



## **Examination of Kings Lynn and West Norfolk Local Plan**

### **Matter 5, Issue 5**

### **Settlements and Sites**

### **Question 87 Gaywood Clock**

### **Question 127 West Winch**

## **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 29<sup>th</sup> April 2019 and 27<sup>th</sup> September 2021.

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

### MATTER 5 – SETTLEMENTS AND SITES

**Issue 5: Are the proposed settlement and site allocations policies justified, taking into account the reasonable alternatives, and are they positively prepared in meeting the Borough’s development needs, effective in terms of deliverability over the Plan period and consistent with national policy in enabling sustainable development?**

#### ***Gaywood Clock (Policy E1.3)***

**87. Is the main modification to criterion 1(b) of Policy E1.3, suggested by the Council, necessary to ensure the policy is consistent with national policy in conserving and enhancing heritage assets?**

- 2.1 At regulation 19, Historic England requested reference to heritage assets in the Policy for Gaywood Clock.
- 2.2 We therefore broadly welcome the Council’s proposed main modification to criterion 1(b) to read;
  - a. of an appropriate scale to serve the population of their catchment without harming the **setting of landmark heritage assets, or the** vitality and viability of other centres.
- 2.3 However, we have suggested the deletion of the word landmark and replacement of the word setting with significance (it is significance that is to be conserved and enhanced – albeit that setting can contribute to significance).
- 2.4 To that end, the proposed wording would read:
  - a. of an appropriate scale to serve the population of their catchment without harming the **setting-significance of landmark-heritage assets, or the** vitality and viability of other centres.
- 2.5 It is our view that this additional wording recognises the importance of the grade II\* Church of St Faith and other grade II listed buildings and secures greater protection of the historic environment.
- 2.6 National policy states that heritage assets are an *irreplaceable resource* and *should be conserved in a manner appropriate to their significance* (para 189). Para 200 makes it clear that that the *significance of designated heritage assets* can be harmed ....from development within its setting).

- 2.7 Paragraph 16d of the NPPF makes it clear that policies should be *clearly written and unambiguous, so it is evident how a decision maker should react to development proposals.*
- 2.8 Planning Practice Guidance, Paragraph: 002 Reference ID: 61-002-20190315, Revision date: 15 03 2019 states that: *Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.*
- 2.9 To that end, we consider the proposed modification is a helpful addition to the Plan and, subject to the slight proposed amendment, is consistent with national policy in conserving and enhancing heritage assets.

### **West Winch Growth Area (WWGA) (Policy E2.1)**

- 127. Is Policy E2.1 justified, effective and consistent with national policy in relation to the potential impacts on nearby heritage assets? Have the objections from Historic England on this matter been resolved?**

#### **Summary**

- 2.10 At the present time, **Historic England's objections on this matter have not been resolved.** We set out the latest position below. Historic England is broadly supportive of the principle of development at West Winch. The site was allocated in the previous Local Plan and the principle of development has already been established. Through this Local Plan review, Historic England has sought to work with the Council to seek to ensure that the policy for West Winch is clearer in relation to potential impacts on nearby heritage assets and identifies appropriate mitigation and enhancement measures.
- 2.11 In essence, we are seeking **effective policy wording for the protection of the historic environment consistent with national policy, justified by proportionate evidence in the form of a heritage impact assessment.** The assessment has yet to be finalised, and so revised wording as yet to be drafted. We are however pleased that this work is now underway and hope that agreement can soon be reached with the Council to resolve our objections.

### **Effective Policy Wording**

- 2.12 For policies to be effective, it is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the **NPPF** states that policies should provide *‘a clear indication of how a decision maker should react to a development proposal’*.
- 2.13 **Planning Practice Guidance** Paragraph: 002 Reference ID: 61-002-20190315 Revision date: 15 03 2019 also makes it clear that, *‘Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.’*
- 2.14 **Historic England’s Advice Note on Site Allocations** [HEAN3](#) includes a section on site allocation policies at paragraphs 3.1 – 3.2. It states, *‘The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. **Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.’***

### **Heritage Impact Assessment – in progress**

- 2.15 Therefore, since 2018 Historic England has recommended that a Heritage Impact Assessment (HIA) be prepared to inform the site allocation policy and subsequent masterplan for West Winch. This is in accordance with our advice on site allocation assessment set out in Historic England’s advice notes on [Local Plans](#) (GPA1) and [Site Allocations](#) (HEAN3).
- 2.16 Historic England is pleased that an HIA has now been commissioned by the Council in Summer 2022. We received a draft of the HIA in late October 2022 and have since made comments on the draft in early November 2022.
- 2.17 We eagerly await the revised draft of the HIA and hope that this can provide a suitable evidence base from which to formulate revised policy wording for the Plan, thus strengthening the protection for the historic environment.
- 2.18 Our Matter 1 Hearing Statement sets out the progress to date in relation to a Statement of Common Ground with the Council including revised policy wording for this site, based on the HIA.
- 2.19 It is hoped that the HIA and policy wording can establish key heritage principles including opportunities for mitigation and enhancement that can be

carried forward into the masterplanning and development proposals for the site.

**Heritage sensitivity of site – land around the Church and other designated heritage assets**

- 2.20 For clarity, Historic England's greatest area of concern in relation to the site is the land around the **grade II\* listed St Mary's Church**. We have raised consistent objections to development of the fields east of the church in 2011, 2013 and 2015 and more recently on Application 18/02289/OM in February 2019 and 2022 (where we objected on heritage grounds unless development is removed from the northern part of this application site to the east of the church). In addition, we have set out our concerns in our response to the draft Supplementary Planning Document in September 2022.
- 2.21 The grade II\* listed St Marys church stands in a large churchyard and faces open countryside to its east side. Immediately south is Manor Farm, an historic farmstead containing a group of traditional farm buildings. South of this is a substantial moat. The three sites create an interesting group with the church relating to the historic farmstead and the moat being a possible manorial site contemporary with St Mary's.
- 2.22 All three heritage assets have a long-standing relationship to agricultural land which contributes to an understanding of them as buildings in a rural community. In addition, the church is a landmark building in this rural setting, emphasising its pre-eminent status in the community.
- 2.23 The relationship of the church and manor with the farmland has survived despite the extensive modern development on the west side of the main road. The strategic concept plan in the Local Plan (and proposed masterplan in the SPD) would introduce modern housing to the east of the church, building beyond the established historic pattern of development and separating the church from the fields at this point.
- 2.24 This would result in **harm to the historic significance** of the parish church by diminishing the quality of its setting that contributes to that significance. The farm and moat would also be separated from the fields by housing to the east.
- 2.26 We therefore remain of the view that to develop these fields, would be harmful to the historic significance of the grade II\* listed church.
- 2.27 Consistent with our advice on the emerging SPD and recent planning application, we therefore strongly recommend that there is an area of open space and set back to the east of the church to provide some breathing space for the heritage asset and to enhance the significance of the asset.

- 2.28 We have suggested that key views from within the site to the church should be protected and maintained. Such views can act as important landmarks and way markers within a new development and help to give the new development a sense of place and anchor it to its historical context.

#### **Other areas of heritage sensitivity**

- 2.29 Whilst the area around the church is our principal area of concern, there are other areas of the site that are also sensitive in terms of impact on heritage, including the **grade II listed Mill, Old Dairy Farmhouse, War Memorial, Old Rectory** and, further afield, **the grade I Church of All Saints, North Runcton**. Whilst these are the main designated heritage assets near the site, there are also non-designated heritage assets nearby. All these assets require careful consideration through the HIA, and appropriate mitigation and enhancement measures will need to be set out in the policy. These assets were also highlighted in our response to the SPD. We shall be looking for to see that the HIA addresses these areas. We anticipate that the HIA will provide greater clarity in relation to potential impact and recommend appropriate mitigation and enhancement measures for the whole site. These recommendations from the HIA can then be articulated as revised policy wording in the Plan.

#### **Potentially schedulable moated site near church**

- 2.30 The draft HIA produced by Place Services has recommended that the moated site should be put forward for assessment for scheduling. We have advised the Council that the application should ideally be made by them. For now, however, the moat should be treated as if it were of schedulable quality in accordance with footnote 68 of the NPPF. This further **adds to the case for the land around the church and moat to be carefully protected**.

#### **Next steps – completion of HIA, revised policy wording and SOCG**

- 2.31 Historic England looks forward to the completion of the HIA by the Council to inform appropriate revised policy wording for consideration at the hearing.
- 2.32 Historic England hopes that we can continue to work with the Council and agree revised policy wording for the site to ensure that the historic environment is appropriately protected, **consistent with national policy** through **effective** policy wording that is **justified** by a proportionate evidence base in the form of a Heritage Impact Assessment.
- 2.33 Our aim, together with the Council, is to conclude our draft SOCG with them as soon as possible. Historic England will update the Inspector of progress in regard to our position once we have seen the revised HIA and policy wording.