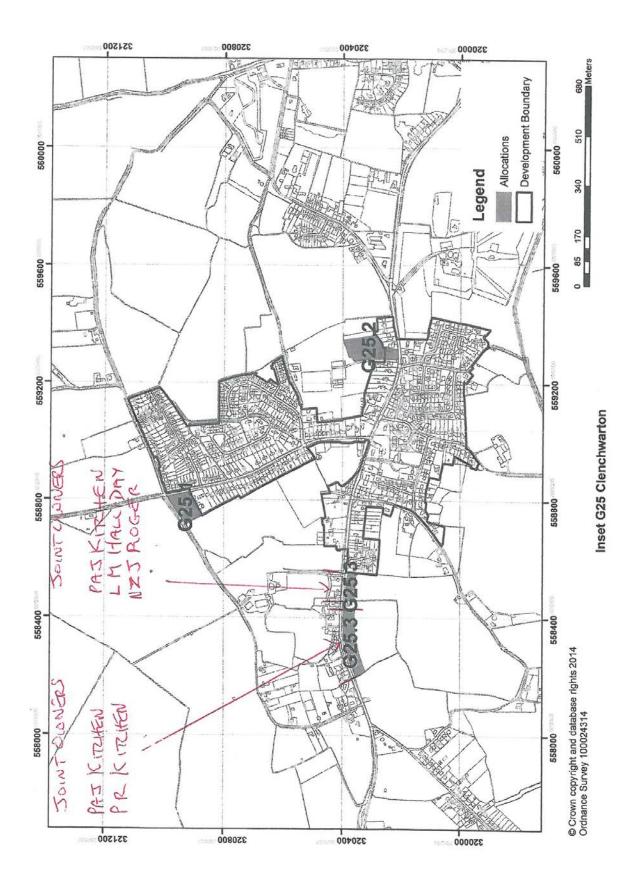
Availability

Is the site	<b>▽</b> Occupied
occupied?	Part occupied
	☐ Vacant
	If occupied, please provide details
	IN AGRICULTURAL USE
40	
	<b>₩</b>
	e e
When is the site	
available?	Available now
	Not immediately available but could be developed within the plan period (before 2026)
16 -1	inot within the plan period (2027+)
If the site were allocated for	2014/15-2018/19
development,	2019/20-2032/24
when would you	2024/25-2025/26
intend to develop	,
the site?	Please provide any comments you may have on how firm the indicated dates are, and what would cause this to change.
-	
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Constraints	
Are there any	Myss
financial	Yes
considerations	No

	Constraints	
	Are there any financial	√Yes
	considerations	□ No
I	that you are	
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	when the site would be	COMMUNITY IN FRASTRUCTURELEUY?
	developed?	UNKNOWN SECTION (06 AGREEMENTS
١		

	T
Are you aware of any abnormal costs associated with bringing forward this site for development, e.g. contaminated land?	☐ Yes ☐ No If yes, please provide details
Are there any other constraints that may prevent or delay development of the site? (see examples)	in and ado, docapation of land, market

Further Information	n
If the site was identified by the Council as a preferred	☑ Yes ☑ No
option, have you read the draft policy relating to it?	consideration set out in that draft policy?
rolding to it.	DELIVERABILITY FORMS ISSUED) PRIOR TO
	DELIVERABILITY FORMS ISSUED PRIOR TO CABINET MEETING ON 4/11/2014
-	
Other	
Please provide d Borough Council	letails of any other viability issues in relation to the site that the should be aware of that has not been covered in your submission separate sheets if necessary)
Signature	R. C.
Print nameKo	EM KITCHEN
Date 12-	11-14



Site Reference	G 25. 3 CLENCHWARTON
Are you the correct person/company to contact about the site?	☐ Yes  ☑ No  If no, please explain why you are no longer the contact person/company for the site and please provide the correct contact details, if known, on the form below  REFER TO CONTACT DETAILS

Contact details	and the second s
Name	KEMH KITCHEN
Relation to -the site	Landowner
site	Agent
	Other, please provide details
	SOLE CONTACT FOR FAMILY
	MEMBERS
Company	
Address	HERDLINGFIELD FARM
	MAGDALENRD
	ISLINGTON
	KING'S LYNN
Postcode	PE 34 3 FQ
Telephone	01553 617372 07979 867803
Email	ke@kandejkoplusocom
Ownership	

In the case that the site, or access to the site is owned by more than one landowner, the Council may contact you to establish which part of the site is under your control. If it is possible to indicate this on the attached map, or you have previously detailed this in documentation to the Council, please confirm this by providing details below.  As indicate the site, or access to the site is owned by more than one landowner, the Council may contact your control. If it is possible to indicate this on the attached map, or you have previously detailed this in documentation to the Council, please confirm this by providing details below.		

Availability