

Kings Lynn & West Norfolk Local Plan Hearing Position Statement (Further Questions for Week 4) on behalf of Elm Park Developments Ltd

Hearing Position Statement (Further Questions for Week 4) to Kings Lynn Local Plan – March 2024

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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 follows our Part 1 and Part 2 Statements from the suspended examination and Week 3 of the resumed hearings, and provides our client's response to the Additional Matters, Issues and Questions (MIQs) for Week 4 of the reopened Examination in 2024. It also follows our written representations submission in October 2023 to the consultation on Additional Evidence Base Documents.
- 1.2. Our comments in this Statement focus on additional questions for Matter 5 – Settlements & Sites: Key Rural Service Centres and Matter 6 – Housing Land Supply and Policies.

Matter 5

Clenchwarton

Question AQ38/39.

Should the allocation of the site in Policy (G25.1 [AQ38] and G25.3 [AQ39]) be removed from the Plan in order for it to be effective, as the Updated Housing Land Supply [F50] indicates that this site was completed prior to the Plan start date?

Response

- 1.3. The purpose of an allocation of land within a Local Plan is to allow development to occur and guide the decision maker in determining any submitted planning application related to the site. In areas where that development has been completed, and no further development or amended scheme can be brought forward, the allocation on the plan map and in policy terms is essentially no longer needed. However, on sites where an application has been consented, but it has not yet been built, further amendments could yet be made and therefore it makes

sense that the allocation remains in place. If both sites G25.1 and G25.3 are complete, they should no longer be allocated in the Plan.

- 1.4. It is essential that the Local Plan map provides a spatial expression of where development will occur during the plan period. The plan does this by providing details of allocated sites, but not for all consented sites. For clarity, we propose that where a development site is under construction, and therefore a permission is extant, the Local Plan should also detail these sites within the Local Plan and on the Proposals Map, to provide as clear an indication of possible of where development is taking place. Whilst some windfall development locations are, by their nature, as yet unknown, where development will certainly occur through development detailed within the plan trajectory details should be provided in a spatial and policy expression in the Plan.

Question AQ40.

Is the expected delivery of dwellings on the site allocated by Policy G25.2 in 2030/31 (10) and 2031/32 (10) supported by appropriate evidence in the Update Note on Deliverability and Developability of Housing Allocations [F50b]?

Response

- 1.5. As noted in our previous submission, the allocation site appears to have had two planning permissions lapse. In the context of the Council having previously provided incorrect evidence related to our clients consented extant site at Fosters Sports Ground, also at Clenchwarton, we seek clarification from the Council as to the correct situation with this site and what evidence they have that the site is still being promoted for development.
- 1.6. Our client submitted evidence to the Council, on request, as to the anticipated delivery of their extant site in March. Has this allocation site also provided such evidence to the Council?

Matter 6

Housing Land Supply

Question AQ111.

For unallocated sites with planning permission included within the trajectory, what assumptions have been made in respect of lead in times, start dates and build out rates? What evidence is there to support these assumptions and the Council's statement in paragraph 24 of the Updated Housing Land Supply [F50] that all of these sites are considered deliverable within the Plan period?

Response

- 1.7. *We wish to comment on this question insofar as it relates to our client's site for 40 dwellings at Clenchwarton, for which there is a direct additional question response below at AQ113.*

Question AQ113.

Has the site in Clenchwarton with planning permission for 40 dwellings (Ref 17/01632/RMM & 13/01123/OM), 35 of which the Housing Trajectory Update [F50a] says were completed prior to the start of the Plan period, been recorded correctly? If not, when is it anticipated that the remainder of these dwellings will come forward?

Response

- 1.8. *We have made submissions in relation to this question as relates to our client's site and have provided details to the Council in March as to the anticipated delivery of the site. This included evidence that the site was in the final stages of being sold to Freebridge Homes, a local Registered Provider who would be seeking to continue on site as soon as possible following completion of the sale, which it is anticipated will be completed prior to week 4 of the Hearings.*
- 1.9. *We consider it is important that this site is represented correctly in the Plan to provide clarity to where development that will occur during the plan period. As we have submitted previously, we also consider that this site, and any other large sites under construction, should be presented spatial in plan form, which is why it is essential that the settlement of Clenchwarton*

is corrected to include areas such as this site and adjacent development that has been assessed by the appeal Inspector as a sustainable development location.

Question AQ115.

Is the level of windfalls indicated (299dpa) likely to continue given the Council's proposed New Policy on Residential Development on Windfall sites within and adjacent to Rural Settlements, in particular the limits proposed to the number of dwellings on sites immediately adjacent to development boundaries of settlements within Tiers 4-6 of the hierarchy?

Response

- 1.10. *These representations have been completed after the Week 3 Hearings, at which it has been made clear that the Council is amending this proposed new policy prior to the Week 4 Hearings, where it will be discussed by interested parties. We retain our concern expressed previously that a restrictive policy will reduce windfall delivery and therefore wish to reserve the right to comment further at the Hearing on this question to present our case, once the amended policy has been submitted and understand this position was acknowledged by the Inspector during the Week 3 hearing.*



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