

Follow up work in relation to the Examination into the King's Lynn and West Norfolk Local Plan: Site Allocations and Development Management Policies

Issue 39 Walpole Cross Keys

Response to Consultation - Jeff Clarke (Embleton Associates Ltd) on behalf of Peter Lonsdale – (Freshpeel Produce Ltd).

We have reviewed the situation in the light of the Council's statement. The 'Freshpeel' site in Walpole Cross Keys meets one of the criteria of Policy CS10. The policy does not state a need to meet all or two of the criteria but one of them – otherwise it would be worded 'and' rather than 'or'. This policy ensures that the Council does not seek to retain employment land where this would be inappropriate – as demonstrated in our submissions (Letter 23 September 2013 - Schedule 2 of the Planning and Development Statement February 2015 and related comment). We set out, once again, the reason why Policy CS10 does not apply with under-lined highlights.

Retention of Employment Land

The Council will seek to retain land or premises currently or last used for employment purposes (including agricultural uses) unless it can be demonstrated that:

- continued use of the site for employment purposes is no longer viable, taking into account the site's characteristics, quality of buildings, and existing or potential market demand; or
- use of the site for employment purposes gives rise to unacceptable environmental or accessibility problems particularly for sustainable modes of transport; or
- an alternative use or mix of uses offers greater potential benefits to the community in meeting local business and employment needs, or in delivering the Council's regeneration agenda.

Our client has investigated the estimated cost of continued employment use of the site. This would be unviable at a cost in excess of £500,000, including major items of capital investment (the derelict state of the buildings on site and impact of to water ingress, the need to repair/replace the concrete apron for the site and the re-supply electricity). Over the last 4-5 years our client has pursued the marketing of the site for employment use but has been told by estate agents that **there is no demand**. There has been only one, tentative enquiry for using a small part of the site which was not pursued because of the difficulties outlined above. This evidence, most of which was given at the EIP hearing, meets the first criteria of EC10. Regarding the third criteria, this is considered in our Planning and Development Statement.

We therefore re-iterate that the 'Freshpeel' site meets the criteria of Policy EC10 and ask that the Council accepts this, here and now.

We now turn to other concerns of the Council. Given that Policy CS10 does not apply, we note that the Council requires a more detailed assessment of the number of houses required to make the site a viable option for residential development based upon evidence of financial costings and market conditions and taking into account any potential constraints to development and the process and cost of overcoming such constraints. Since the EIP hearing our client has been carrying out detailed investigations relating to the clearance and remediation, making ready for residential development. As stated at the EIP hearing, the main factors identified relate to the demolition and clearance of the buildings on site and associated site remediation works (current estimate £70-100,000). We

anticipate the County Highways Authority will require the construction of a new footpath link between the new housing and the school. This has yet to be investigated in detail. Other costs may include a sustainable drainage scheme for the site and a small sewage treatment plant to serve the development.

In terms of the market assessment in the years after the recession the building of smaller houses seemed to be the most viable and marketable option, however, recent experience shows that there may now be opportunities to build and sell 4 bedrooed detached houses in the village and this will be taken into account.

We note that there is currently a window of opportunity to submit planning applications for housing in sustainable locations as the Borough Council does not have a proven 5 year supply of housing land and there is the additional imperative of securing additional housing land which can be amended in the balance. While we are not in a position to say with certainty what form of residential development would be viable and deliverable on the site at this point in time, we aim, at the time of writing, to submit and outline planning application for 10 houses on the basis of the notional plan submitted in the Planning and Development Statement. As stated at the EIP hearing we intend to have a full 'open book' approach to the viability and deliverability of the site so that the Council can work with us to bring for an agreed and acceptable development proposal. It is disappointing that the alternative, suggested approach does not afford the guarantee provided by allocation in the plan and we feel that if this is to be successful **there will need to be a building of mutual trust**. It is for this reason, and those identified above, we respectfully suggest that the Council's proposed amendment G105.3 be revised to read as follows:

G105.3 A former food processing factory located in a central location in the village close to the school is now derelict following the relocation of the business. The Borough Council seek to support the landowner in identifying a viable use for the site and acknowledges that the former 'Freshpeel' factory site has the potential to be considered for a change from employment to residential use. The Council will work with the landowner to bring forward an agreed proposal for residential development which is viable and deliverable.