



NORTH NORFOLK LOCAL PLAN 2016-2036 MATTER 5 STATEMENT - RESPONSE TO QUESTION 5.3.1

Representations submitted on behalf of

Bullen Developments Ltd

JANUARY 5, 2024



- 1.1 This Matters Statement (MS) has been prepared by CODE Development Planners in response to the Inspector's question 5.3.1 from the List of Matters, Issues and Questions issued on 3 November 2023: *'5.3.1 Are the detailed Settlement Boundaries for Fakenham, and the boundaries of the various Policy Area Designations (listed in paragraph 9.1.6 of the plan) suitable and justified given their policy function?'*
- 1.2 In our view, the Council has failed to properly and robustly assess against the policy function of Fakenham's Settlement Boundary that part of Hempton located directly adjacent to the town immediately southwest of the River Wensum and shown on Appendix 1. The MS follows our submission during the Regulation 19 consultation (Reference LPS315) in which we contend that North Norfolk District Council (NNDC) have failed to properly assess with proportionate and robust evidence the village of Hempton.
- 1.3 The MS responds to the Council's dismissal of our Regulation 19 consultation response (ELDoc A5.10 Appendix J Schedule 3) in which the Council confirms that the assessment of Hempton applies to the administrative boundaries of the parish rather than a consideration of the spatial planning and locational characteristics of a constituent part of Hempton very much functioning as part of the adjacent town. Our comments relate in particular to that part of the village closest, with direct and easy pedestrian and cycle access and immediately adjacent to the town of Fakenham (Appendix 1). As a result, the North Norfolk Local Plan 2016 – 2036 does not accord with the tests of soundness on the grounds of not being justified or consistent with national policy.
- 1.4 The Council's response to our Regulation 19 representation confirms our view that the nature of the methodology adopted in assessing the sustainability and suitability of the administrative boundaries of the village of Hempton as a whole has prevented the sort of robust and refined assessment required of that part of Hempton which offers opportunities for highly sustainable access to the wide variety of town facilities, the majority of which are located between only 600 metres and 1,000 metres short walk and cycle ride away.
- 1.5 The Council's response reads:
- "Disagree. The Council has reviewed all of the settlements within the Distribution of Growth Background Paper, including Hempton. It is considered that the majority of the settlement is located on the west side of the main road (A1065), which is isolated in relation to Fakenham and unattractive for alternative modes of transport such as cycling and walking into the town centre, which would make the location of any development unsustainable, where residents would be likely to rely on the private car."*
- 1.6 The stated Vision for North Norfolk at page 19 and the Strategic Aims and Objectives at page 20 of the Submitted Plan set out the policy function of the Settlement Boundary of Fakenham and include:



- *“The towns of North Walsham, Fakenham and Cromer will have been the focus for a significant proportion of the required development.....”*
- *“The necessary infrastructure and community facilities/services will be in place to support this growth.”*
- *“Focussing larger scale development into areas where services will be available, where facilities can be supported and where new development encourages use of a choice of sustainable travel modes”.*

1.7 These references, together with the justification provided for draft site allocations elsewhere, emphasise the policy function of Settlement Boundaries to define the areas in which development should be concentrated with sustainable access to a range of facilities/services, where there is a level of identified need and where growth is not constrained by physical or policy constraints (reference paragraph 2.4 of Background Paper 2 ‘Distribution of Growth’ (ELDoc C2)).

1.8 The locations of services and facilities are shown in Appendix 1 to demonstrate the close physical relationship between that part of Hempton outlined in Appendix 1 and Fakenham and the ease at which the services and facilities in Fakenham can be accessed from Hempton. We do acknowledge NNDC’s comments that part of the village of Hempton is isolated from the area of the parish referred to in Appendix 1 and that the functional relationship of that part to Fakenham is more limited. However, this does not diminish the weight to be given to the functional relationship and spatial planning characteristics of the area directly adjacent to Fakenham and referred to in these representations.

1.9 We would also highlight the inconsistency in NNDCs assessments throughout the plan making process and the Council’s own acceptance of the close physical and functional relationship of the part of Hempton referred to in these representations and the town of Fakenham. The exclusion of that part of Hempton referred to in these representations by only considering Hempton parish as a whole is in contrast to the assessment of individual sites for allocation in Hempton (Site references HEMP03 and HEMP04). These sites have been assessed as part of examination document D2 Fakenham Site Assessments document (January 2022) (ELDocD2). This represents a clear acknowledgement by NNDC of the relationship between the two settlements which they have failed to apply when considering Hempton as a settlement. Site HEMP 03 was also assessed as part of the Housing and Economic Land Availability Assessment (HELAA, June 2017) (ELDocD15), both HEMP03 and HEMP04 were also assessed in the Development Site Selection Methodology (January 2022) (ELDocC6) and Sustainability Appraisal Report (January 2022) (ELDocA3).

1.10 The site suitability assessment within the HELAA gave HEMP03 site a green score for accessibility to services and facilities. A green score was only achieved by sites with four or more core services within 800m/10-minute walking distance of the site in town centres, 1,200m elsewhere and 2,000m for school access and employment. The assessment explains the site is within 2,000m to a school and employment and 1,200m away from facilities found in Fakenham. Appendix 1 of this MS demonstrates



a number of the core services are well below the acceptable walking distance from the constituent part of Hempton referred to in this statement.

- 1.11 Within the Sustainability Appraisal both HEMP03 and HEMP04 score positively against a number of the SA objectives with the SA recognising the relation between the sites and Fakenham. For both sites the SA concludes:

“Social – Scores mixed; edge of settlement (small village), services / facilities / cultural opportunities in adjacent settlement (some within 2km of site).

Economic – Scores mixed; edge of settlement (small village), good access to employment and educational facilities, transport links and services / facilities. High speed broadband in vicinity. Town centre (adjacent settlement) easily accessible from the site.”

- 1.12 Despite these positive assessments and clear recognition by the Council of the spatial and functional relationship between the constituent part of Hempton and Fakenham Appendix B ELDocC6 concludes that both sites are remote from Fakenham and sustainable transport and are not preferred sites for allocation *‘the site is located in Hempton which is not a selected settlement’*(Pg. 58, ELDocC6)

- 1.13 Section 2.4 – Site Assessment (D2) draws together the Site Assessment and Sustainability Assessment processes to present a recommendation for whether each of the promotion sites should be considered as suitable for allocation in the Local Plan or if no further consideration should be given. The conclusion follows that presented in ELDocC6 that as the sites are located in Hempton which is not a selected settlement and there are preferable sites in Fakenham both sites should be discounted from further consideration.

- 1.14 Had those considerations and findings within the HELAA and SA Report been applied in assessing Hempton’s place within the settlement hierarchy as set out document C2 Hempton, or at least this constituent part of Hempton would not have been designated within the countryside area of the district and dismissed as being suitable and justified against the policy function of the town’s Settlement Boundary. We contend that the close spatial and functional relationship between Hempton and Fakenham should be reflected in Hempton’s designation within the settlement hierarchy. Hempton is currently designated as part of the countryside and has no settlement boundary. We contend that given the close functional and spatial relationship between the two settlements Hempton (or at least area of Hempton east of the A1065) and shown in Appendix 1 should in fact be considered as part of Fakenham and as such included within the settlement boundary of the ‘large growth town’. Alternatively, if not considered part of Fakenham, Hempton itself has those services, minus a primary school and convenience store, required to be designated a small growth village. Access to both a primary school and convenience store is available within an acceptable distance in Fakenham sufficient enough in our opinion to justify Hempton’s designation as at least a small growth village.

- 1.15 In failing to properly assess and designate Hempton the Local Plan 2016-3036 cannot be found to comply fully with the tests of soundness as described in the NPPF. The countryside designation cannot



be considered justified through a failure to properly assess Hempton and the reasonable alternative sites within the plan area. In failing to properly consider Hempton and the constituent part directly adjacent to the settlement boundary of Fakenham the plan is not consistent with national policy aims of delivering sustainable development, particularly on well-located brownfield sites.









- 1.16 In order to comply with the tests of soundness, amendments are required to the plan and the settlement boundary of Fakenham to include the area of Hempton for which the functional relationship results in a highly sustainable area suitable for the consideration of residential development. The proposed alternate settlement boundary is shown in appendix 1.

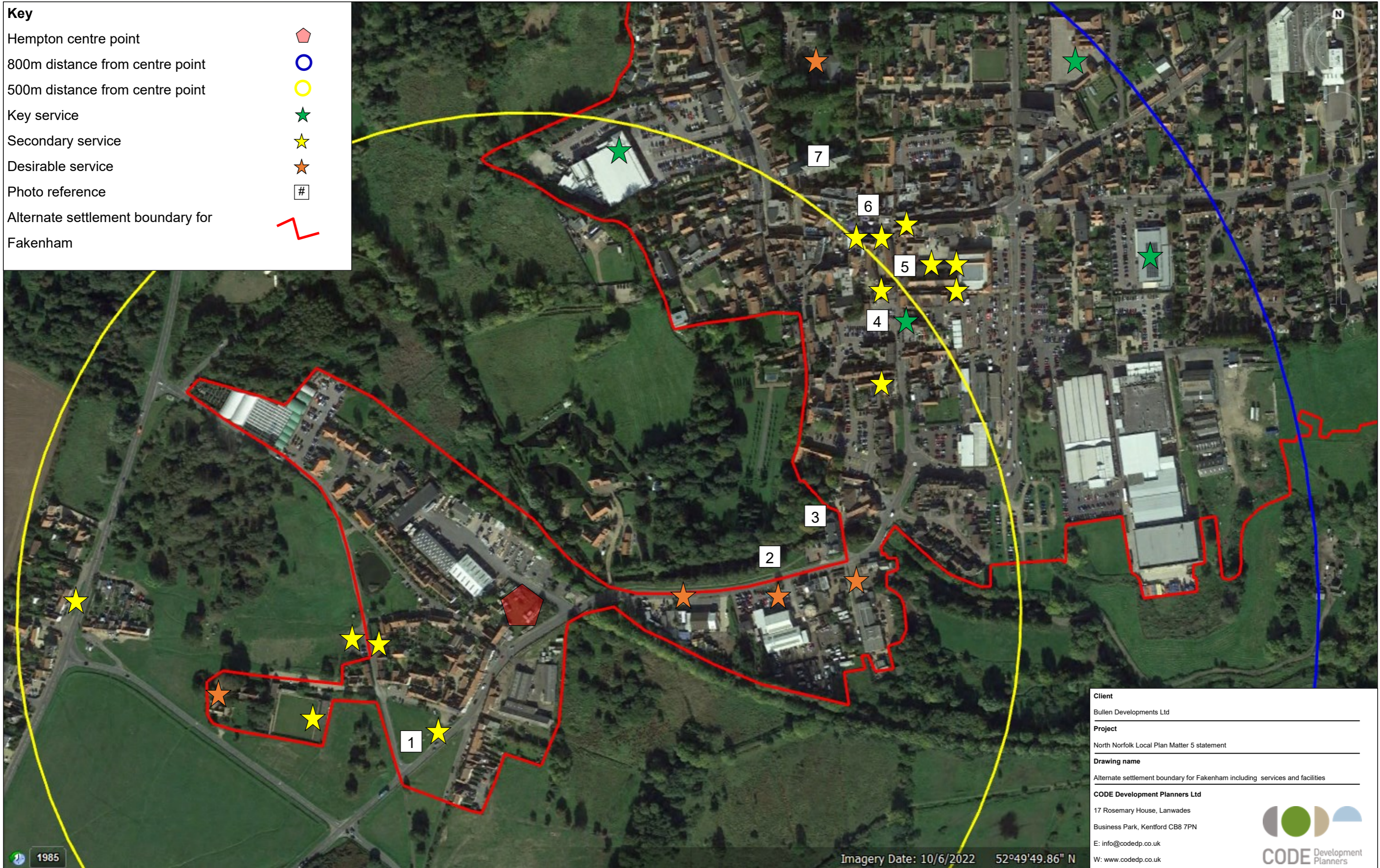


Appendix 1



Key

- Hempton centre point 
- 800m distance from centre point 
- 500m distance from centre point 
- Key service 
- Secondary service 
- Desirable service 
- Photo reference 
- Alternate settlement boundary for Fakenham 



Client
Bullen Developments Ltd

Project
North Norfolk Local Plan Matter 5 statement

Drawing name
Alternate settlement boundary for Fakenham including services and facilities

CODE Development Planners Ltd
17 Rosemary House, Lanwades
Business Park, Kentford CB8 7PN
E: info@codedp.co.uk
W: www.codedp.co.uk



1985
Sourced from Google Earth

Imagery Date: 10/6/2022 52°49'49.86" N

Key services ★

Primary School -

Fakenham Junior School (725m)

Convenience shopping -

New Klip news agents (450m)

Tesco (425m)

Aldi (720m)

GP Surgery

Secondary services ★

Post office -

Millers Walk Post Office (540m)

Other shopping -

Get Smart clothing (500m)

The Works (520m)

J & D Papworth Farms (530m)

Boots (500m)

Pub/Restaurant -

The Limes (Wetherspoons) (420m)

The Red Lion Lounge (530m)

Costa Coffee (490m)

The Bell (140m)

Meeting place (Village hall) -

Hempton Memorial Hall (200m)

Connectivity to public transport (main road) -

Dereham Road

The Village sign bus stop (140m)

Pond Road bus stop (150m)

Green Road bus stop (430m)

Desirable service ★

Vehicle repair shop -

Lodge Tyre Company Limited (190m)

Fakenham Tyres (340m)

Place of worship -

Holy Trinity Church (260m)

Fakenham Parish Church (540m)

Employment land -

Hempton Road Employment Area (Policy E1) (250m)

Petrol station

Please note the above distances are approximate measures from the centre point marker shown on the plan.

