

## **King's Lynn & West Norfolk Local Plan Review Examination**

*Inspectors:* Karen L Baker DipTP MA DipMP MRTPI

Mike Hayden BSc DipTP MRTPI

*Programme Officer:* Annette Feeney

*Email:* [Annette.Feeney@West-Norfolk.gov.uk](mailto:Annette.Feeney@West-Norfolk.gov.uk) *Tel:* 07775 771026

Claire May  
Planning Policy Manager  
Borough Council of King's Lynn & West Norfolk  
King's Court  
Chapel Street  
King's Lynn  
Norfolk PE30 1EX

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### **By email via the Programme Officer**

Dear Mrs May,

#### **Examination of King's Lynn & West Norfolk Local Plan Review: Initial Questions Part 2**

Following our letter of 5 May 2022, we have a number of other initial questions and requests for information arising from our reading of the King's Lynn & West Norfolk (KL&WN) Local Plan Review (the Plan), the evidence base and representations to date, which are set out in this letter below. At this stage of the examination, we would be grateful for the Council's written responses to these queries, in line with the timescale set out at the end of the letter.

#### **Plan Period**

1. We note the Council's proposal, in response to representations on the Regulation 19 pre-submission Plan, to extend the Plan period to 2038 and increase the housing requirement in Policy LP01 accordingly, to ensure compliance with paragraph 22 of the National Planning Policy Framework (NPPF) in respect of the need for strategic policies to look ahead over a minimum 15-year period from adoption. Is there a need to revisit other development requirements in the Plan, including employment land and retail floorspace needs, and other strategic policies, in the light of the suggested change to the Plan period?
2. Paragraph 22 of the NPPF also expects policies for larger scale developments, which form part of the strategy for an area, to be set within a vision that looks at least 30 years ahead. This policy was introduced into the NPPF in July 2021, ahead of the Regulation 19 pre-submission stage of the Plan and therefore applies for the purposes of this Examination. What bearing does this have on the policies for larger scale development in the Plan, particularly at West Winch (Policy E2.1), but also at other settlements in the Strategic Growth Corridor, including King's Lynn, Downham Market, Hunstanton and South Wootton?

## Spatial Strategy

3. There appears to be a degree of overlap and duplication, as well as some inconsistency, between Policies LP01 Spatial Strategy, LP02 Settlement Hierarchy, LP38 King's Lynn, LP39 Downham Market and LP40 Hunstanton in respect of the overall spatial strategy of the Plan and the roles of different settlements in that strategy. For example:
  - Policy LP01 defines the role of King's Lynn, Downham Market, Hunstanton, Wisbech and the Rural Areas in the spatial strategy, but they are defined in different terms in the settlement hierarchy in Policy LP02;
  - The overall development strategy for King's Lynn, Downham Market and Hunstanton in Policy LP01 is duplicated in Policies LP38-40, but in different terms;
  - West Lynn is defined as an adjoining settlement to Kings Lynn in Policy LP01 (part 4b), but as part of the sub-regional centre of King's Lynn in Policy LP02;
  - Policy LP01 (part 3c) establishes a priority to use the settlement hierarchy to ensure sustainable urban extensions to King's Lynn are developed, but the Plan does not propose such extensions to King's Lynn, rather to West Winch and South Wootton, which are defined in Policy LP02 as a separate tier of settlements in the hierarchy;
  - Policy LP02 defines a role for the Rural Villages, Smaller Villages and Hamlets in terms of their potential for limited or very limited development, but they are not mentioned in Policy LP01 part 8, which deals with the spatial strategy for the Rural Areas;
  - The final section of Policy LP02 defines general provisions for development, including compliance with Policies LP18 and LP19 on Design and Environmental Assets, which appear to be unrelated to the settlement hierarchy;
  - The penultimate bullet point requires land allocations to accord with the housing distribution in Policy LP01, which appears unnecessary given that the Plan already allocates sites for housing that in turn determine the housing distribution.

As such, we are concerned that as drafted the spatial strategy of the Plan is ambiguous and not clearly written, and therefore would not accord with paragraph 16 of the NPPF. However, we would be grateful for the Council's response to the above points and its explanation of this group of policies in defining the spatial strategy of the Plan.

4. Paragraph 23 of the NPPF requires broad locations for development to be shown on a key diagram. Given the importance to the spatial strategy of the strategic growth corridor, where 70% of housing growth is to take place, and West Winch Growth Area, where 40% of housing growth is allocated, should these locations for growth be shown on the Local Plan Strategy Diagram at Appendix G, which we presume is intended to be the key diagram for the Plan?

## Infrastructure Planning Evidence

5. We note there is a Norfolk Strategic Infrastructure Delivery Plan [D18] in the core documents, but are unable to find any infrastructure

planning or delivery evidence for King's Lynn and West Norfolk. We also note that the level of developer contributions for strategic infrastructure is an area of uncertainty in the Local Plan Review Viability Update [D1], which uses Norfolk County Council's Planning Obligations Standards as a sensitivity test for the cost of infrastructure. As such, we are concerned that the Plan and the infrastructure requirements listed in Policy LP05 are not based on evidence of the infrastructure needs of the Borough to support the proposed growth. The Planning Practice Guidance expects plans to be informed by evidence of infrastructure need<sup>1</sup>. If we have overlooked this evidence in the submitted documents, please direct us to it. Otherwise, we would be grateful for the Council's explanation of how this gap in the evidence base can be addressed?

#### Housing Requirement

6. The Local Housing Need (LHN) for KL&WN of 539 dwellings per annum (dpa) over the Plan period, identified in Policy LP01 and paragraph 4.1.4 of the Plan, is based on a standard method calculation at April 2020. However, affordability ratios which form a key input to the standard method calculation have been updated since then. Please would the Council provide an up to date standard method calculation of LHN for the Plan period, preferably at April 2022?
7. Are there any unmet housing needs from neighbouring authorities that need to be met in this Plan? If not, where is the agreed position on this set out in the evidence?

#### Housing Supply

8. Paragraph 4.1.13 of the Plan states that in the region of 80% of the Local Plan allocations have come forward and benefit from planning permission. The latest housing trajectory evidence submitted to support is dated 2019/20 [D6]. The total supply of 14,298 dwellings in that trajectory falls short of the 16,100 dwelling supply stated in the Plan. Given that the 2019/20 housing trajectory is 2 years old, please would the Council provide an up to date version of the trajectory, ideally as at the end of March 2022, including all of the completions, commitments and allocations on which the housing land supply relies, both for the current Plan period 2016-2036 and the proposed extended period to 2038? This should be correlated with the figures for the various components of the housing supply set out in paragraphs 4.1.7-4.1.11 of the Plan and the figures for allocations for each settlement/settlement type in the table at paragraph 4.1.20 of the Plan.
9. Paragraph 4.1.11 of the Plan includes an allowance of 311 dpa from windfall sites as part of the projected housing land supply for the last 13 years of the Plan period from 2023-2036. Paragraph 71 of the NPPF says that there should be compelling evidence that windfall sites will provide a reliable source of supply. Where is the evidence of past completions from this source to support an allowance of 311 dpa and is there any other evidence which is relied upon to justify the allowance? Should the windfall component of the housing trajectory also be updated to reflect a period of 3 years from adoption for such sites to come forward?

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<sup>1</sup> PPG Paragraph: 005 Reference ID: 23b-005-20190315

## West Winch Growth Area - Policy E2.1

10. The planned housing supply relies heavily on the delivery of 2,500 homes on land at West Winch by the end of the Plan period in 2036. We note from the 2019-20 Housing Trajectory [D6] that this assumes construction of houses starting in 2023/34, but it is unclear from the evidence what progress has been made on the implementation of this site and whether this trajectory is currently realistic. Given the importance of the site, we would be grateful if the Council would provide a separate delivery note for the West Winch Growth Area, to explain the following matters in particular:
- a) The landownership position of the site and the status of any landowners agreements?
  - b) Progress on preparation of the Strategic Growth Area Masterplan SPD and the role it is intended to play in guiding planning applications for the site?
  - c) The overall delivery programme for the site, including site preparation and infrastructure, and the trigger points for key items of transport and community infrastructure?
  - d) Progress on any planning applications for the site?
  - e) What stage has been reached on the design, planning and delivery of the West Winch Housing Access Road or the A10/A47 link road, which appears to be a key infrastructure requirement?
  - f) How the strategic infrastructure requirements of the site will be funded and what funding is already in place to ensure their timely delivery?
  - g) What is the evidence to show there is a realistic prospect that the rates of house building on the site anticipated in the Housing Trajectory, which at its peak assumes the delivery of 240 dpa, will be delivered?
11. We note the North Runcton and West Winch Neighbourhood Plan (NP), made in 2017, contains policies for the West Winch Growth Area. What is the relationship between Policy E2.1 in the Plan and Policies GA01-GA10 of the NP and how will the NP policies be used in determining planning applications for the West Winch Growth Area? Should this be made clear in Policy E2.1?

## Gypsy and Traveller Accommodation

We note that the Council is awaiting an updated Gypsy and Traveller Accommodation Assessment (GTAA) 2022. Given this, we will await receipt of the updated GTAA before reviewing that part of the evidence base.

12. Currently Policy LP28 does not allocate sites to meet the need for additional pitches and plots for gypsies and travellers and travelling showpeople respectively, identified in the 2016 GTAA, but relies on a criteria-based policy approach to support sites that are brought forward to meet those needs. This does not appear to accord with the Planning Policy for Traveller Sites 2015 (the PPTS), paragraphs 10-11 of which expect authorities to identify sites to meet needs, and adopt a criteria-based approach where there is no identified need. What evidence does the Council have, such as a past record of granting planning permissions for new Gypsy and Traveller accommodation, to justify a development management-led approach to meeting needs?

### Climate Change – Policy LP06

13. What is the evidence to justify the requirement for Sustainability and Climate Change Statements for developments at thresholds of 5 dwellings or more and over 500 square metres of non-residential floorspace?

### Economy and Employment Land – Policy LP07

14. Policy LP07 allocates 71 hectares of employment land for the period to 2036, which we note amounts to 19.6 years' supply, based on take up rates over the 5 year period to 2019. However, it is unclear from the evidence what the relationship is between this land supply and the forecast growth of 3,400 jobs in King's Lynn and West Norfolk between 2016-2036 derived from the East of England Forecasting Model 2017<sup>2</sup> or the housing requirement of 10,780 dwellings. Given that one of the strategic economic objectives of the Norfolk Spatial Framework is for jobs growth to broadly match increases in housing provision, please would the Council explain the relationship between the employment land allocation, the forecast jobs growth and the housing requirement for the Plan period. Should the employment land requirement also be set out in Policy LP01 as part of the spatial strategy for the Borough?

### Retail Development – Policy LP08

15. What is the evidence to justify the thresholds for impact tests in Policy LP08 for:
- any amount of new retail floorspace at the Hardwick Road area in King's Lynn?
  - units exceeding 500sqm of local scale retail and service provision as part of larger residential-led schemes?

### Kings Lynn Policies

16. Policy LP01 4. King's Lynn and Policy LP38 6. for the Kings Lynn Area refer to a number of strategies and proposals within them, including for the Nar-Ouse Regeneration Area, Nelson Quay, the Town Centre and the Heritage Action Zone (in Policy LP01), and the Urban Development Strategy, Riverfront Delivery Plan, St Margaret's Conservation Area Management Plan, and Town Centre Extension Development Framework (in Policy LP38). What status do these documents have and were they subject to public consultation? Should the areas covered by these strategies be shown on the Policies Map, given that the two policies refer to development within them? Two of these strategies appear to be included within the core documents [D31 and D33], but please would the Council add the remaining documents to the Examination Library.

### Flood Risk

17. Given that the Strategic Flood Risk Assessment [D11] was prepared in 2019, in preparing the pre-submission Plan, what account has been taken of the July 2021 update to the NPPF in respect of flood risk, in particular the requirement to apply a sequential approach to site selection, taking into account all sources of flood risk?

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<sup>2</sup> Employment Land Review Background Paper, September 2017 [C1, p19]

### Suggested Main Modifications

18. We note the Council has suggested a number of main modifications (MMs) to the submitted Plan, in response to representations made at the Regulation 19 pre-submission consultation on the Plan. Does the Council wish us to consider these under Section 20(7C) of the Planning and Compulsory Purchase Act 2004 as modifications necessary to make the Plan legally compliant or sound? If so, we would be grateful if the Council would submit the suggested wording for these changes in the form of a draft MMs schedule, to which other MMs can be added as the Examination progresses. This document should also be added to the Examination Library.

### Policy Justifications

19. There appears to be some inconsistency in the way the supporting text to policies in the Plan is structured, such that the policy justification is not always clear. For Policies LP01-28 and LP31-37, the supporting text to each policy has an introduction and/or policy approach, but no clear policy justification. Policies LP29 and LP30, on the other hand, have a clearly titled 'Policy Justification and Supporting Text'. Likewise, some site allocation policies have policy justifications, but not all. It is not clear to us, therefore, that all policies in the Plan are appropriately justified. How could this soundness matter be addressed?

### Corrections and Updates to References

20. We have noticed a number of minor matters in the Plan which will need to be updated as part of any Additional Modifications to be made by the Council before adoption. These are not matters of soundness, but we draw them to the Council's attention for assistance:

- a) References to 'Scheduled Ancient Monuments' throughout the Plan should be changed to 'Scheduled Monuments';
- b) References to previous policy numbers in the current adopted plans is unnecessary and confusing, given that these policies will be superseded, and should be removed from the Plan and its Appendices;
- c) References to the NPPF need updating throughout the Plan to ensure the text and paragraph numbers are consistent with the latest version.

We would be grateful for your response to these questions by Friday 1 July 2022. If the Council requires more time to reply, please let us know by return. On receipt of this letter, please would the Council upload it to the Examination website.

The Council's response to these and any other initial questions that may arise at this stage of the Examination will help to inform the matters, issues and questions (MIQs) for subsequent discussion at the Hearing.

We look forward to hearing from you.

Yours sincerely,

*Karen L Baker*

INSPECTOR

*Mike Hayden*

INSPECTOR