

Your ref:  
Our ref: CM/LPR  
Please ask for: Claire May  
Direct dial: (01553) 616237  
E-mail: [claire.may@west-norfolk.gov.uk](mailto:claire.may@west-norfolk.gov.uk)

Borough Council of  
**King's Lynn &  
West Norfolk**



**By email via the Programme Officer**

**Geoff Hall**  
Executive Director

**Stuart Ashworth**  
Assistant Director Environment and  
Planning

**Date**  
27 May 2022

Dear Ms Baker and Mr Hayden

## **Examination of King's Lynn & West Norfolk Local Plan Review: Initial Questions Part 1**

I write further to your letter dated 5 May 2022 and have set out our responses to your questions below.

### **Status of Local Plan Review**

- 1. Paragraphs 2.0.3-2.0.4 of the Plan state that it is a review of the current Core Strategy (CS) and Site Allocations and Development Management Policies Plan (SADMP), to create a single local plan covering the period 2016-2036. However, the Plan still refers to some proposed housing and employment site allocations as being SADMP allocations. Please confirm whether or not the Plan is a full or partial review of the CS and SADMP? If it is the latter, we would be grateful if you would clarify which elements of the Plan are to be examined.**

We can confirm that the Plan is a full review of the Core Strategy (CS) and the Site Allocations and Development Management Policies document (SADMP), to create a single Local Plan.

It is the case that some of the housing and employment site allocations from the SADMP have been reviewed and taken forward into this Local Plan. It is accepted that in some instances wording may be unclear, and we propose to make modifications to clarify that this is a single local plan.

### **Norfolk Strategic Planning Framework**

- 2. Paragraphs 2.0.13-2.0.17 of the Plan refer to the Norfolk Strategic Planning Framework (NSPF), prepared in 2017, but redrafted to become a Statement of Common Ground (SoCG). We presume this is core document D13, dated May 2021, but please confirm this is the case. What is the status of the NSPF and how has it informed the preparation of the Local Plan Review?**

We can confirm that core document D13 dated May 2021 is the Norfolk Strategic Planning Framework which is the Statement of Common Ground for Norfolk authorities.

The local authorities in Norfolk established a Strategic Norfolk Planning Member Forum made up of elected members who have worked together since forming in 2015. The forum oversees the Norfolk Strategic Planning Framework (NSPF) document on behalf of all the planning authorities in Norfolk. The NSPF provides a structure for dealing with planning issues across the county, especially those which have a strategic impact across local authority boundaries. It is an informal framework agreement between the authorities to work together.

The NSPF has informed the preparation of the Local Plan by providing an overview of strategic planning considerations for Norfolk. It informed the policies within the Local Plan including the optional higher water efficiency standard for residential development (Policy LP18), commissioned the Norfolk wide Green Infrastructure (GI) and Recreational Impact Avoidance and Mitigation Strategy (RAMS) which will supersede the Habitat Mitigation Payment (levy) (Policy LP27) and facilitated the agreement that all the Norfolk LPAs used a standard HELAA methodology. The on-going work of the NSPF will inform future reviews of the Local Plan.

### **Neighbourhood Plans**

- 3. Paragraphs 2.0.18-2.0.20 refer to a number of Neighbourhood Plans (NPs) which have been completed, are being prepared or may be produced during the plan period. Please would the Council provide a full list of the NPs which have been 'made' or are in progress, including the stage each has reached and the areas of the Borough they cover. Any 'made' NPs should be included in the list of Examination documents.**

A full list of Neighbourhood Plans that have been 'made' or in progress together with details of the stages reached is set out in the attached spreadsheet (Neighbourhood Plan Progress May 2022) with links to the appropriate neighbourhood map.

We have added the 'made' Neighbourhood Plans to the list of Examination Documents (A0) and will make this available on the Council's web site.

### **Local Development Scheme**

- 4. Two versions of the Local Development Scheme (LDS) have been submitted with the Plan, one which came into effect on 13 January 2021 [A10-1] and a revision dated May 2021 [A10-2], albeit the revised version is not included in the library index of submission documents on the website. The submission date in both versions of the LDS (July-September 2021), does not accord with the date the Plan was submitted to the Secretary of State (29 March 2022). Given it is a legal requirement that DPDs are prepared in accordance with the LDS, we would invite the Council to submit an up-to-date LDS, showing the correct submission date and corresponding changes to the timing of the Examination, receipt of our Report and adoption of the Plan.**

An up-to-date Local Development Scheme showing the correct submission date and corresponding changes to the timing of the Examination, receipt of the Inspector's Report and adoption of the Plan will be considered for approval by Cabinet at its meeting on the 21 June 2022. Following the meeting we will update the Document List (AO), publish the Local Development Scheme on the Council's website and provide you with a copy.

## **Sustainability Appraisal**

- 5. Paragraphs 2.26-2.28 of the Regulation 22 Statement of Consultation [A7] indicate that the Sustainability Appraisal (SA) of the Draft Local Plan Review was prepared in August 2020, following which amendments were made to the Plan before it was approved by the Council for pre-submission consultation in July 2021. We would be grateful if the Council could confirm whether the SA was updated to take account of those changes incorporated into the Pre-Submission Local Plan Review and, if so, provide a copy of the updated version?**
- 6. The SA also does not appear to contain a non-technical summary (NTS), as required by the Regulations. Please would the Council either direct us to this if we have overlooked it in the evidence base or update the SA to include an NTS?**

We are grateful for the indication that the SEA (2020) requires updating to consider the amendments that were made to the Plan before it was approved by the Council for pre-submission consultation in July 2021 and that a non-technical summary is required. We respectfully agree that this must be done.

We are preparing a non-technical summary, and an addendum to the SA now that considers the environmental effects of the changes compared with reasonable alternatives and these will be completed by the 6 July 2022. We then propose to publish the documents before the examination opens notifying interested parties we have done so and invite the Inspectors to consider any representations objectors may have on the updated SEA during the examination.

## **Nutrient Impacts on Habitats Sites**

- 7. As you will be aware, a Written Ministerial Statement (WMS) on Nutrient Levels in River Basin Catchments, was published on 16 March 2022. Amongst other things, the WMS signals changes in the approach to the assessment of development proposals in river catchments where water bodies that are protected sites under the Habitats Regulations are in unfavourable condition due to nutrient pollution. A number of local planning authorities (LPAs) have been newly listed as having protected water bodies affected by this. We understand that the Borough Council of King's Lynn and West Norfolk is one of those LPAs and that Natural England (NE) has issued updated advice to the Council in respect of the Broads SAC/Ramsar site. Accordingly, it is necessary for us to consider whether the Plan's proposals will result in any Likely Significant Effect and or effects on the integrity of this European Site, not identified or assessed in the Habitats Regulations Assessment (HRA) [A4] submitted with the Plan, which predates the WMS. At this early stage of the examination, we wish to know whether the updated advice from NE is likely to require changes to the Plan, in particular affecting the delivery of housing and employment land and/or policies setting out habitat mitigation measures? If further work is necessary and/or being commissioned to inform the Council's evidence on this, including any updates to the HRA, please provide further details and a timescale for it to be completed.**

The River Wensum Special Area of Conservation (SAC) catchment area includes parts of the rural north-east of the borough of King's Lynn and West Norfolk, including the

villages of Docking, East Rudham, Syderstone and Great Massingham. This map shows the specific area affected in west Norfolk.

There are two sites proposed for allocation within the Nutrient Neutrality catchment area: Site G91.1 (Land west of no. 26 The Street, Syderstone) and Site G31.1 (Land off Fakenham Road East Rudham). As both sites benefit from planning permission granted prior to the publication of the Written Ministerial Statement on the 16 March 2022, the advice from Natural England is unlikely to affect the delivery of these housing sites.

With regards to policies, we will be seeking to add appropriate wording to Policy LP27 Habitats Regulations Assessment (HRA), it's supporting text and the Policies Map to clarify that the Council, as a competent authority under the Habitats Regulations, will carefully consider the nutrient impacts of any new development proposals on European sites and whether those impacts may have an adverse effect on the integrity of a European site that requires mitigation, including through nutrient neutrality.

The Habitats Regulations Assessment (HRA) (A4) submitted with the Plan considers water related impacts on the River Wensum SAC and identifies phosphate pollution as a particular concern. The HRA concludes (paragraph 8.44, page 68) that the sites in the Plan that would potentially link to the sewage treatment works on the Wensum (Sites G91.1 for 5 dwellings and G31.1 for 10 dwellings) as 'very small' and that adverse effects from housing in the Plan can be ruled out alone or in-combination. The HRA (A4) has identified and assessed the effects of the proposals in the Plan on the River Wensum SAC.

### **Policies Map**

- 8. We understand that the submission Policies Map comprises the borough-wide map at Appendix F of the Plan, on an OS base to a scale of 1:180,000, together with a series of Inset Maps for each settlement contained in the written statement of the Plan. However, the inset maps are not numbered in accordance with the list of settlements in Appendix F, so it is not clear these comprise part of the Policies Map. Please would the Council supply us with a set of Inset Maps correctly numbered, labelled and annotated for our use in this examination.**

A set of Inset Maps correctly numbered, labelled and annotated has been supplied as requested. A Policies Map Inset List has also been prepared providing the Local Plan page numbers for ease of reference.

- 9. The Regulations require that the adopted policies map must illustrate geographically the application of the policies in the adopted plan. However, it does not appear that all of the policies in the submitted Plan are illustrated geographically on the borough-wide Policies Map or the Inset Maps. For example, areas for biodiversity enhancement (Policy LP15); the Norfolk Coast AONB (Policy LP16); County Wildlife and Geodiversity Sites (Policy LP19); Conservation Areas, Registered Parks and Gardens and Scheduled Monuments (Policy LP20); European and other nationally protected ecological sites (Policies LP23 & LP27); Flood Zones 2 and 3 (Policy LP25); and protected open spaces (Policy LP26). These are examples, but there may be others. We would be grateful for the Council's explanation of this, as currently it does not appear that the Policies Map is legally compliant nor that the geographical illustration of all of the Plan's policies is clear.**

We acknowledge that the submission Policies Map in Appendix F and the Inset Maps do not illustrate geographically the application of all the policies in the submitted Plan. This is a result of the adopted Site Allocations and Development Management Policies Map (2016) being carried forward into the Plan.

To address this issue, we have commissioned a new Draft Policies Map that will illustrate geographically the applications of the policies in the submitted Local Plan. The Draft Policies Map will be completed in the week beginning the 4 July 2022. It is anticipated that there may be main modifications relating to the Plan's policies going forward that may require corresponding changes to the Map.

### **Superseded Policies**

**10. The Regulations require that where a local plan contains a policy that is intended to supersede a policy in the adopted development plan, it must state this and identify the superseded policy. We note that Appendix D of the Plan sets out a list of the policies within it, including a column titled 'Previously known as'. However, we are unable to find reference to which policies and site allocations in the CS or SADMP would be superseded by policies in the submitted Plan. Please would the Council either direct us to this, if we have overlooked it, or provide a list of the adopted policies which would be superseded by each proposed policy.**

It is acknowledged that Appendix D 'List of Policies' is unclear as to which policies in the adopted development plan are to be superseded by policies in the new Local Plan. In order to clarify, we propose an additional modification to Appendix D. This minor modification will change the title of the appendix to 'List of Superseded Policies' and will clearly list the policies from the adopted Core Strategy and the Site Allocation and Development Management Policies DPD which will be superseded. A copy of the List of Superseded Policies is attached.

As stated in the response to Question 1 we propose to make modifications to clarify that this is a single Local Plan that replaces the CS and SADMP in their entirety.

Yours sincerely

Claire May, MSc, MRTPI  
Planning Policy Manager