



Examination of Kings Lynn and West Norfolk Local Plan

Matter 1, Issue 1a

Question 3

Duty to Co-operate and Legal Compliance

Historic England, Hearing Statement

November 2022

Historic England is the principal Government adviser on the historic environment, advising it on planning and listed building consent applications, appeals and other matters generally affecting the historic environment. Historic England is consulted on Local Development Plans under the provisions of the duty to co-operate and provides advice to ensure that legislation and national policy in the National Planning Policy Framework are thereby reflected in local planning policy and practice.

The tests of soundness require that Local Development Plans should be positively prepared, justified, effective and consistent with national policy. Historic England's representations on the Publication Draft Local Plan are made in the context of the requirements of the National Planning Policy Framework ("the Framework") in relation to the historic environment as a component of sustainable development.

Historic England Hearing Statement

Introduction

- 1.1 This statement addresses the Inspector's questions with regards Matter 1 of the Local Plan.
- 1.2 This hearing statement should be read alongside Historic England's comments submitted at previous consultation stages of the Local Plan on 29th April 2019 and 27th September 2021.

Matters and Issues for Kings Lynn and West Norfolk Local Plan Review

MATTER 1 - DUTY TO CO-OPERATE AND LEGAL COMPLIANCE

Issue 1a: Has the Council complied with the Duty to Co-operate (DtC) in preparing the King's Lynn and West Norfolk Local Plan Review (the Plan)?

3. Is this adequately evidenced by the DtC Statement¹ and supporting Statements of Common Ground (SoCG)? In particular, have the outstanding objections from the Environment Agency and Historic England to various policies and site allocations been resolved?

- 2.1 Historic England has been working with KLWNBC constructively, proactively and on an on-going basis to seek to resolve our outstanding objections. We have engaged with the Council since 2016 on the plan, including meetings, a site visit, and both formal responses to consultations and informal responses and discussions between statutory consultations. Both we and the Council are committed to working to resolve the outstanding objections.
- 2.2 The two key areas to resolve have been the Historic Environment Policy wording (LP20) and the Strategic Growth Allocation at West Winch.
- 2.3 Historic England commenced work on a SOCG with the Council in March 2022. The latest draft we received was on 12th September. We gave comments on that draft SOCG on 14th September and are currently awaiting an updated version.
- 2.4 We had hoped to have concluded the SOCG with the Council by now and are disappointed that we are still awaiting revisions from the Council, though appreciate the pressures and capacity constraints they are under. At the time of writing, negotiations in relation to these two key issues are ongoing.
- 2.5 **Historic Environment Policy – current position**
For the Historic Environment Policy, Historic England awaits the proposed revised policy wording from the Council. The last iteration we received was on 20th June 2022. Following a DtC meeting on 22nd June at which the policy was briefly discussed, Historic England sent back detailed comments on the draft policy on 27th June. At the time of writing (16.11.22), we await further revisions from the Council in relation to this policy.
- 2.6 **West Winch Strategic Growth allocation – current position**
Historic England has been requesting the preparation of a Heritage Impact Assessments (HIA) to inform site allocations and policy wording since 2018.

- 2.7 We have repeated this advice on a number of occasions, specifically in relation to West Winch on 29th April 2019 and 27th September 2021 and at subsequent meetings. The HIA for West Winch was commissioned in Summer 2022. Historic England received a draft of the HIA prepared for the Council by Place Services in late October 2022. Historic England met with the Council and its consultants in early November to give our comments on the draft. At the time of writing (16.11.22), we await the revised HIA and revised policy wording.
- 2.8 Revised policy wording is contingent upon the outcomes of the HIA. Until we receive a revised HIA and revised policy wording from the Council we are unfortunately unable to resolve this matter.
- 2.9 We will continue to work with the Council to seek to progress the SOCG (including reviewing the revised HIA and revised policy wording once we receive those). We very much hope and expect that these matters can be resolved. Historic England will update the Inspector of any progress on these matters.