

Jeff Clarke (Freshpeel Produce Ltd, Peter Lonsdale)
518
Issue 39 Walpole Cross Keys (G.105)
Question 39.1

1. Introduction

1.1 I, Jeff Clarke BA (Hons) MA MRTPI of Embleton Associates Ltd., represent my client Mr Peter Lonsdale, who is a Company Director of Freshpeel Produce Ltd. I have submitted a Planning and Development Statement which sets out and justifies my objections to the Borough Council of King's Lynn and West Norfolk's Site Allocations and Development Management Policies Submission Document. This short statement of evidence simply aims to relate the key contents of the Statement to the Planning Inspector's Questions 39.1.

2 Is the Council's approach to development in Walpole Cross Keys justified?

2.1 I say no - for the following reasons:

2.2 Unsound and unjustified reasons for not including the Freshpeel site as the Preferred Site

2.2.1 The Borough Council's reason for not including any site as the preferred site for Walpole Cross Keys is set out in para G.105.4 - that is, constraints in terms of form, character, highway and access. While these may apply to other sites in the village, I argue that, based on evidence, these do not apply to the Freshpeel Site.

2.2.2 I base my approach to the form and character of the village on the analysis contained in Schedule 4 'What makes Walpole Cross Keys Distinct?' *Planning and Development Statement* (Pages 31-33). From this I develop Design Parameters and Guiding Principles (paragraph 4.4, pages 14-15) followed by a preferred notional layout by translating the key principles of form and character into the design and layout of the spaces in Zones A, B and C (pages 15-18). I believe that the development of the Freshpeel Site will enhance the form and character of the village by creating a stronger focal point in the most sustainable location in the village (paragraph 4.2, page 13 and paragraph 4.7, pages 17-18).

2.2.3 I am not aware of any highways and access constraints which would preclude the development of the Freshpeel site (see paragraph 3.5, page 12). The village has been by-passed. The former A17 trunk road (Sutton Road) passes through the village giving it extremely good links to King's Lynn,

Terrington and other centres. The Sutton Road access was used daily by vehicles coming and going to the former Freshpeel factory. Informal consultations with the Highway Authority have indicated that the access is suitable for residential development provided that a new, sustainable footpath link is provided to the village school. I am not aware of any other constraints that would preclude the development of this land for housing.

2.3 Unsound reliance on Neighbourhood Planning

2.3.1 The Council state in G.105.5 that the Walpole Cross Keys Parish Council are preparing a neighbourhood plan for the parish which will help guide development in the area. The Parish Council submitted a Neighbourhood Plan to the Council in April 2014 and Planning Officers of the Borough Council have indicated that there may be strategic objections to it (paragraph 3.4, pages 10, 11 and 12). I can find no information on what the next steps of the Council or the Parish Council are - despite the passage of 14 months.

2.3.2 I have worked with the Parish Council in bringing forward the Freshpeel site for development although I have concerns about how robust the Neighbourhood Plan is and have set these out (paragraph 3.4, pages 11 and 12).

2.3.3 I would have no objection to the Council's approach if the Parish Council were at the beginning of its Neighbourhood Planning process, rather than the end, as that would allow ample opportunity to make representations and to work further with the Parish Council and local community.

2.3.4 I request that the Freshpeel site be included in the Site Allocations and Development Management Policies Development Plan Document as the preferred site for Walpole Cross Keys as this will give absolute clarity to all concerned and provide the basis to bring forward the much-needed residential development of this site in the short term period of the Local Plan. This will also provide a sound platform to take forward the detailed design of the scheme with the local community.

2.4 Unsound interpretation of National Planning Policy

2.4.1 My concerns relate to the use of Brownfield (or previously developed) land and housing land availability and these are set out in paragraphs 3.2-3.3, (pages 9 – 10). I feel it is important that national planning policy is reflected in the Plan in a modern, balanced way – especially when there is a severe national shortage of new housebuilding and the local housing market has remained relatively slow.

2.5 In answer to the first part of Question 39.1 I conclude that the Council's approach to development in Walpole Cross Keys is not sustainable, viable, available or deliverable and that it fails all 4 soundness criteria as follows:

- i. **It is not positively based on a strategy that seeks to meet objectively assessed development and infrastructure requirements in the locality;**
- ii. **It is not justified or the most appropriate strategy when considered against the reasonable alternatives based on proportionate evidence;**
- iii. **It is not effective as it makes no assessment of how development will be achieved in the village and when; and**
- iv. **It is not consistent with the national planning policy framework.**

3 What alternatives are available and have they been satisfactorily considered by the Council?

3.1 Based on the informal consultations with Development Control (see 2011 November, page 4), I wrote to the Council on 18 November 2011 registering the interest of my client in developing the Freshpeel site for housing (Schedule 1, pages 21-22) believing that this would be the ideal opportunity to identify a preferred site in the village. I was surprised and disappointed to find, at the Preferred Options stage, that the Council had changed its position on the grounds that: 'Development on the site would result in the loss of employment use'. I fail to see how the Council could apply Policy CS10 The Economy of the Core Strategy to this site and set out my concerns in full in an unanswered letter of 27 September 2013 (Schedule 2, pages 23-29). In order to clarify the situation further I set out the Planning history of the site (Pages 3, 4 and 5) and consider the relevance of CS Policy CS10 in paragraph 3.3, (page 10).

3.2 I can only conclude that the Council has not acted in a fair, reasonable or consistent way when dealing with the Freshpeel site. I suggested that a meeting with the Council (Letter, Schedule 2), in which its concerns could be detailed and discussed, would allow ways forward to be found but I heard nothing more.

4.0 I conclude that the Freshpeel site is sustainable, viable, available and deliverable and request that the following changes be made to the Local Plan to make it sound:

- i. Policy G.105.4 – Walpole Cross Keys is designated a Rural Village in the Core Strategy, capable of accommodating modest growth to support essential rural services. On a population pro-rotta basis (see Distribution of Development section) Walpole Cross Keys would receive an allocation of 5 new dwellings. *However, it is considered that the preferred site has the potential to accommodate development slightly above the guide level and as such 10 dwellings are allocated to maximise the development potential of the site.*

- ii. Then make any changes elsewhere to reflect this (e.g. Distribution of Development section);
- iii. G.105.4 Delete last sentence 'However no suitable site has been identified in the settlement due to constraints in terms of form, character, highway and access. As such Walpole Cross Keys will not receive an allocation';
- iv. Delete G.105.5 (whole sentence);
- v. Insert New **Policy G105.1 Walpole Cross Keys – Land South of Sutton Road.** Conditions (e.g. affordable housing, flood risk assessment, new footpath link), Site Description and Justification to reflect identified needs. Embleton Associates are ready to assist the Council in the preparation of this and I believe that all necessary work has been undertaken already; and
- vi. Freshpeel site to be shown as preferred site on Policy Inset Map G105.