

Kings Lynn & West Norfolk Local Plan Hearing Position Statement on behalf of Elm Park Developments Ltd

Hearing Position Statement Part 1 to Kings Lynn Local Plan – November 2022

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Hearing Position Statement

- 1.1. The comments below are made on behalf of our client, Elm Park Developments Ltd, who have interest in a residential development site at Clenchwarton that is under construction at Fosters Sports Ground. It includes a basic summary of our case, and comment on a question from the Inspector's MIQs.
- 1.2. Our client's main objection is that the plan fails to include this land within the Local Plan as a committed development site, and that existing adjacent housing areas around the site are similarly not included within the development boundary of the village, despite totalling approximately 200 homes.
- 1.3. Our previous representation submitted evidence to the Council that this area to the east of the current policy-defined settlement boundary of Clenchwarton contains a significant cluster of existing homes and has been determined by an Inspector to be a sustainable location for new development, allowing consent for the additional development of 40 homes under construction. This area of the village would clearly not suit a definition as open countryside.

MIQs - Matter 2 – Spatial Strategy

Question 46 – Are the proposed Development Boundaries positively prepared and effective? Should they be adjusted to include recently completed development, sites with planning permission and land allocated in the Plan for development?

- 1.4. It would seem to be an essential function of the Development Boundaries policy of the Local Plan that it accurately defines the boundaries of development. The question is therefore one of whether the plan seeks to define them accurately at adoption, or with a view to becoming accurate during the course of the Local Plan period, once new development on allocation sites and sites under construction or with planning consent are completed. It is our consideration that including allocations and sites under construction within the development boundaries is

largely standard practice across most Local Plans and should be done at adoption. Not to do so means that developed areas and newly built areas would be considered in policy terms as open countryside, which is not the intention of the development boundaries policy.

1.5. Our client's submission to the Local Plan has been that their site with extant planning permission at Clenchwarton is missing from the Local Plan proposals map, and should, along with adjacent existing development, be included within the Development Boundary of Clenchwarton. It is our intention to present this case specifically at the Part 2 Hearings in relation to the village, but it does present here as an example of a site under construction for development that would be treated as open countryside during the rest of the plan period if not included within the development boundary policy, even after it has been built and is clearly forming an area of development.

1.6. The local planning authority's summary of our representation to the Local Plan suggested that the objection was simply that a site with planning permission was not part of the development boundary, noting in their response that: *"It is not generally the approach to simply include sites within the development boundary. They need to go through either the allocation process or planning permission route. Once built out they will be considered for inclusion within the development boundary"*. This was a clear misunderstanding of our objection, which is that existing houses and new housing under construction were not included within the development boundary policy of the Plan. For clarity, we consider that properties at Clenchwarton on the following roads should be reviewed and included within Policy LP04, along with the site at Fosters Sports Ground, which is under construction:

1.7.

Ferry Road

Main Road

Benedict Close

Margaretta Close

Jubilee Bank Road

Coronation Road

Queen's Road

- 1.8. The Development Boundary of the village of Clenchwarton is shown as a single irregular-shaped area drawn around areas of existing housing and their curtilages, principally where these include houses adjacent to the main road in a continuous form or around cul-de-sac estate and connecting roads. There are some additional houses to the west of the defined settlement area that are somewhat sporadic in nature, being separated by large gaps, and more ribbon-type development on one side of the road such as along Station Road, that are not defined as part of the settlement boundary. These areas being excluded is perhaps understandable. However some areas of housing to the east of the Clenchwarton defined settlement have been excluded from the development boundary for no plausible reason.
- 1.9. The development boundary of Clenchwarton is incorrectly drawn and should be amended to reflect the housing areas that exist in the village and to include the commitment for 40 new dwellings being added to the village at Fosters Sports Ground. Policy LP04 defines these development boundaries and supporting text states that “the 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”. Areas outside these boundaries are considered countryside, clearly an inappropriate designation for such areas.
- 1.10. The housing areas to the east should be included as part of the settlement either connected to the existing boundary or as a separate defined area of the village. Other rural areas across the district have more than one defined settlement shown on the proposals map unconnected to one another: for example Congham, Roydon which has three settlement boundaries, and also Stowbridge and Terrington St Clement to name but a few. There is no clear reason why these houses that are part of the village should be excluded from the defined boundary.

- 1.11. The existing houses that are excluded and the area of those with extant consent are in some instances closer to the facilities in the village such as the convenience store and Clenchwarton Community Primary School on Main Road, than the proposed Site Allocations in the Local Plan at the edges of the existing settlement boundary.
- 1.12. The Development Boundary Changes document that forms part of the Evidence Base for the Local Plan clearly shows that in most instances where existing development connects houses and their curtilage to one another they are defined within the development boundary of that village.
- 1.13. Clenchwarton is a key rural service centre within the settlement hierarchy. These villages are identified within the hierarchy as suitable for accommodating a high level of development which will help to sustain the wider community, selected on the basis of the presence of a primary school, healthcare facilities, a range of services that can meet basic day-to-day needs and a level of public transport that can enable access to and from the settlement. The hierarchy qualifies that a key rural service centre settlement must first link with a school, as village schools are core facilities. Additionally a convenience store should be present, and preferably a doctors' surgery. The above is taken from the Consideration of the Settlement Hierarchy document. The Further Consideration of the Settlement Hierarchy document shows Clenchwarton as having a primary school, a convenience store and public transport, and a population of 2,171.
- 1.14. This figure is repeated in the Local Plan at paragraph 12.4.1 in policy defining the village. This figure was derived from the Parish Area Boundary of Clenchwarton, the boundary of which (shown at Appendix C) includes all of the properties we are presenting in this statement as forming part of Clenchwarton. It is clear therefore from the evidence of the village that the Council have used to justify the settlement hierarchy, and how other villages boundaries are

defined, that the properties and the area of the extant permission should all be included within the village of Clenchwarton and defined as such on the Proposals Map.

Additional Comments - Site in the Trajectory

- 1.15. We also have questions regarding our client's site's status within the updated Housing Trajectory published post-submission, which appears to incorrectly show the site as completed. We anticipate this will be examined further in the Stage 2 Hearings but the basic issue is set out below.

- 1.16. Our client's site at Fosters Sports Ground, Clenchwarton for 40 dwellings is in the previous trajectory (dated 2019_20) with projected development to begin in 2022/23 and to be built within three years at 10, 20 and 10 per annum until 2025. This was an accurate summary of the site at that time albeit at present the site remains extant and no housing has been completed. It appears however that the newly updated Trajectory recently published (October 2022) now incorrectly records the site as having housing completions of 5, 15, 15 and 5 houses per annum in the previous years from 2018-2022, and no forward projection of development. The 'Comments' column also notes the site as completed. This is an inaccurate assessment of the site and whilst it appears to be in error, it does raise questions as to whether any other sites have been recorded incorrectly, or if the 40 houses at Fosters Sports Ground has been recorded as completed in any totals, as these would need amending.



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