

**King's Lynn & West Norfolk  
Local Development Scheme**

November 2014 to 2016

## 1. Introduction

The Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011, required the local planning authorities to prepare and maintain a Local Development Scheme (LDS). The LDS is a timetable for production of a local planning authority's Local Plan, and any other Development Plan Documents. King's Lynn and West Norfolk's first LDS was published in March 2007, and then revised and updated in May 2009.

The scheme provides an updated timetable for the completion of the Site Allocations and Development Management Policies document which on adoption will sit alongside the Core Strategy to form the Local Plan for the borough. It also sets out the commitment of the Council to commence a review of the Local Plan within a year of adoption.

The Local Development Scheme document for King's Lynn and West Norfolk sets out:

- Information on the Development Plan
- Timetables for Local Plan production and the Local Plan review
- Details of what policies currently apply in the borough
- The delivery and implementation of the documents, including resources, risk management, and monitoring and review.

## 2. King's Lynn & West Norfolk Development Plan

The development plans system is the basis upon which planning applications are determined.

The Development Plan for King's Lynn and West Norfolk is made up of a series of documents which collectively form planning policy for the borough-

- Local Plan – made up of
  - Core Strategy
  - Site Allocations and Development Management Policies
  - Proposals Maps
- Norfolk Minerals and Waste Development Framework Core Strategy & Site Allocations documents (produced by Norfolk County Council)
- Saved Local Plan policies

The **Core Strategy** sets out the spatial planning framework for the development of the borough up to 2016, and provides guidance on the scale and location of future development in the borough. It contains strategic policies on a range of topics that include: the environment, employment, infrastructure, and housing. The Core Strategy was adopted by the Council in 2011.

The **Site Allocations and Development Management Policies** document complements and facilitates the implementation of the Core Strategy by providing detailed policies and guidance. This includes development boundaries, site allocations across the borough and

area-wide development management policies on specific issues such as Houses in Multiple Occupation, for example. This document is in the latter stages of production.

The **Proposals Maps** visually illustrate the policies proposed in the Planning Policy documents detailed above.

The **Minerals and Waste Core Strategy and Site Allocations** documents are produced by Norfolk County Council and were adopted in September 2011 and October 2013 respectively.

The adopted Local Plan (1998) has a number of 'saved policies' retained. These currently form part of the Development Plan but will be superseded and cease to have effect on adoption of the Site Allocations and Development Management Policies document.

### **Process of Local Plan production**

The process of document preparation involves evidence gathering, many opportunities for public involvement and comment and an independent examination as stated below-

- i. Evidence gathering – forms the basis of information for the Plan.
- ii. Development of options – in consultation with the community and stakeholders. Often called the Issues and Options stage.
- iii. Draft Local Plan – published for consultation. Sometimes referred to as the Preferred Options stage.
- iv. Submission Local Plan – Plan is submitted to the Secretary of State.
- v. Independent Examination – held by a Planning Inspector into objections.
- vi. Inspectors Report – setting out any recommended changes.
- vii. Adoption of Local Plan – by the local planning authority.

### **Other documents -**

Supplementary Planning Documents (SPDs) – these are non-statutory documents which will supplement policies and proposals in the Local Plan. They will need to be in conformity with the Local Plan.

Neighbourhood Plans – The Localism Act 2011 introduced provision to allow communities to set out their own policies in relation to use and development of land in their areas through Neighbourhood Plans. The Council are required to provide support to these communities, however they are produced by the community themselves and so it is not appropriate for this document to specify when they will be produced.

Community Infrastructure Levy Schedule – The Community Infrastructure Levy is a new mechanism for raising funds from new development to contribute towards essential infrastructure. The Council intends to commence work on the CIL Schedule in 2014.

Statement of Community Involvement - sets out how the public will be consulted as part of the Local Plan review process.

Monitoring Framework (previously Annual Monitoring Report) considers how the authority is implementing their planning policies and the progress in terms of producing the planning documents.

Local Development Scheme (this document).

There may be a need for additional documents to be produced, and any new documents or amendments to the current programme will require a change to the LDS.

### **Sustainability Appraisal and Habitats Regulations Assessments**

In preparing the Local Plan and the Local Plan review the documents will be subjected to a Sustainability Appraisal (which will also incorporate the requirements of the EU Directive 2001/42/EC on Strategic Environmental Assessments). The Sustainability Appraisal will help identify and evaluate what effects the document/ proposed plans are likely to have on social, economic and environmental conditions of an area, and help ensure the plan takes account of sustainable development objectives.

The Sustainability Appraisal Scoping Report is the first step in this process and is followed by the sustainability appraisal of options as they develop. The document guides and informs the choices made as the document evolves and so forms an integral part of the preparation. A final Sustainability Report will be prepared and published alongside the submitted Local Plan. The various iterations of the Sustainability Appraisal can be viewed on the Council's website, at each stage of the plan process.

Amendments were introduced in the UK Conservation (Habitats & etc) Regulations 1994 in September 2006. These result in Appropriate Assessment under Article 6(3) and (4) of the Habitats Directive 92/43/EEC being required for all plans likely to have a significant effect on a European site. Habitats Regulations Assessments, including Appropriate Assessment as necessary, will be undertaken prior to submission of the Local Plan and Local Plan Review.

### **3. The King's Lynn & West Norfolk Local Plan, and the Local Plan review**

The timetables for the production of the Local Plan (specifically the Site Allocations and Development Management Policies document) and for the review of the Local Plan are set out overleaf in Table 3.1. Table 3.2 outlines the process and the timetable of the Local Plan and the role and content of each element.

#### **Local Plan - production underway**

The King's Lynn & West Norfolk Core Strategy was adopted in July 2011. This document forms part of the Local Plan, alongside the Site Allocations and Development Management Policies document.

Work on the Site Allocations document started in February 2009. The 'Call for sites' was held in May 2009, and these sites fed into the Issues and Options document which was out for consultation in September 2011. The Preferred Options document narrowed down the options to those the Council suggested were the more suitable and sustainable alternatives, and the Council consulted on this from July to October 2013.

This programme of work for the Local Plan covers the submission, examination and adoption stages of the Site Allocations document up to Dec 2015. At the submission and examination

stages the document will be presented to the Cabinet and Full Council, and so the timetable takes account of these requirements.

### **Local Plan Review Programme**

The council has decided that it should start a review of the Local Plan within a year of its adoption. This is likely to be a broad review of the plan reviewing the longer term strategy for the borough and bringing forward additional allocations. The evidence base for the document will need to be revised and updated to inform the process and this will begin in January 2016 with work on the Sustainability Appraisal Scoping Report.

The programme anticipates the review will run through to 2017/2018.

Figure 3.1: Proposed Local Development Framework work programme – 2014 to 2016

	2014		2015												2016											
	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Local Plan – Site Allocations and			4		5	5			6			7	8		9											
Local Plan Review															2		1							3		
Supplementary Planning Document -											2/3				4			9								

**Stages in the production of Development Plan Documents**

1	Consultation on the Sustainability Appraisal Scoping Report
2	Development of options – on-going engagement on issues and emerging options (Reg 18)
3	Publish and consult on draft Local Plan (Reg 18)
4	Pre-Submission publication and consultation (Regs 19 & 20)
5	Submission of document to Secretary of State (Reg 22)
6	Hearing sessions
7	Receipt of Inspectors Fact Check Report
8	Receipt of final Inspector’s Report (Reg 25)
9	Adoption (Reg 26)

NB-

- Please note that the work programme detailed above for the ‘Local Plan – Site Allocations and Development Management Policies’ may be subject to change dependent upon the Planning Inspectorate. They may, or may not, require a Pre-Hearing Meeting and also the length of the Hearing Sessions is for them to determine. The programme above gives an indicative timetable based on The Planning Inspectorate document ‘Examining Local Plans Procedural Practice’ (Dec 2013 3<sup>rd</sup> edition v.1).
- As of November 2015 we have already moved through stages 1-3 of the Local Plan – Site Allocations and Development Management Policies document.

Figure 3.2: Local Development Scheme – Indicative schedule of Proposed Local Development Documents

Development Plan Documents (Title)	Role and Content	Chain of conformity	Geographical coverage	Timetable Milestones				
				Consult on Sustainability Appraisal Scoping Report	Publication of DPD	Submission of DPD	Hearing Sessions (indicative estimate)	Adoption
EXISTING Core Strategy	Sets out the vision, objectives and spatial strategy for development up to 2025, and the framework for the control of development		Whole authority area	2005	Jan / Feb 2010  Schedule of Changes Sept 2010	Nov 2010	Feb 2011	Jul 2011
EXISTING Proposals Map	Illustrates the policies and proposals in the DPDs on a geographical basis	To conform with Core Strategy	Whole authority area	-	Jan/ Feb 2010	Nov 2010	Feb 2011	Jul 2011
PROPOSED Site Allocations and Development Management	Complements the Core Strategy by providing the detailed	To conform with National Planning Policy Framework	Whole authority area	-	Jan 2014/ Dec 2015	Mar / Apr 2015	Jul 2015	Dec 2015

Policies	policies and guidance. Includes development boundaries, site allocations and area wide development management policies.							
PROPOSED Local Plan Review	Partial review of the Local Plan to review longer term growth provision and allocate additional sites. Also to review the Development Management policies.	To conform with National Planning Policy Framework	Partial review focussed on selected settlements / policies. Could include whole authority area.	Mar 2016	To be confirmed	To be confirmed	To be confirmed	To be confirmed
PROPOSED Supplementary Planning Document – Provision of Open Space	This SPD will expand upon policy DM15: Provision of recreational open space for residential developments, and detail open space contributions. It will include the	To conform with the Core Strategy and the Site Allocations and Development Management Policies document.	Whole authority area	-	Jan 2016	-	-	Apr 2016



	detailed implementation of the policy and the operational aspects.							
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#### 4. Risk Management and Resources

The team consists of 5.5 full-time equivalent posts (two of which are temporary posts) including a Manager and six planning officers (four of which work part-time). Assistance is also provided by a number of teams elsewhere in the Council including Regeneration, Housing, Planning Technical support, Environmental Health and Leisure. Consultants may also be used where there is insufficient resource / expertise within the authority. Advice will also be sought and guidance provided from Norfolk County Council, the Environment Agency etc, where necessary.

The budget for Forward Planning makes allowance for the anticipated costs of development plan production, including examination. However the timing set out in this document is indicative and based on assumptions. It may therefore be necessary to make further amendments to the timetable. The table below considers potential areas of risk which could cause the programme to slip, and details their impact and likelihood of occurrence alongside contingency and mitigation measures.

Figure 4.1: Risk Assessment Matrix

<b>Risk</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Contingency</b>	<b>Mitigation</b>
A team member may leave / Long term sickness absence	<i>Medium</i>	<i>High</i>	Spread knowledge throughout the team to minimise impact.	Re-appoint as soon as possible if budget restrictions permit. Alternatively, seek to re-deploy staff from the Planning department or use consultants / agency staff if necessary.

New national legislation	<i>Medium</i>	<i>Medium</i>	The National Planning Policy Framework and the Localism Act have reformed the planning system. Delays in the delivery of plans may occur in terms of compliance with the NPPF as a result of challenges on local interpretation.	Some flexibility has been included in the timescales for Local Plan production, although these may need to be revised.
Legal challenge	<i>Medium</i>	<i>High</i>	Post adoption of a Local Plan, there is a six week challenge period.	To reduce risk of challenge, ensure the Local Plan legally compliant, is based on robust evidence and been subject to extensive consultation.
Problems arising from joint working; compliance with the duty to co-operate.	<i>Medium</i>	<i>Medium</i>	Close working with other authorities and Council Members to detect issues early in the process	Some flexibility is included in the Local Plan timescales. Continuing discussions with neighbouring authorities.
Programme slippage	<i>Medium</i>	<i>Medium</i>	Contingency time is built into the LDS programmes, which includes sufficient time to deal with a large number of representations.	Sufficient flexibility is included in the Local Plan timescales.  Revise LDS where necessary.  Ensure sufficient resources available to complete future stages.
Local Plan found not to be 'sound'	<i>Low</i>	<i>High</i>	Seek advice from PINS at key stages (e.g. advisory visits) and be prepared to make modifications. Develop and take account of sound evidence.	Develop sound technical evidence base. If necessary, go back to an earlier stage, revise the plan and re-submit.
Timely provision of infrastructure	<i>High</i>	<i>High</i>	Discussions with infrastructure providers have been focused through the Infrastructure Study, as the development strategy and impact on infrastructure has become clearer.	Continuing engagement with infrastructure providers and development of the Study will ensure timely provision.

Failure to secure agreement of full Council to Local Plan	<i>Low</i>	<i>High</i>	It is important to work closely with all elected Members and to raise awareness of the Local Plan, and to secure an up to date development plan that complies with the NPPF.	Build sufficient flexibility into the strategy and timescales. The impact of elections cannot be predicted and mitigation is limited.
Inspector's report includes recommendations that the Council finds difficult to accept	<i>Medium</i>	<i>Medium</i>	Although the Inspector's recommendations are no longer binding (except for any modifications proposed by the Council), the Plan may not be 'sound' unless it is modified. The Council will need to consider all recommendations if it wishes to have an up to date development plan in place as required by the NPPF.	Keep Council Members up to date on issues arising and likely recommendations.

## 5. Monitoring and Review

The Local Development Scheme will be monitored on an ongoing basis through the Monitoring Report. The latest version is available on the Council's website. The Monitoring Report will also monitor the delivery and effectiveness of policies in line with the Monitoring Framework outlined in the Core Strategy and Site Allocations and Development Management Policies document.