



The Planning
Inspectorate

Report to the Borough Council of King's Lynn and West Norfolk

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an Inspector appointed by the Secretary of State for Communities and Local Government

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

**REPORT ON THE EXAMINATION INTO THE
KING'S LYNN AND WEST NORFOLK CORE STRATEGY
DEVELOPMENT PLAN DOCUMENT**

Document submitted for examination on 5 November 2010

Examination hearings held between 1st and 16th February 2011

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ABBREVIATIONS USED IN THIS REPORT

AA	Appropriate Assessment
AMR	Annual Monitoring Report
AHVA	Affordable Housing Viability Assessment
AONB	Area of Outstanding Natural Beauty
CA	Conservation Area
CHS	Council's Hearing Statement
CIL	Community Infrastructure Levy
CS	Core Strategy
DC	District Council
DPD	Development Plan Document
DVI	Dynamic Viability Index (for affordable housing)
EA	Environment Agency
EEP	East of England Plan (the regional spatial strategy)
HA	Highways Agency
HNS	Housing Needs Survey
IC	Inspector Change
KLATS	King's Lynn Area Land Use and Transportation Strategy
KRSC	Key Rural Service Centre
LDF	Local Development Framework
LDS	Local Development Scheme
LP	Local Plan
LPA	Local Planning Authority
LTP	Local Transport Plan
NORA	Nar Ouse Regeneration Area
NCC	Norfolk County Council
NE	Natural England
para	paragraph
PPG	Planning Policy Guidance
PPS	Planning Policy Statement
RSPB	Royal Society for the Protection of Birds
RSS	Regional Spatial Strategy
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCG	Statement of Common Ground
SCS	Sustainable Community Strategy
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SMP	Shoreline Management Plan
SPD	Supplementary Planning Document
SSAP	Site Specific Allocations and Policies DPD (in preparation)

Non-Technical Summary

This report concludes that the King's Lynn and West Norfolk Core Strategy Development Plan Document provides an appropriate basis for the planning of the Borough over the next 15 years. The Council has sufficient evidence to support the strategy and can show that it has a reasonable chance of being delivered.

A limited number of changes are needed to meet legal and statutory requirements. These can be summarised as follows:

- Amend the Hunstanton key diagram's depiction of areas for urban expansion, to delete that part of the southern area which is east of the A149; and
- Inclusion of the majority of the Council's pre-submission Focused Changes, except for those referring to the status of the regional spatial strategy.

All but one of the changes recommended in this report are based on proposals put forward by the Council as pre-submission Focused Changes or (as minor textual amendments) in response to points raised and suggestions discussed during the public examination. The changes do not alter the thrust of the Council's overall strategy.

Introduction

1. This report contains my assessment of the King's Lynn and West Norfolk Core Strategy (CS) Development Plan Document (DPD) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004. It considers whether the DPD is compliant in legal terms and whether it is "sound". Planning Policy Statement (PPS) 12 (paras 4.51-4.52) makes clear that to be sound, a DPD should be justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the Borough Council of King's Lynn and West Norfolk (henceforward "the Council") has submitted what it considers to be a sound plan. The basis for my examination is the submitted draft core strategy (November 2010) which is the same as the document published for consultation in December 2009. I have also taken into account the Council's Focused Changes (September 2010) which were included with the submission documents. These are presented in Appendix A. The one change that I recommend is set out in Appendix C. None of these changes materially alter the substance of the plan and its policies, or undermine the sustainability appraisal and participatory processes undertaken.
3. Most of the other changes put forward by the Council are factual updates, corrections of minor errors or other minor drafting amendments in the interests of clarity. As these changes do not relate to soundness they are generally not referred to in this report although I endorse the Council's view that they improve the plan. These are presented in Appendix B. (It should be noted that some of these refer to the status of the RSS, and supersede the related Focused Changes.) I am content for the Council to make any additional minor changes to page, figure, paragraph numbering and to correct any spelling errors prior to adoption.
4. Where the Council has proposed changes that go to soundness (i.e. the Focused Changes, Appendix A) they have been subject to public consultation and I have taken the consultation responses into account in writing this report.
5. References in my report to documentary sources are sparing, rather than exhaustive, and are provided thus [], or in footnotes, quoting the reference number in the examination library.

Assessment of Soundness

Brief Overview, the RSS, PPS3 revisions and "Planning for Growth"

6. The King's Lynn and West Norfolk Core Strategy is, as the name implies, a high-level strategic plan which when adopted will form the key component of the Council's LDF, to be accompanied by subsequent DPDs and SPDs. Grounded in the RSS (The East of England Plan [EEP 2008] – see also para 12 and issue 4 below) it aims to deliver a sustainable pattern of development and to meet the development needs of the borough over the next 15 years (to 2026), as required by PPS 12, *Local Spatial Planning*.

7. The main thrust of the strategy is to focus housing, employment and other new development at King's Lynn and the borough's other 2 main towns (Downham Market and Hunstanton), while also allowing for some growth at Key Rural Service Centres (KRSCs) and a (much lower, but by no means negligible) level of development at Rural Villages and other small settlements. In this way, it aims to nurture a pattern of sustainable settlements, in line with the overarching aims of national planning policy.
8. There are 14 CS policies in total. Policy CS01 sets out the overall spatial strategy, while CS02-CS07 are policies for places, including the main towns, the rural areas, and the coastal areas. These are followed by area wide policies (CS08-CS13) covering specific types of development or topics (such as housing, or "environmental assets"), and – last but not least - policy CS14 on implementation.
9. The examination has not found any good reason to recommend any change to the structure of the document, nor to the number, titles or basic content of the policies.
10. The CS is a commendably concise document. But it is supported by an extensive evidence base, only a few items of which are referred to in this report. I note that alongside the necessary gathering of factual information, the Council's approach has been grounded in pro-active community engagement, and in working in partnership with key delivery agencies.
11. While the CS clearly establishes the overall levels of new housing and employment development, along with its general distribution, more detailed decisions about the precise location, scale and nature of future development are, quite properly, left to the forthcoming Site Specific Allocations and Policies DPD (SSAP).
12. *The RSS:* On 6 July 2010, a few months before the CS was submitted to the Secretary of State, he announced the revocation of RSSs, including the EEP - East of England Plan. Ongoing work upon its review effectively ceased soon afterwards. However, this decision was challenged in the courts and the outcome was to quash the earlier revocation. As a consequence, the EEP as it stood on 5 July 2010 remains part of the statutory development plan for the borough. And although the Government still intends to abolish RSSs under a provision of the Localism Bill, currently progressing through Parliament, I have assumed that the EEP is likely to retain its current status even when the CS is adopted - albeit, perhaps, not for very long afterwards. The implications of this situation are referred to further under issue 4 below.
13. *PPS3 revisions:* Revisions to PPS3 (*Housing*) were announced by the Government in 2010. These concerned principally the re-definition of garden land (more specifically, private residential gardens) to take it outside the definition of previously developed land in Annex B to the PPS, and the removal of the previous national indicative minimum density requirement for new residential development. While the former has no significant implications for the CS, the latter point requires a change to the density reference in policy CS08. This has been done by a Minor Textual Amendment. I deal with this matter under issue 15.

14. *Planning for Growth*: Late editing of this report has coincided with the Government's 2011 Budget statement, and the written ministerial statement dated 23 March 2011, "Planning for Growth". Among other things, this requires LPAs to press ahead with preparing up-to-date development plans, to adopt a strong presumption in favour of sustainable development, to support economic recovery, and to attach significant weight to the need to secure economic growth and employment. No one at the examination hearings - least of all the Council - argued against any of these precepts, and in my view all of them are embedded in, and therefore supported by the submitted CS. Nevertheless, a further consultation was carried out in April 2011 in which any additional views were sought on the implications for the CS of the Government statement. I have taken these into account, but they do not raise any fundamental new soundness issues.

Main Issues

15. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings, I have identified some 21 main issues upon which the soundness of the plan depends. They are deliberately couched in fairly broad-brush terms, so as to embrace many of the more detailed points made by representations at the consultation stage. My findings on them are set out briefly in the following sections of the report.

Issue 1 – Whether the CS is legally compliant

16. While some written representations questioned aspects of the CS's legal compliance, none were able to demonstrate any particular shortcomings in this regard. I note that no one appeared at the opening hearing to assert any such shortcomings. Therefore, and having consulted the relevant regulations¹ and other documentation, I am satisfied that the CS is legally compliant. (Further details are in the box entitled "legal requirements" towards the end of this report.)

17. Therefore, so far as this issue is concerned, the CS as submitted is sound.

Issue 2 – Whether the 14 CS policies and proposals in general are: i) soundly based on sufficient, credible and robust evidence, and ii) mutually coherent and consistent

18. I have already mentioned that the CS is a commendably concise document, as it comprises less than 70 pages (excluding diagrams and appendices). However, like the tip of the proverbial iceberg, its 14 policies and their supporting text rest upon a mass of technical and other studies and data, which in general are given only brief references in the CS itself.

19. Most of these studies etc. are included in the examination library, and many of them are referred to in the CHSs (Council's Hearing Statements). Thus, for example, policy CS09 on housing is underpinned by a SHMA, a SHLAA and an AHVA (as required by PPS3) as well as by various other studies, produced both in-house and by external consultants.

¹ Listed with KLWN/LEG documents in examination library

20. While some of this information, inevitably, is slightly out of date, the bulk of it in my view remains relevant and useful, and/or is capable of being updated. And of course technical updates (notably the AMRs) and other new information are emerging all the time (e.g. the Environment Agency's SMPs – Shoreline Management Plans²).
21. In general, it is clear that the Council has gathered sufficient evidence to support and justify its emerging CS policies, and that this body of evidence is credible and robust. In addition, the CS is informed by a thorough and painstaking process of consultation, both with statutory consultees, voluntary organisations and the general public, and all that too forms an essential part of the "iceberg".
22. Throughout the hearings, the Council were able to show that the CS's policies and proposals are mutually coherent and consistent. No other participant/s put a persuasive case to the contrary.
23. Therefore, so far as this issue is concerned, the CS as submitted is sound.

Issue 3 – Whether any of the CS policies conflict significantly with any existing national policies (especially in PPS3, PPS4, PPS7 and PPS25) and, if so, whether any conflict or inconsistency is amply justified by local circumstances

24. There are of course numerous statements of national planning policy other than the handful mentioned in the stated issue above. But those are the ones which I think provide the principal guidance and direction for this CS. That is because most of the significant new development in the borough over the next 15 years will be for housing or employment, whose choice of locations will be significantly constrained by flood risk (PPS25) and the need to protect and conserve the countryside (PPS7).
25. In fact, apart from the Council no one at the hearings referred in detail to any national policy statements, or alleged any significant conflict with any. The same applies to the written representations. The main (but still minor) exception was the suggestion that the plan's end date of 2025 would not, in 2011, now allow for a 15 year housing supply from the likely adoption date, as required by PPS3 and PPS12. That is a fair point, and the Council has duly submitted revised housing figures to take the plan forward, on a pro rata basis, to 2026. These are included with this report as further Minor Textual Amendments (Appendix B).
26. Therefore, so far as this issue is concerned, the CS as submitted is sound.

Issue 4 – Whether (in the light of the Government's firm intention to abolish regional spatial strategies) it remains appropriate to base the CS's housing and employment provision, and other policies, on the East of England Plan (2008)

² KLWN/ED/11 series

27. Throughout its preparation, which began properly around 2005, the CS has been drafted to conform with the then-emerging, and subsequently published housing and employment requirements of the EEP. Other policies too are in step with the EEP and do not conflict with it. The Government Office confirmed that it was in general conformity with the adopted EEP (2008). In short, the Council has never sought to depart from the EEP, and did not do so when in 2010 the Secretary of State first announced his intention to abolish RSSs.
28. Thus the CS is (and remains) a child, so to speak, of the EEP. As far as I am aware, there have not been any serious calls for the Council to revisit its housing or employment figures, or any other policies, in anticipation of this abolition, and none were made at the examination hearings. The Council has reviewed the position, and maintains its consistent stance on this matter.
29. I therefore have no basis for making any recommendation other than to continue on this well-established course. It remains appropriate to base the CS's housing and employment provision, and other policies, on the EEP. Indeed, as matters stand they must be in conformity with it, for the simple reason that the EEP is still a part of the development plan for the borough. While that is very likely to change in the not-too-distant future, with the passage into law of the Localism Bill, it will not affect the position at the likely adoption date.
30. Therefore, so far as this issue is concerned, the CS as submitted is sound.

Issue 5 – Whether the spatial strategy for the borough (especially policy CS01) has a sound (justified and effective) basis, having regard to national policy particularly in PPS1, PPS3 and PPS4, and the need to maintain a sustainable settlement hierarchy and a sustainable pattern of development over the plan period

31. The CHSs explain in some detail how the spatial strategy has been informed by national policies in (inter alia) PPS1 *Delivering Sustainable Development*, PPS3 *Housing* and PPS4 *Planning for Sustainable Economic Growth*. No other representations take a significantly different line.
32. The borough is very much dominated by one town - King's Lynn – which is considerably larger in area, population, and in economic and cultural importance than the 2 settlements on the next tier in the hierarchy, Downham Market and Hunstanton. All other settlements fall into the 4 lower levels of the hierarchy. The spatial strategy closely reflects that fact, and also, as previously mentioned, reflects the related EEP policies. It indicates levels of growth (mainly of housing and employment) accordingly. I agree with the Council that it will thereby maintain a sustainable settlement hierarchy and a sustainable pattern of development over the remaining 15-year plan period.
33. That said, some representors feel that the smaller settlements, including the named rural villages, should be allowed higher levels of new housing, particularly affordable housing, in order to meet local needs and to help sustain local services. I do not agree, as it might not accord with the achievement of a more sustainable pattern of settlements in the borough.
34. Therefore, so far as this issue is concerned, the CS as submitted is sound.

Issue 6 – Whether the spatial strategy i) closely reflects and will advance/deliver the CS vision and objectives, and ii) is consistent with (or does not conflict with) neighbouring districts' LDF strategies

35. The CS vision and objectives are set out in section 4 of the CS document and as far as I am aware have not generated much debate, much less controversy. No one at the hearings alleged any conflict between them and the spatial strategy, and I have not found any. Moreover, the emerging spatial strategy has not attracted any objection from any neighbouring district (which, between them, straddle 4 counties: Lincolnshire, Cambridgeshire, Suffolk, and the rest of Norfolk). The Council has established a good working relationship with Fenland DC in their joint consideration of directions of growth for Wisbech (which lies just outside the borough boundary), and to my knowledge the 2 Councils are not in disagreement on this matter. (I refer to it further below, see issue 19).
36. I therefore have no basis for thinking there is any conflict between the CS and other districts' LDF strategies, and none has been put to me. It follows that, so far as this issue is concerned, the CS as submitted is sound.

Issue 7 – Whether the settlement hierarchy (policy CS02, including the Focused Changes) i) identifies appropriate levels or tiers within the hierarchy, and ii) assigns individual (or combined) settlements to the appropriate tier

37. On the first part of this question, I can be very brief. Policy CS02 identifies 6 tiers of settlements within the borough: i) sub-regional centre (King's Lynn); ii) main towns (Downham Market and Hunstanton); iii) settlements adjacent to King's Lynn and the main towns; iv) key rural service centres; v) rural villages; and vi) smaller villages and hamlets. The identification of these 6 levels, in itself, is not controversial, and there have been no persuasive arguments in favour of adding to or reducing their number, or giving them new names.
38. The second part of the question has attracted far more comment³, and, indeed, disagreement. I think that is inevitable, but it is also a healthy sign, as it stems from peoples' attachment to their own villages and other settlements. Any differences of opinion also arise in part from the complex nature of the settlement pattern, which has grown up somewhat haphazardly over many centuries, and partly because of alternative views as to which village services and facilities are the most locally important and significant. How should we compare (in terms of their contribution to "sustainability") a village school, say, with a shop/post office, a doctors' surgery, or a regular bus service? In addition, the picture is further complicated by the fact that things change - for example, local businesses or bus services start up or close down at random intervals – whereas a CS settlement hierarchy must rely on surveys which, whenever they might occur, are merely a snapshot in time, and may soon become slightly inaccurate and out of date.
39. Given these complexities, I think the Council has made a generally good job of assigning individual (or linked) settlements to particular levels in the settlement

³ I am particularly grateful to Mr. A.Parker and Mr. K.Ives for their contributions to the hearing on this matter

hierarchy. I note that this work is based not just on desk studies, drawing on a range of information and data, but on consultations with knowledgeable local people and organisations. (Even this has its complexities: the examination heard of one instance where the parish council took a different line from the more amorphous parish meeting, and even the latter was not unanimous in its view). Moreover, such consultations have occurred more than once; several changes to the settlement listings were made at the Focused Changes stage, and a few are the subject of post-hearing Minor Textual Amendments.

40. There comes a time to call a halt to this process. In my view, taking into account the very latest changes in the Minor Textual Amendments⁴ (Appendix B) there are no glaring anomalies left in the settlement listings. That is confirmed by my own site visits, during which I have looked at many individual settlements on the ground. That is why I am not recommending any further re-assignments of individual settlements to different levels in the hierarchy.

41. It follows that, so far as this issue is concerned, the CS (with the Focused Changes and Minor Textual Amendments) is sound.

Issue 8 – Whether the CS (policies CS02-CS07) proposes an appropriate and optimal balance between development at King's Lynn, and development at the other main towns (Downham Market and Hunstanton), and elsewhere in the district (the rural and coastal areas)

42. While there are inevitably differences of emphasis, it seems to me that there is widespread agreement that the lion's share of new development over the plan period should be directed to King's Lynn, with the next most significant amount going to the second town in the borough, Downham Market, and a somewhat lesser amount to the third town, Hunstanton. There is also general acceptance that a significant amount of new housing should be divided, fairly equally, among the KRSCs (policy CS09 now indicates some 17% of the total going to these), with a much lesser (but by no means negligible) amount going to the defined Rural Villages. (It should be noted that some of this growth stems from existing commitments).

43. Nevertheless, at the hearings several participants argued for a larger share of the growth going to Downham Market. Some of those put forward quite detailed masterplans for housing and/or mixed development for particular greenfield parcels of land, both to the north of the town, and to the south east. I have studied these with interest. By contrast, those appearing with an interest in Hunstanton mainly wanted to limit, rather than encourage further growth there. For its part, the Council resisted a larger scale of new housing allocations at Downham Market, mainly on the basis that the town had grown quite rapidly over the last 30 years and now needed a period to settle down and concentrate on matching its infrastructure, facilities and services to that housing expansion. However, at the Focused Changes stage it decided to add a further direction of growth to Hunstanton, on its southern edge. I comment further on that under issue 13 below.

⁴ These are also listed in the revised appendix 5 to KLWN/ED003

44. Notwithstanding these legitimate differences of view, I think that the CS gets the balance about right; in the terms of that stated soundness issue, it is both appropriate and even, perhaps, optimal. I consider both housing numbers, and directions for growth, under other soundness issues, but so far as this particular issue is concerned, the CS is sound.

Issue 9 – Whether the CS (especially policy CS09) makes sound and adequate provision for housing, in terms of i) the overall number of dwellings to 2025, ii) their distribution at settlements throughout the borough, iii) the balance between brownfield and greenfield development, iv) provision for particular types of housing (including the affordable housing targets), and v) other housing related matters (including accommodation for gypsies and travellers)

45. Several representors have pointed out that the submitted plan's notional end date of 2025 would not enable a 15 year housing land supply, given that the CS will almost certainly be adopted in 2011, and not 2010 as previously assumed. Therefore by way of a series of Minor Textual Amendments the Council has submitted revised housing figures which have the effect of adding one year's supply, at the continued rate of 600 per annum, for inclusion in the relevant policies and text. That will meet the 15 year (minimum) housing supply figure required by PPS3. These additional dwellings have been allocated in the same proportions as before to the 3 main towns, and to the other settlements collectively.

46. The new housing allocations themselves await publication of the SSAP, whose preparation is now well under way, and which must be in conformity with the housing numbers in this CS.

47. As far as the EEP is concerned, the borough has never sought to depart from its RSS housing requirement, and I find general agreement to that among consultees. Although the EEP, like all RSSs, may soon be formally revoked through a provision of the Localism Bill, and if so will no longer form part of the development plan for the borough, no one at the hearings suggested that its housing provisions should now be abandoned, or radically altered. (The derivation and details of the borough figures do not require description here, but can be found in CS chapter 7.2, Housing and in various library documents referenced therein.)

48. In general, as indicated by the paucity of hearing statements on this soundness issue, there is something close to a consensus on the overall CS housing figure, the only significant disagreement being focused on its distribution among the 3 main towns. Even that really boils down to the balance between King's Lynn and Downham Market. I address that under other soundness issues, where I conclude that the CS strikes an appropriate balance between new housing development at King's Lynn, the other 2 main towns, and at the smaller settlements in the hierarchy.

49. Although commendably short, CS chapter 7.2 describes these and other themes, and makes useful reference to the background documentation, not least the SHMA, the SHLAA (recently revised), the 2 HNSs, the most recent AMRs, and the Background Paper to the Settlement Hierarchy. I have studied all of these, and find nothing of significance to criticise in them. This amounts

to an impressive and robust evidence base for the CS housing policies, which taken as a whole has not been seriously challenged.

50. With these considerations in mind, I find that with the aforementioned Minor Textual Amendments, the CS housing policies (led by CS09, but with housing figures for individual settlements in CS03-CS06) are fully in accordance with the policies in PPS3 *Housing*, and with the EEP. In general, the CS makes sound and adequate provision for housing.
51. Being focused on soundness, the examination hearing did not address all aspects of housing provision. However, a few additional matters require brief comment. Firstly, on the balance between brownfield and greenfield development, it is clear - particularly from the comprehensive work on the SHLAAs - that by far the majority of brownfield development opportunities within the plan period will occur in King's Lynn, but with a significant contribution coming from Downham Market, and a somewhat lesser one from Hunstanton. The KRSCs will also provide a few developments, but only on relatively small sites. There will also be some small infill redevelopments in smaller villages. As for greenfield land, the evidence base amply demonstrates that significant amounts will be required within the CS's proposed areas for urban expansion. Their precise extent will be indicated in the forthcoming SSAP. That said, there is a general acceptance that the CS strikes an appropriate overall balance between brownfield and greenfield development.
52. Secondly, on affordable housing, I note that an Affordable Housing and Site Viability Study was first produced for the borough in 2008, but revised in 2009 to reflect radically altered economic conditions and changes in the housing market. As the CS observes, "targets have been set...to reflect the viability deterioration to date", and the Council has now established a procedure for reviewing those targets as economic conditions and viability parameters continue to alter. Thus the percentage and thresholds in the policy will be reviewed annually, by way of a borough AHVA, in line with a DVI (dynamic viability index). This ensures that the affordable housing targets (for King's Lynn and other areas, respectively) remain viable.
53. As another Inspector, cited at this examination, has recently found⁵, the evidential basis for this DVI-derived method seems to offer a sounder approach than that of a fixed and immutable target for a lengthy plan period. In this examination too, it has not been seriously challenged by any representations. In my view, owing to its basis in the measurable and transparent dynamics of development viability, it is justified and deliverable, and is consistent with PPS3. And if, as many commentators now maintain, conditions generally in the housing market are now recovering, the DVI can be expected to deliver increasing proportions of affordable housing as developments become more viable.
54. Thirdly, the Council also addressed the question of gypsy and traveller pitch provision, albeit that no other parties commented on this matter at the examination hearing. The current position is set out in paras. 2.5.1-2.5.7 in

⁵ See Report on the Examination into the Shropshire CS DPD, published February 2011

CHS9. This shows that provision to date meets the requirements set out in the recent EEP single issue review⁶. I have seen no evidence to suggest otherwise.

Issue 10 – Whether the CS (especially policy CS10) makes sound and adequate provision for employment, having regard to the needs of King's Lynn, the other main towns, and the rural and coastal areas

55. The CS employment strategy is underpinned by the EEP's jobs growth target (5000 additional jobs between 2001 and 2021), and by the 2007 borough employment land study. The latter forecasts employment land requirements in major employment sectors including manufacturing, warehousing and distribution, and offices. Based on this and other data, the CS sets out a target of 66 ha. of employment land to be allocated in the borough during the plan period. About three quarters of that total is to be located at King's Lynn, with a substantial tranche (15 ha.) at Downham Market, and a small amount at Hunstanton.
56. Policy CS10 also contains provision for "rural employment exception sites" to emerge on an ad hoc basis, and includes a criteria-based approach to the retention of existing employment land and premises. Helped by these provisions, I would anticipate that some exception sites will come forward at the KRSCs, and that they and some smaller villages will be able to retain existing firms and continue to provide local employment opportunities.
57. These measures in combination should enable the provision and retention of sufficient employment land in the borough for the next 15 years. There are no persuasive representations to the contrary. Moreover, despite some instances of low take-up in the past, the CS's employment expansion areas as shown on the key diagrams for the 3 towns are on balance the best and most sustainable locations for major new employment development. They are all well related to planned housing growth, and to existing transport infrastructure and services, and they do not raise any major constraints or objections on environmental grounds. In my view, no other locations are to be preferred.
58. One participant at the hearing argued for greater recognition to be given in the CS to approved employment uses at Bexwell, east of Downham Market, and the Council has put forward a Minor Textual Amendment to cover the point. Otherwise, there are no representations to demonstrate any major shortcomings in policy CS10. In so far as this issue is concerned, the CS as submitted is sound. It is also fully consistent with the Government's recent policy statement on Planning for Growth, which emphasises the need to make adequate provision for sustainable economic growth and jobs.

Issue 11 – Whether the CS makes sound and adequate provision for retail needs and development in King's Lynn and the other main towns

59. This matter is addressed in CHS11, which refers to the background of the town centre studies⁷ which inform the CS evidence base. Over the plan period, the only significant growth in retail space anticipated in the borough will be at

⁶ KLWN/REG/003

⁷ KLWN/OTHERSUPP/021 and 027

King's Lynn, within the area to the east⁸ of the current retail core of the town indicated on the key diagram. This "town centre expansion area" will in due course be clearly defined in the SSAP. However, I was told that development on any significant scale there will have to await a revival in the national and regional economy, as they continue to move out of recession.

60. In Downham Market and Hunstanton, retail development opportunities will be much more limited – the latter perhaps guided by proposals and options in the Hunstanton Town Centre and Southern Seafront Masterplan⁹, published in 2008.
61. Despite some objections¹⁰, the CS does not anticipate any further out-of-centre or out-of-town shopping development, given that 2 large foodstores (Tescos and Sainsburys) were quite recently¹¹ permitted on the southern edge of King's Lynn.
62. The CS contains further references to retail needs and development in policies CS02, CS03, CS04, CS05 and CS06. There will be some scope for new retail development, probably as part of mixed development, within the proposed areas for urban expansion. I find the CS's approach to these matters fully consistent with PPS4, and amply justified by the evidence base. I see no need to recommend any change to it.
63. It follows that, so far as this issue is concerned, the CS as submitted is sound.

Issue 12 – Whether the policy framework for transportation (especially policy CS11) is an appropriate response to the borough's needs and opportunities over the plan period, and its connections with neighbouring districts and the wider area

64. This issue, and the background to several local transport matters affecting the borough are addressed in CHS12. There are 3 main underpinnings for policy CS11: the regional transport strategy in the EEP; the Norfolk LTP¹²; and NCC's ongoing KLATS studies. The first 2 of these rely to a considerable extent on national transport policies, particularly in their emphasis on achieving more sustainable transport networks and modes. Hence the overall objective of CS transport policy to "deliver a sustainable transport network which improves connectivity within and beyond the borough...".¹³
65. The KLATS studies propose a number of measures for dealing with transport and its related problems in and around King's Lynn. These measures (which do not require description here) will be planned, designed, consulted upon, modified, approved and funded by mechanisms which are outside, but which have proceeded and will proceed in parallel with this CS. They will involve a wide range of bodies in their implementation, which, given funding constraints,

⁸ An edge-of-centre location as defined in PPS4

⁹ CHS5 appendix 1

¹⁰ e.g. from Sibelco, concerning land at Leziate

¹¹ In 2010

¹² At the time of the hearings, the 3rd LTP was nearing completion

¹³ Policy CS11, first para.

is likely to take up most of the plan period. Details of the implementation plan are in appendix 1 to CHS12.

66. Policy CS11 also lists a number of other transport investment priorities, and a section on dealing with transport issues in new developments.
67. While the policy priorities include improvements to public transport, the CS is also realistic in its recognition that many people will probably continue in the future to rely on the private car as their main transport mode. This is inevitable given the distribution of a significant proportion of the borough's population in many small settlements scattered over a large rural area. It also underlies the KLATS measures aimed at tackling road congestion, air pollution, parking and road safety.
68. Although consultations on the CS have inevitably highlighted some differences of opinion as to the desirability of this or that transport priority or measure, it seems to me that none of the representations effectively challenge the overall soundness of the transport strategy.
69. That said, one detailed and considered representation¹⁴ questions the deliverability of a proposed area for urban expansion on traffic and transport grounds alone: in a nutshell, this asserts that worsening congestion and capacity problems at the extensive and complex Hardwick interchange will frustrate the King's Lynn south eastern expansion (at West Winch/North Runcton) unless the expansion area is enlarged to include further land to the north east of the A47 at Constitution Hill. For their part, the Council notes that the HA has not objected to the CS proposals on highways capacity grounds, and NCC considers it premature at this stage for firm junction designs or new road layouts to be agreed – however, various possibilities exist, already partially explored through KLATS. I agree in general with the Councils; in my view, the south east expansion area need not be enlarged to include the Symington Trustees' land, as there is probably sufficient scope to design and implement suitable access(es) to it, and road layouts through it, within the area between the A10 and the A47.
70. So far as this issue is concerned, the CS as submitted is sound.

Issue 13 – Whether the policies (especially CS03, CS04, CS05) and key diagrams indicate the best general locations for “urban expansion” and “employment expansion” at the main towns (King's Lynn, Downham Market, Hunstanton), having regard to any reasonable and realistic alternatives

71. Of all the soundness issues I have identified, this – unsurprisingly - has probably attracted the most comment at the various stages of plan preparation. In brief, the CS proposes 3 areas for urban expansion on the edge of King's Lynn, and 3 areas of employment expansion at existing industrial estates/business parks; one area for urban expansion on the eastern side of Downham Market, and 2 areas for employment expansion at existing industrial areas; and 2 areas for urban expansion at Hunstanton (the more southerly one

¹⁴ by The Symington Trustees

included as a Focused Change) and one small area for employment expansion. At all 3 towns, the areas proposed for urban expansion mainly comprise greenfield sites, while the areas for employment expansion would be a combination of brownfield and greenfield land. They are indicated on the CS key diagrams merely as map symbols, and not on an ordnance survey base; the SSAP would in due course show the precise site boundaries within which development would occur.

72. For the Council, CHS13 summarises in tabular form the chief planning merits of, and constraints upon, the areas selected. It also considers the chief alternatives, and the reasons for their non-selection.
73. I have considered all these areas with reference to this and the other representations, including various proposals (some worked up in detail, with indicative masterplans etc.) for alternative sites (i.e. those which are clearly outside the areas indicated on the key diagrams). Some of these¹⁵ were promoted at the hearings. I have also visited all the locations on foot, to look in particular at their relationship with the existing urban area, existing and potential transport links, the effect on existing land uses, the likely landscape and visual impact of development, ecological matters, and residential amenity issues (the potential effect on existing dwellings).
74. Bearing in mind that all the areas being proposed in the CS have some disadvantages as well as advantages, and that balanced judgements must therefore be made, my brief conclusions are as follows:
75. *King's Lynn:* The 3 areas selected in the CS for urban expansion are the most appropriate to accommodate housing (plus a mix of some other neighbourhood uses) of the scale proposed at King's Lynn. Collectively, they have the best balance of planning merits, and are preferable to any alternatives of comparable size/housing capacity. Importantly, they are virtually free of any significant flood risk, while being capable of being connected by road, public transport and other links to the town centre and other parts of the town. They would not entail large losses of best quality farmland or woodland, and, with good and sensitive architectural and landscape design, their impact on the landscape would not be too intrusive or otherwise harmful.
76. As for the 3 areas for employment expansion, I have previously noted (under issue 10) my view that they represent the best available locations at King's Lynn. No others are to be preferred.
77. *Downham Market:* After King's Lynn, this will have the second largest amount of new greenfield housing allocations during the plan period. However, they will be limited - rightly, in my view - by the much lesser availability of facilities and services in the town compared with King's Lynn, and by the comparatively high levels of housing growth it has (nevertheless) experienced over the last few decades.
78. Given the clear geographical and physical boundaries of the Great Ouse and its relief channel to the east, and the A1122 by-pass to the south, the most

¹⁵ particularly on the edge of Downham Market

obvious potential directions for growth lie to the east, towards the A10; and to the north, towards Wimbotsham. Both mainly comprise flat or gently sloping arable farmland, with some woodland¹⁶ and hedgerows. The CS has chosen the former, both north and south of Bexwell Road, albeit with some development possibly extending east of Lynn Road.

79. I agree. It seems to me that while both directions allow for development free of flood risk, and that some land to the north could be developed without any risk of coalescence with, or even serious encroachment upon Wimbotsham, the easterly direction would have 2 particular advantages: it would be generally better related to the town centre (particularly that part of it south of Bexwell Road) and to other areas via the A10 and A1122; and it would tend to be less prominent and obtrusive in the landscape. Since there seems to be sufficient land available within this eastern sector to accommodate the level of growth envisaged in policy CS09, I am not recommending any extension of the area to the north (as suggested, for example, by the submissions for Albanwise Ltd. and Bennett plc)¹⁷. In my view, growth of the town in that more northerly direction might best occur after the eastern growth sector is completed, and (presumably) after the CS plan period.
80. As with King's Lynn, I find no areas at Downham Market better suited to employment expansion (albeit on a much smaller scale) than the 2 indicated on the key diagram. These are both at existing employment areas on the south-western edge of the town, between the Great Ouse relief channel and the railway. As CHS13 mentions, there is some longer term flood risk in this location, which might need appropriate and timely mitigation in connection with new development.
81. *Hunstanton*: The CS as submitted (i.e. with the Council's Focused Changes) indicates 2 areas for urban expansion at Hunstanton: one to the east, to further extend an area of new housing in the general area of Smithdon High School and Downs Road; and one to the south, both to the east and west of the A149. A very small area for employment expansion, which is not contentious, would extend the small business area south of the high school.
82. It seems to me that the original proposal to extend housing only in the Downs Road area is sound, particularly in that the town has long since "broken out" to the east of the A149 in that area, and, more importantly, the area is very close to the town centre and seafront. Further development here would not encroach upon or adversely affect the AONB to the east. Nor would it affect Old Hunstanton, which is self-contained and well removed to the north.
83. The proposed southerly addition, the subject of the Focused Change, is more problematical. The area to the west of the A149 (Redgate Hill) could be developed (as a southerly extension of the existing modern bungalows area off Princess Drive) onto apparently unused farmland, without any undue landscape impact and without incurring any flood risk. This area, north of the Heacham River, is too far removed from Heacham itself to run any risk of coalescence with it. However, the land to the east of the A149 in this locality is a different

¹⁶ notably, Kingston's Plantation in the north

¹⁷ See esp. Issues 3/006,6a and 13/001 respectively.

matter; in my opinion, development here would have a very detrimental impact on the landscape, which is fairly steeply sloping and very prominent in long and medium range views. It would create an undesirable impression of urban sprawl. Moreover, unlike the Downs Road area it would not be close to the town centre, nor in any way well related to it. For those reasons, I recommend (as **IC1**) that this south-easterly direction of growth, east of the A149, be deleted from the CS. That area west of the A149 (as shown in the Figure 9 Focused Change diagram) should be retained. My recommendation is stated in detail in Appendix C. Given that 2 areas for expansion will be retained, and the relatively small scale of growth involved, this change should not have any significant implications for the meeting of housing provision figures for the borough or for Hunstanton.

84. With **IC1**, and given that I am not recommending any other changes to the areas for urban or employment expansion, so far as this issue is concerned the CS is sound.

Issue 14 – Whether the CS will guide and support urban regeneration needs and initiatives at King's Lynn and the other main towns

85. CHS14 provides a concise summary of the important regeneration initiatives that have already taken place in the borough in recent years. They include the ongoing, linked NORA and the Waterfront projects in King's Lynn. The CHS also places the initiatives within the context of King's Lynn's status in the EEP as a "key centre for development and change", and, separately from that, as a "growth point" first identified by the previous Government. Despite various current uncertainties over future funding streams, and notwithstanding the pressing context of public expenditure restraint, this regeneration work continues - not just in King's Lynn - and will do so for some years to come.

86. Although strategic spatial planning and urban regeneration operate under somewhat different planning and financial regimes, the CS will help to guide and support urban regeneration needs and initiatives, both at King's Lynn and in the other main towns. So far as this issue is concerned, the CS is sound.

Issue 15 – Whether policy CS08 includes appropriate and justified criteria for general sustainability, design and density

87. It is unusual for one CS policy to embrace such varied and disparate topics as design quality, density, flood risk and climate change, and renewable energy – all under the general umbrella of sustainable development. Moreover, policy CS08 seems to me to read as an uneven and even slightly confusing mix of broad aspirations with development requirements and criteria, some of them a little vague and open to wide interpretation. Arguably, the policy also strays in places beyond the proper realm of spatial planning: e.g. in the injunction for new development to "enhance community well being" and "promote healthy lifestyles".

88. In short, I have some reservations about policy CS08. That said, my role is not to try to improve the plan, much less to re-write it, but to assess its soundness as submitted. That is more limited in its ambition and scope. In so far as the subject matter of the policy: a) falls for the most part within the remit of spatial planning; b) (as subject to the Council's Minor Textual Amendments) does not conflict with any facet of national policy; and c) sets out generally

reasonable and robust criteria for the design and delivery of "sustainable" development, I find it sound.

89. There have been a few representations seeking far more detailed development control criteria to be included in the policy – for example, seeking precisely measured buffer zones, noise emission limits and other restrictive conditions around all new onshore wind farms. Whatever the merits of such suggestions (and here I take no particular view on them), I do not agree that such detailed criteria belong in a core strategy, which is, by definition, strategic in nature and not intended to act as a development management tool for individual types of planning proposals.
90. It follows that, so far as this issue is concerned, and with the Minor Textual Amendments proposed by the Council, the CS is sound.

Issue 16 – Whether, having regard to national policy in PPS25, policy CS08 deals adequately with flood risk and climate change, or whether any areas proposed in the CS for development may be subject to unacceptable flood risk

91. The borough is well-known to be more susceptible to flood risk - both tidal, fluvial and in some places even from surface water – than a great many others, especially in its most low-lying, coastal and fenland areas. Those include some built-up parts of King's Lynn, whose geographical position is close to The Wash, is flanked by the tidal Great Ouse River, and also includes part of the Nar Valley. The borough also has a long and generally very flat coastline, parts of which were severely affected in the notorious tidal floods of January 1953. As a result there are numerous and varied flood defences, some dating back centuries, some quite recent or in the course of construction.
92. Because flood risk is such a longstanding and familiar feature of the borough, I had expected this particular soundness issue to attract more comment than in fact it did. Indeed, at the examination hearing there was no one present effectively to refute the Council's contention - supported by The Environment Agency – that the CS is sound with respect to it.
93. The contention is strongly grounded in the SFRA, which dates from 2005 but which was reviewed in 2008 and (partially) in 2010¹⁸. In fact, the borough was one of the earliest LPAs in the country to undertake a SFRA. Various other related technical studies (including, in particular, the SMP) have subsequently been prepared, or are in progress. They do not require further description here. As a result, recent detailed mapping at 1:25000 scale is available to inform PPS25 appraisals of development proposals, including the sequential and exception tests. (There are two sets of maps, one illustrating the current levels of actual flood risk [taking into account flood defences], and one showing estimated levels of actual flood risk in 2115, allowing for the predicted effects of climate change.) Tellingly, the EA is satisfied that the PPS25 tests can be met, including on the proposed regeneration and employment expansion sites.

¹⁸ KLWN/OTHERSUPP/13 and 14

94. CHS16 summarises the relationship between CS policies and PPS25 requirements, particularly in terms of appraising and managing flood risk. It is also worth noting that the various proposed areas for urban and employment expansion have been selected with flood risk at the very forefront of the planning criteria. Thus some¹⁹ have been criticised for being too prominent in the wider landscape – perhaps an unavoidable consequence of their location on relatively high ground. But that seems to me a necessary and justified trade-off, and, in any event, is capable of mitigation through architectural and landscape design.
95. In the absence of any persuasive evidence to the contrary, I am satisfied that the CS policies (particularly CS08) are consistent with national (PPS25) advice, and that those areas which are proposed for development over the plan period will not be subject to unacceptable flood risk, even when climate change is taken into account. That includes those built-up parts of King's Lynn where new development on previously developed land is likely to occur. It follows that, so far as this issue is concerned, the CS as submitted is sound.

Issue 17 - Whether, in the light of the Council's Sustainability Appraisal and Appropriate Assessment, the policy framework for environmental assets (especially policy CS12) will provide sound and adequate protection in seeking to conserve those assets

96. In my view, the CHSs and related library documentation show that work on both the SA and the AA has been adequately thorough and is robust. These are both key components of the CS evidence base, and it is clear how they have helped to shape the main strategic choices in the plan, and most of the individual policies. As the Council stated at the hearing on this issue, they are "embedded" in the CS. In fact, I find no telling criticisms of either - whether the documents themselves, or the process of their preparation - from any representor.
97. A section of CHS17, including its addendum 2, deals with AA. This shows how the findings of AA have been fed into the CS, including through detailed policy wordings.
98. The hearing was assisted by a SCG²⁰ prepared jointly by the Council, Natural England and the RSPB. This deals with issues relating to European sites of nature conservation importance. The 2 nature conservation bodies have also been concerned specifically with the protection of woodlarks and nightjars, as well as stone curlews, in the Breckland SPA, part of which is in the borough. The SCG has informed some Minor Textual Amendments²¹ put forward by the Council after the hearings, and which I support. Although these do not entirely adopt certain suggested wordings (of the policy or its supporting text) by NE and the RSPB, they do not compromise the soundness of policy CS12. In addition, I note the conservation bodies' preference for CS wordings related to these matters to replicate those in neighbouring districts' CSs (especially,

¹⁹ e.g. land north east of Reffley Wood, King's Lynn; and land off Downs Road, east of Hunstanton

²⁰ CHS17 appendix 2

²¹ derived from CHS17 addendum 1

Breckland), but in my view general consistency with those is appropriate, rather than verbatim adherence.

99. The borough is well known to contain a great many "environmental assets", which as described in CHS17 fall within the general categories of the historic environment, and the natural environment including landscape character, green infrastructure, biodiversity and geo-diversity. Together, these cover a wide range of material considerations in spatial planning and development management. The policy wording clearly indicates a commitment to the conservation of these assets. However, the CS has avoided any temptation to describe them in detail, such that the section on environmental assets is commendably short. Therefore, while they are merely alluded to, rather than described in detail, there is ample background documentation (much, but not all of it in the examination library) for those seeking further information.
100. Many of these assets are the subject of planning designations, mostly of long standing. They are mainly to do with the conservation of buildings (eg. CAs and listing), landscape (the AONB), or wildlife habitats and species (ranging from European, down through national to local designations.) Perhaps the most notable are those aimed principally at bird conservation. All of these are subject to national (and regional) policies and advice, and it is no part of the CS's role to repeat that, nor to provide a local variation of it. That is why I do not support, for example, those representors²² who would include in it a description of the Norfolk Coast AONB, or a specific policy for it.
101. On a minor additional point: a further Minor Textual Amendment is required to refer to PPS5, *Planning for the Historic Environment (2010)*, in place of PPG15 (1994), which has been cancelled.
102. In general, therefore, I consider that policy CS12 properly recognises the constraints on new development imposed by the rich array of environmental assets in the borough, and the need to protect and conserve them. In so far as this issue is concerned, the CS is sound.

Issue 18 – Whether the CS (especially policy CS14) provides sufficient emphasis and guidance on the provision/delivery of the essential infrastructure required to support development

103. To answer this question, I have relied principally upon CS chapter 8, (Implementation), CS appendix 3 (Delivery Framework), the Council's recently published Infrastructure Study²³, and CHS18. There is no need to summarise these sources and documents here. Together, they provide amply reliable and robust assurance that the Council has engaged and will continue to engage with all key infrastructure providers, in accordance with PPS12, and that, to cite CHS18, "there are no major strategic (infrastructure) requirements or major deficits that would prevent the delivery of development as proposed in the CS".
104. In addition, the Council has adequate internal mechanisms in place, where relevant, to direct public funding towards the provision of certain infrastructure,

²² eg. Issue 17 statement 01

²³ KLWN/ED/16, December 2010

including in the King's Lynn regeneration areas. It is also actively considering the potential effect of the CIL in obtaining infrastructure contributions from developers, as a successor mechanism to Section 106 planning obligations; however, I agree that it is too early to refer in more detail to the CIL in the CS itself.

105. The general robustness of infrastructure planning through the CS was supported by the EA at the hearings, in so far as it engages with that body's responsibilities. It was not challenged by any other participant, with the exception of The Symington Trustees who consider that the King's Lynn south east expansion area (West Winch/North Runcton) cannot realistically be delivered without including some of the Trustees' land to the north east of the A47 (Constitution Hill), owing to the likely need for substantial new highways works linked with the complex Hardwick interchange. I comment on that under issue 12 above.
106. All that said, the Council acknowledges current uncertainties about some infrastructure funding in the current situation of tight constraint upon public expenditure. That situation is of course also being experienced by virtually every other local authority and publicly-funded body in the country. But the plan period extends forward for 15 years, and both the national and the regional economic situation are likely to change within that period in ways - whether for the better or for the worse - that cannot now be confidently predicted. While these uncertainties will persist, that alone does not make the CS unsound as it stands. Given the general thoroughness of its approach to infrastructure planning, so far as this issue is concerned, the CS is sound.

Issue 19 – Whether the preparation of the CS can demonstrate effective cross-boundary working, especially regarding the expansion of Wisbech (in Fenland District)

107. The only detailed representations on this issue come from the Council, Cambridgeshire CC, and Fenland DC (in Cambridgeshire). Taken together, they reassure me that there has indeed been effective cross-boundary working, particularly on the subject of the expansion of Wisbech, even though the preparation of Fenland's Core Strategy lags somewhat behind this CS.
108. The evidence suggests that the Council is able and willing to support residential growth at Wisbech, albeit of course within this borough, which abuts the town. (Policy CS01 refers to "at least 500" new houses east of Wisbech, and such growth is intended to occur in the Walsoken and Emneth parishes.) However, there is some doubt as to where Fenland DC will ultimately favour urban growth outside Wisbech, given the complex highways-related and flood-risk issues it is currently exploring. Be that as it may, I am satisfied²⁴ that the 2 Councils are actively considering these matters, in an appropriate spirit of cooperation.

109. It follows that, so far as this issue is concerned, the CS is sound.

²⁴ particularly with reference to KLWN/ED/002 and CHS19

Issue 20 – Whether the CS policies are deliverable (where relevant) within the 15 year plan period

110. Under this broad heading there is little I can usefully add to my findings under issue 18 (specifically, on infrastructure) above. The provision of housing and employment development, in particular, which are envisaged in the CS will depend to a large extent upon private funding sources and institutions, and no one can confidently predict the rate at which such development will be brought forward. But as is well known, in recent years (and particularly since 2008) housing starts generally in the country have been slow, having been strongly affected by well-publicised shortages of development and mortgage finance.
111. The CS cannot, of course, do much to affect that rather discouraging broader picture. And yet, despite that, the Council's monitoring work on the SHLAA etc. gives indications of when individual housing sites are likely to be developed, and this work has recently been updated, and will continue to be so. For its part, and from its detailed knowledge of the borough housing and commercial property markets, the Council remains confident that all of the development envisaged in the CS can be delivered within the remaining 15 year plan period.
112. Against that, no participant at the hearings was able to show that the planned development in the CS, nor any of its other policies, are not deliverable within that period. In the absence of such evidence, I accept the Council's cautiously affirmative view. Therefore, so far as this issue is concerned, the CS is sound.

Issue 21 – Whether the CS in general is sufficiently flexible to cope with uncertainty, and will be subject to robust and effective monitoring

113. CS chapter 9 deal with monitoring, referring to the AMRs, and CHS21 addresses the plan's flexibility. It summarises the risks which might make implementation of the policies uncertain, and also the mitigation strategies for those risks which might come into play. Against this there have been a few calls for additional "flexibility" in terms of increased housing allocations in one location or another (chiefly, at Downham Market). But such allocations would tend to upset the spatial strategy, and I am not recommending any (in terms of enlarging the proposed areas for urban expansion; any allocations as such would await the SSAP).
114. In general, I find that the CS embodies a reasonable degree of flexibility in the face of uncertainty, and that it will be adequately monitored. It follows that, so far as this issue is concerned, the CS is sound.
115. Other matters: A wide range of matters were raised in the representations and at the hearings which do not go to the heart of the soundness of the CS. In many cases they suggest "improvements" to the plan, particularly in terms of the clarity and phrasing of individual policies and their supporting text. In response, the Council proposes various Minor Textual Amendments, many of them derived from representors' suggestions, and others from Council members and officers. These were published in 2 tranches, both before and after the hearing sessions. (The first tranche was included with the submission documents; where there is a conflict, later versions supersede earlier ones). These Minor Textual Amendments require no further comment from me, other

than to endorse them generally in the interests of coherence, clarity, and accuracy.

116. Having considered all the other points raised, no further changes are needed to ensure that this CS is sound within the terms of PPS12 and associated guidance.

Legal Requirements

117. My examination of the compliance of the Core Strategy with the legal requirements is summarised in the table below. I conclude that the Core Strategy meets them all.

LEGAL REQUIREMENTS		
Local Development Scheme (LDS)		The Core Strategy is identified within the approved LDS May 2009 which sets out an expected adoption date of November 2010. The Core Strategy's content and timing (albeit with some slippage) are compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations		The SCI was adopted in 2007 and consultation has been compliant with the requirements therein, including the consultation on the Council's Focused Changes.
Sustainability Appraisal (SA)		SA has been carried out and is adequate.
Appropriate Assessment (AA)		The Habitats Regulations AA was published in July 2009 and updated in November 2010 and is adequate.
National Policy and the RSS		The Core Strategy generally complies with national policy and with the RSS and does not conflict with them.
Sustainable Community Strategy (SCS)		Satisfactory regard has been paid to the SCS.
2004 Act and Regulations (as amended)		The Core Strategy complies with the Act and the Regulations.

Overall Conclusion and Recommendation

118. I conclude that with the changes proposed by the Council, set out in Appendix A, and the one change that I recommend, set out in Appendix C, the King's Lynn and West Norfolk Core Strategy DPD satisfies the requirements of s20(5) of the 2004 Act and meets the criteria for soundness in PPS12. Therefore I recommend that the plan be changed accordingly. And for the avoidance of doubt, I endorse the Council's proposed minor changes, set out in Appendix B.

Paul Dobsen

Inspector

This report is accompanied by:

Appendix A: Council Changes that go to soundness (i.e. the Council's pre-submission Focused Changes, September 2010, ref: SUBMIT002)

Appendix B: Council's Minor Textual Amendments (i.e. the Council's pre-submission minor amendments, September 2010, ref: SUBMIT003; and the post-hearings minor amendments, February 2011)

Appendix C (attached) Change that the Inspector considers is needed to make the plan sound

Appendix C – Change that the Inspector considers is needed to make the plan sound

This change is required in order to make the Core Strategy sound.

Inspector Change No.	Policy/Paragraph/Page	Change
IC1	Figure 9 – Hunstanton key diagram	Delete arrow indicating Area for Urban Expansion to the south of Hunstanton, <u>east</u> of the A149. (Retain arrows indicating Areas for Urban Expansion to the south of Hunstanton <u>west</u> of the A149, and to the east of Hunstanton in area of Downs Road)