



Borough Council of King's Lynn and West Norfolk Local Plan Examination

Matter 4 Statement – Transport

18 NOVEMBER 2022

Introduction

1. This statement is a response from the Borough Council of King's Lynn and West Norfolk Council (BCKLWN) to the following issues and questions raised by the Inspectors relating to Matter 4 of the examination into the King's Lynn and West Norfolk Local Plan relating to Transport.
2. References used in this statement (e.g.[F10],[D10]) relate to documents held in the examination library as either a submission document or as part of the wider evidence base.

Borough Council of King's Lynn and West Norfolk Responses to Matter 4 Questions

Issue 4: Has the Plan been positively prepared and is it justified, effective and consistent with national policy in respect of its policies and proposals for transport in King's Lynn and West Norfolk?

Policy LP11 – Strategic and Major Road Network

Q71. Is criterion 1(b) of Policy LP11 consistent with national policy in paragraph 111 of the NPPF, which provides that development should only be refused on highway grounds where it would result in:

a) an unacceptable rather than a severe impact on highway safety?

NPPF paragraph 111 specifies that, for highway safety, planning permission should only be refused if there would be an unacceptable impact on highway safety. This national policy requirement relates to all highways and is cross referenced in paragraph 5.5.4.

By contrast, Policy LP11 relates solely to the defined Strategic and Major Road Network (S&MRN) [A47 Trunk Road; A10; A17; A134; A148/ A1078; A149; A1101; A1122]. It relates solely to new development on strategic roads and/ or those served by a connecting side road, off the S&MRN. LP11 develops the NPPF paragraph 111 approach, by recognising that issues of cumulative highway safety impacts are particularly significant in the case of the S&MRN. Therefore, Policy LP11 is intended to raise the threshold for refusing planning permission where this would affect highways safety (from unacceptable, to a severe cumulative impact) on/ adjacent to the S&MRN, to protect their function as long distance routes. It only applies in the case of new development on the S&MRN and/ or connecting side roads (paragraph 5.5.2).

In all other circumstances, the requirements of NPPF paragraph 111 should apply in decision making. Therefore, LP11 is consistent with NPPF paragraph 111, insofar as it recognises this as being applicable in a majority of cases, except where "New development served by a side road which connects to a road forming part of the S&MRN". Policy LP11(b) recognises the importance of the S&MRN and the need to ensure this does not have safety and reliability degraded by ill-designed or located development (paragraph 5.5.3).

b) a severe cumulative impact on the road network, rather than on the amenity and access of adjoining occupiers?

The NPPF (paragraph 111) requires that planning permission should be refused where the residual cumulative impacts on the road network would be severe. However, this does not make any reference to the amenity of existing occupiers whose properties/ premises are accessed off an S&MRN side road.

LP11(b) supplements the requirements of the NPPF, by recognising the particular issue of the need to protect the amenity of existing properties adjacent to or adjoining an S&MRN side road. In this respect, the policy is considered to be with the overall policy of the transport policies of the NPPF.

Q72. Are criteria 2 and 3 clear and unambiguous in respect of the types of development for which Transport Assessments will be required?

No. It is accepted that criterion 2 is unclear as to the circumstances/ cases when a Transport Assessment is required. Accordingly, it is proposed that a Main (and/ or Additional) Modification be introduced; a footnote cross-referencing the planning application validation checklist.

Criterion 3 is a cross reference to Policy LP13 and the Planning Practice Guidance, rather than a functional spatial planning/ development management criterion. Accordingly, it is proposed that a Main Modification be introduced, changing criterion 3 into a footnote from LP11(2).

2. ~~In appropriate cases~~ Where needed¹, a Transport Assessment will be required to demonstrate that development proposals can be accommodated on the local road network, taking into account any infrastructure improvements proposed and the requirements of Strategic Policy LP13.
3. ~~Strategic Policy LP13 sets out the transport requirements for development proposals to demonstrate that they accord with. Paragraph 013 – Transport Assessments and Statements of the Planning Practice Guidance should also be considered.~~

Policy LP12 – Disused Railway Track Sidings

Q73. Is the Plan justified in seeking to safeguard land within the British Sugar Factory at Wissington as part of the Denver to Wissington disused railway track? If so, what is the evidence on which this part of the route is based? Would its designation as a disused trackway affect the operational safety and efficiency of the British Sugar Factory?

The Denver to Wissington rail line, which formerly served the British Sugar Factory, was closed and dismantled in the mid-1980s. It is proposed as a safeguarded route, as a potential significant long term transport resource (paragraph 5.6.2). It could open up additional public access along the Wissey valley.

The “safeguarded” route between West Dereham and the British Sugar Factory relates to the former route of that railway through the factory site. However, it is not necessarily a requirement of Policy LP12 that any future project must exactly replicate the former rail route; LP12 explaining that “proposals for trackway use [should be] accompanied by appropriate alternative route provision that makes the safeguarding unnecessary. Detailed proposals may make use of existing rights of way or permitted paths serving the Wissey Valley, West Dereham, Wissington and/ or Wretton/ Stoke Ferry.

Policy LP12(1) specifies that alternative route provision may be appropriate, to make safeguarding unnecessary. Therefore, the operational safety and efficiency of the British Sugar Factory would be given due consideration in formulating any detailed proposals/ routes. Regardless, we propose an additional criterion to Policy LP12 as follows:

¹ The Borough Council’s Planning application validation checklists set out the circumstances where Transport Assessments are required to accompany planning applications: https://www.west-norfolk.gov.uk/info/20077/planning_applications/548/planning_application_validation_checklists.

Planning permission will not be granted for any proposal which would prejudice the operational safety, efficiency or effectiveness of the BSC factory

Policy LP13 – Transportation

- Q74. Does criterion 4(b)(v) of Policy LP13 duplicate the requirement in criterion 2 of Policy LP11 for transport assessments for proposals likely to have significant transport implications? For clarity and effectiveness should the two policies be modified to ensure consistency?**

No, policy LP11 (2) relates to the strategic road network's ability to accommodate additional traffic whereas Policy 13 4(b)(v) relates to reducing car use.

- Q75. Is the main modification suggested by the Council to criterion 2(f) of Policy LP13 to ensure the integration of bus and rail services necessary for soundness?**

Yes. To ensure the dependence on car is reduced in line with the NPPF's requirement to act in line with the Climate Change Act 2008 and reduce Greenhouse Gas emissions.

Policy LP14 – Parking Provision in New Development

- Q76. Is Policy LP14 consistent with national policy in paragraph 107 of the NPPF, which expects policies setting local parking standards to take into account the accessibility of development, the availability of public transport and local car ownership levels?**

Yes. Criterion 3 takes into account the accessibility of development and availability of public transport. However, the policy should be amended to be made sound. The reduction in car parking requirements should be in more locations other than town centres and relate to the criteria listed in the NPPF instead. Proposed main modification to Policy LP14 criterion 3:

Reductions in car parking requirements may be considered ~~for town centres, and for other urban locations~~ where it can be shown that the location and the availability of a range of sustainable transport links and taking into consideration local car ownership levels is likely to lead to a reduction in car ownership and hence need for car parking provision.

- Q77. Is the requirement in criterion 5 of Policy LP14 to provide one electric vehicle charging point for each new dwelling necessary and consistent with national policy, given the standards and technical requirements for this are now contained in Part S of the Building Regulations, which came into effect in June 2022?**

This requirement has been superseded by Part S of the Building Regulations that came into effect after the plan was submitted for examination. This can now be deleted. Proposed main modification to Policy LP14 criterion 5:

~~Each dwelling will be supported and encouraged to provide a minimum of one secure electric vehicle charging point wherever is possible on site.~~