

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

Matter 5 Statement – Settlements and Sites

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 5 of the examination into the King's Lynn and West Norfolk Local Plan relating to Settlements and Sites.
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 5 Questions

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?

King's Lynn & Surrounding Area

King's Lynn (Policy LP38)

Q78. Are the proposed dwelling numbers in criteria 1 and 2 of Policy LP38 justified in relation to and consistent with the capacity of the housing sites allocated in King's Lynn and the surrounding area?

No. The proposed dwelling figures will be amended as main modifications to be reconciled with the revised figures in LPO1 criterion 9 (Suggested Main Modification [F21]).

Q79. Does the King's Lynn Transport Study and Strategy (2019)22 provide a robust model of traffic generation from the proposed housing and employment growth in King's Lynn and the surrounding area, as identified in Policy LP38, over the whole of the Plan period? Does it demonstrate that the impacts on highway safety, air quality and the operation of the road network can be acceptably mitigated and that the proposed mitigation measures are deliverable? Overall, is the strategy consistent with national policy in limiting the need to travel and maximising sustainable transport solutions?

Yes. The 2019 King's Lynn Transport Study and Strategy (KLSS) [D24] does provide a robust and detailed model/ assessment of traffic generation from the proposed housing and employment across the King's Lynn area. It considers potential measures to promote public and active travel. It then goes on to assess how poor air quality and delays and congestion on the local highway network can be mitigated. It specifically considers short term (2019-22), medium term (2023-2030) and long term (2030 and beyond) measures requiring further transport investment.

The KLSS [D24] follows a staged approach, to reflect existing transport and traffic conditions; followed by traffic forecasting to include and assess the impacts of the planned development growth. Following this the traffic models have been used to provide an initial understanding of a number of potential highway improvement schemes. In this way, potential mitigation measures are systematically assessed, to ensure these are acceptable and deliverable.

Overall, the strategy is consistent with National Policy as it concentrates development to the most sustainable settlement in the Borough thereby limiting the need to travel.

Q80. Is criterion 12 of Policy LP38 effective in ensuring an appropriate level of open space and recreational facilities is provided to support the increase in residential development in King's Lynn proposed in the Plan?

Yes. The level of open space and recreational facilities will be assessed at application stage and in consultation with Sports England. We propose the following modification to LP38 criterion 12:

Open space and recreational facilities will be provided within and around the town to serve the needs of the existing residents and to meet the needs of the growing population. The amount of open space and recreational facilities will be assessed at application stage and in consultation with Sports England.

Q81. Are the main modifications suggested by the Council to remove the references to the Urban Development Strategy, Riverfront Delivery Strategy, St Margaret's Conservation Area Management Plan, the Heritage Action Zone, and the Town Centre Extension Development Framework from Policy LP38 necessary for soundness to ensure the policy is up to date and effective? Do any of these supplementary planning documents remain relevant to the development of King's Lynn over the Plan period and should they be referenced in the supporting text to the policy?

Yes. The soundness tests require plan to be up to date and effective, the above strategies are out of date and therefore reference to them would be best removed and referred to in the supporting text where relevant.

King's Lynn Town Centre (Policy E1.1)

Q82. In the absence of specific guidance on flood risk mitigation for commercial development in Policy LP25, for clarity and effectiveness, should Policy E1.1 provide this for commercial development in King's Lynn Town Centre, given that parts of the Town Centre are located within Flood Zones 2 and 3a?

Yes, that would seem sensible. Suggested amendments are below for the Inspectors' consideration.

Suggested amendment – Policy E1.1 criterion i.

A flood risk assessment should be submitted with applications for commercial development in the King's Lynn town centre areas within Flood Zones 2 and 3a. This must consider guidance on any flood risk mitigation that would be required to make the development acceptable.

Q83. So that it is positively prepared and effective, should the Plan include a commercial strategy for West Lynn and seek measures to improve the accessibility of the West Lynn Ferry?

No. The strategy for development is guided by this policy and its prime focus as the retail, community and professional services, leisure, culture and entertainment. But ultimately development is market driven and will be guided by what local the market deems people will use in the area.

Q84. Is it evident which are the 'main retail streets' of the Town Centre to which the requirements of criterion (g) of Policy E1.1 apply? To ensure the policy is clear and unambiguous in respect of where active frontages should be retained and where their removal is not precluded, should the main retail streets be identified on the Policies Map?

No, it is not obvious where the main retail streets of the Town Centre are. To ensure that the policy is clear as to where active frontages should be retained, we will propose a main modification to the Policies Map.

Q85. Is the main modification to criterion (f) of Policy E1.1 suggested by the Council necessary to ensure the policy is consistent with national policy in conserving and enhancing heritage assets?

Yes.

King's Lynn Port (Policy E1.2)

Q86. Would the main modification to the supporting text of Policy E1.2, suggested by the Council, ensure that the policy is justified as an appropriate strategy for King's Lynn Port?

The Main Modification to the Policy E1.2 supporting text consists of two elements:

- Movement of paragraph 9.1.2.3, to follow Policy E1.1; and
- New "Justification" sub-heading/ paragraph to justify and highlight the main purpose(s) of Policy E1.2.

Policy E1.2 is justified and an appropriate strategy, insofar as this recognises the importance of the port area to King's Lynn but seeks to ensure that development of other uses in the vicinity and the operational requirements of King's Lynn Port do not conflict. The additional supporting text (paragraph 9.1.2.5) provides the necessary explanation for including Policy E1.2 in the Local Plan.

Gaywood Clock (Policy E1.3)

Q87. 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?

Yes. The main modification to criterion 1(b) of Policy E1.3 [F21, MM p199] is considered appropriate to ensure the policy remains consistent with national policy (NPPF section 16).

The modification was proposed in response to a Historic England representation [A8-1, rep 362]. Historic England considered that given the importance of key designated heritage assets referenced at paragraph 9.1.4.1, it was appropriate to reiterate this with a specific reference within the criterion 1(b) policy text.

Q88. Would the main modification to the supporting text of Policy E1.3, suggested by the Council, ensure that the policy is clearly justified in seeking to protect the primary retail role of the Gaywood Clock Area as an accessible local shopping centre?

The proposed Main Modification to the Policy E1.3 supporting text does not introduce any new text into the Local Plan. Instead, it involves the movement of the final sentence of paragraph 9.1.4.1 into a new "Justification" sub-section. The re-ordered text provides additional clarity in explaining the justification for Policy E1.3, in recognising and supporting the role of the Gaywood Clock area as a district shopping centre.

Q89. Should the Additional Modification to the supporting text at paragraph 9.1.4.2 of the Plan, proposed by the Council²³, be treated as a suggested Main Modification, as guidance on how traffic generated by development in Gaywood Clock area should be managed would be material to the determination of planning applications there?

The Additional Modification at paragraph 9.1.4.2 was put forward in the interests of clarity, to cross reference Policy LP13. 9.1.4.2, as submitted explains the implications of the King's Lynn Transport Strategy for Gaywood Clock.

Given that this provides additional guidance as to how traffic generation in/ around Gaywood Clock should be managed, it is accepted that this should be regarded as a Main Modification and accordingly be subject to examination and subsequent consultation.

King's Lynn Riverfront Regeneration Area (Policy E1.KLR)

Q90. In the light of outstanding objection from the Environment Agency (EA) to Policy E1.KLR and its supporting text, and the presence of key flood defences within the Regeneration Area, which act as a constraint on development, is the policy consistent with national policy for planning and flood risk, in taking account of the advice of the EA?

The Environment Agency's (EA) objection does not relate to the soundness the Plan; it makes advisory comments. The EA does not contend the sites embraced by this policy cannot be developed sustainably having regard to the NPPF's and its own policies on flood risk, and that each site will therefore be deliverable in accordance with a bespoke flood risk assessment and proposals to mitigate flood risk.

However, the 2021 NPPF update (paragraph 153) requires that: "Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures". The Planning Practice Guidance (updated August 2022¹) also provides further guidance about addressing residual risk from flood risk management infrastructure.

The EA has highlighted that the Riverfront Regeneration Area incorporate key flood defences for Kings Lynn; development constraints given the need to maintain the required Standard of Protection provided for King's Lynn.

Notwithstanding, E1.KLR and supporting text do not make explicit reference to the presence of key strategic flood defences as important development constraints. E1.KLR, as drafted, pre-dates the 2021 NPPF and 2022 Planning Practice Guidance updates. Accordingly, given the advice of the Environment Agency and recent updates to national policy/ guidance it is accepted that Main Modifications should be made, in accordance with this advice, as follows:

Suggested main modification to supporting text paragraph 9.1.5.5:

9.1.5.5 Whilst housing numbers are provided for each area, the requirements of each individual sites policy will determine which parcels of land can or cannot be developed i.e. clearly some portions will be for green or blue space. The successful implementation of a comprehensive scheme for the Waterfront Regeneration Area needs to recognise development constraints, such as key heritage assets and flood defences. The latter consists of buildings, roads and flood walls. Redevelopment projects may provide opportunities for removing demountable defences and replacing them with more passive measures such as areas of raised ground and flood walls. A very careful approach to each site is required in terms of assessing the viability of any scheme proposed and the Borough Council will consider this on a case by case basis considering the merits of each, and in particular its contribution to achieving the overall aim as highlighted with the strategic policy E1.KLR.

¹ <https://www.gov.uk/guidance/flood-risk-and-coastal-change#para41>

Suggested main modification to Policy E1.KLR criterion 3:

3. Development will be subject to compliance with the following:
 - Consideration of adjacent property/heritage assets/archaeology, through a heritage impact and archaeology impact assessment;
 - Suitable access arrangements, to the satisfaction of Norfolk Council as the Local Highway Authority, and provision for active travel;
 - Flood risk considerations, including submission of a site-specific flood risk assessment and maintenance of flood defences to at least the current Standard of Protection provided for this area, taking account of climate change;...

Q91. Should the extent of the King's Lynn Riverside Regeneration Area be shown on the Policies Map, to ensure that the geographic application of the policy is clearly illustrated?

Yes, the extent of the King's Lynn Riverside Regeneration should be shown on the Policies Map, in the interests of clarity. This should fully incorporate site-specific policies E1.5, E1.8, E.10 & E1.11. It should also separately show the extent of the Nelson Quay project area [D33], which differs from the allocated sites.

Boal Quay, King's Lynn (Policy E1.5)

Q92. In the light of the outstanding objection from the EA, to ensure consistency with national policy for planning and flood risk, should Policy E1.5 and/or its supporting text specify the need for development proposals to contribute to maintaining the online surface water storage capacity of the Nar-Ouse Regeneration Area?

The role of the Boal Quay site as incorporating flood defences is already recognised in Policy E1.5(3), although this does not make specific reference to the Nar-Ouse Regeneration Area (NORA) development. E1.5(3) requires a site-specific Flood Risk Assessment to consider the residual risk of flooding to the site in the event of a breach of the flood defences.

It is accepted that Policy E.15 and the supporting text (section 9.1.6) do not make specific reference to the current function of the Boal Quay site as flood storage infrastructure, associated with development upstream adjacent to the River Nar, particularly NORA. Therefore, to bring forward a sustainable development it is necessary to ensure that the site's current flood water storage capacity is maintained. To address this issue, we suggest the following Main Modifications to paragraph 9.1.6.3/ Policy E1.5(3):

9.1.6.3 The site contains the former loop of the River Nar, with elements of reedbed and saltmarsh, habitats of principal importance (UK Biodiversity Action Plan habitats), which should be addressed through the Ecological Study requirement in the policy. The site also functions as flood defence infrastructure serving upstream developments, most significantly the Nar Ouse Regeneration Area. Therefore, development should maintain current standards of protection.

E1.5(3)

Submission of a site-specific Flood Risk Assessment. This must consider the residual risk of flooding to the site in the event of a breach of the flood defences. This should include details of the impact and likelihood of a breach occurring, and how the current Standard of Protection will be maintained, taking account of climate change;

Q93. Does the available evidence demonstrate that there is a reasonable prospect the site at Boal Quay will be available and housing delivered at the point envisaged in the Housing Trajectory by 2028/29?

BCKLWN does not have specific evidence that the Boal Quay site will be available and housing delivered by 2028/29.

However, Boal Quay has been a longstanding regeneration priority for over 15 years. It was identified as an important regeneration opportunity in the 2006 Urban Development Strategy [D31; p19, p45].

Proposals from the Urban Development Strategy have evolved into the King's Lynn Riverfront Delivery Plan (2017), which has in turn been re-branded Nelson Quay [D33]. The 2017 Delivery Plan (p20) describes the Boal Quay "unique opportunity to implement a transformational plan that will enable the development of long-term unutilised sites into a vibrant and economically active waterfront".

Questions around achievability of the Boal Quay site led to a decision to reduce the allocation figure from 350 to 50 dwellings [E6, p42]. This amendment was made, as one way to improve options for a viable development and remove reliance on the site as a large scale/ strategic allocation.

The role of Policy E1.5 is to deliver some development at Boal Quay as part of the wider Nelson Quay/ Waterfront regeneration. It is not about delivering housing numbers. The trajectory envisages development starting in 2028/29, but this is not critical insofar as the site is not being included within the deliverable five-year housing land supply, the Plan period running for a further 10 years beyond. The trajectory is intended to provide an estimate for overall housing delivery across the Borough, not an absolute statement for delivery timeframes.

Q94. Does Policy E1.5 make adequate provision for additional informal recreation space to support its future residents? Should it require a project level HRA be undertaken to ensure appropriate mitigation is provided to avoid additional recreational pressure on Roydon Common SAC?

Yes. Policy E1.5 does make specific provision for the development of informal recreational open space on, or in the vicinity of, the allocated site (E1.5(5)). This will be provided to service the development, although there may be flexibility of open space provision requirements where this would result in qualitative and quantitative benefits to the community (E1.5(6)). It is asserted that these policy obligations are appropriate and proportionate, recognising the site-specific issues affecting development of the site.

Yes, the policy should require a project level HRA. The potential implications of additional recreational pressure on Roydon Common SAC are specifically recognised in the policy text (E1.5(5)). Natural England previously stated: "We welcome the inclusion of informal recreation provision on, or in the vicinity of the allocated site to limit the likelihood of additional recreational pressure on Roydon Common SAC" and recommend the undertaking of a project level HRA ([A8-1], rep 489). Natural England therefore supports the approach to this issue in We suggest a main modification to Policy E1.5 criterion 5:

5. A project level HRA should be undertaken and Informal recreation provision on, or in the vicinity of, the allocated site to limit the likelihood of additional recreational pressure (particularly in relation to the exercising of dogs) on Roydon Common Special Area of Conservation. This provision may consist of some combination of:

Q95. Are the main modifications suggested by the Council to Policy E1.5, its supporting text and site allocation map, necessary for soundness?

Yes.

South of Parkway, King's Lynn (Policy E1.6)

Q96. What is the housing capacity of site E1.6, given that the policy states it is allocated for 260 dwellings, but the Housing Trajectory states the site can accommodate a further 125 homes?

Planning permission for 226 dwellings was granted on 30 March 2022 (Ref 21/01873/FM); the day after the Local Plan was submitted, a reduction of 34 dwellings from the stated site capacity figure (260 dwellings) in the submission Plan.

The consented scheme represents a comprehensive development proposal for site E1.6. It is unclear where the additional 125 homes cited in the trajectory note has arisen [F22]. However, no reference to this is made within the trajectory figure itself (which specifies delivery of 226 dwellings between 2022/23 and 2027/28, so the "further 125 homes" cited in the comment section of the Housing Trajectory can be discounted as having been superseded.

We therefore conclude that the capacity is 226 dwellings and propose the following main modification to Policy E1.6

Q97. What is the current delivery status of the site? What evidence is there that development will commence in 2022/23?

The site was granted planning permission on 30 March 2022, the day after submission of the Plan. The permission documents (reference 21/01873/FM) include a detailed phasing plan, showing six separate phases.

Given that the site now has full planning permission it is considered deliverable under the national (NPPF) definition, whereby "all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years" (Annex 2). On this basis it is asserted that the current planning status demonstrates that the majority of the site could be delivered within the five-year land supply period, although there is no definitive evidence available that the site will start to deliver during the current (2022/23) monitoring period.

Q98. In case the extant planning permission is not implemented, is there a need for the policy to specify a project level HRA be undertaken to ensure appropriate mitigation is provided to avoid additional recreational pressure on Roydon Common SAC?

Yes. We suggest a main modification to Policy E.6 to precede criterion 6 to address this:

[A project level HRA to be undertaken to ensure appropriate mitigation is provided to avoid recreational pressure on Roydon Common SAC.](#)

Q99. Are the main modifications suggested by the Council to Policy E1.6, its supporting text and site allocation map, necessary for soundness?

Yes.

Land at Lynnsport, King's Lynn (Policy E1.7)

Q100. Given the advanced stage of construction of site E1.7, with two phases complete and the final phase under construction, is the Plan justified in continuing to allocate the site for 297 dwellings?

As set out in our suggested main modification we intend to remove the two phases of site E1.7 that have been completed and to amend the allocation to at least 82 dwellings.

South Quay, King's Lynn (Policy E1.8)

Q101. In the light of the outstanding objection from the EA, to ensure consistency with national policy for planning and flood risk, should Policy E1.8 and/or its supporting text specify that development proposals will need to ensure the protection, maintenance or enhancement of the existing flood defences, as identified through a site specific Flood Risk Assessment?

No. The requirement for a site specific flood risk assessment is clearly stated in the strategic flood risk policy LP25: Sites in Areas of Flood Risk. LP25 sets out

'Where sites are at risk of flooding as identified by the Council's Strategic Flood Risk Assessment or more recent Environment Agency mapping and there are no other reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding:1. These will be subject to ...

- a) a site-specific flood risk assessment that considers flood risk from all sources and demonstrates that the proposed development will be safe for its lifetime, taking climate change into account, and with regard to the vulnerability of its users, without increasing flood risk elsewhere and, where possible, reducing flood risk overall. The flood risk assessment will need to consider: Climate change in line with allowances detailed in the latest national guidance. The vulnerability of the users of the proposed development. Safe access and egress to an area of safe refuge in line with the Flood Risk Assessment Guidance for New Development (FD2320) document.'

This policy could be amended to specifically refer to the protection, maintenance or enhancement of the existing flood defences however it is implied through the statement 'considers flood risk from all sources and demonstrates the proposed development will be safe for its lifetime...reducing flood risk overall'.

Q102. Does the available evidence demonstrate that there is a reasonable prospect the site at South Quay will be available and that it could be viably developed at the point envisaged in the Housing Trajectory by 2028/29?

Yes. The site is available and developable. As stated in the housing trajectory, the site is owned by the BCKLWN who has considered a variety of mixed uses on the sites, including housing as allocated. Work with consultants and specialists has been undertaken with a view to a 10-year development programme. There are no designations on site that would preclude it from being developed.

Q103. Are the main modifications suggested by the Council to Policy E1.8, its supporting text and site allocation map, necessary for soundness?

Yes.

Land West of Columbia Way, King's Lynn (Policy E1.9)

Q104. Given that the site E1.9 has planning permission for 78 dwellings and is under construction, is the Plan justified in continuing to allocate the site for 100 dwellings?

No. The consented scheme (20/01957/FM) for 78 dwellings (granted September 2021), relates to the entire site allocation. This consists of two parts; the main site (2.8ha), plus a separate 0.5ha triangular plot. The Planning Statement, submitted with the application, specifies that the 'triangular' part of the site should be utilised for flood storage compensation.

Accordingly, the triangular plot cannot be considered developable, thus reducing the net developable area by 0.5ha. This, in turn, would reduce the capacity of the site, which should then be reflected in a reduced housing requirement.

A Main Modification is proposed, reducing the housing requirement from 100 to at least 78 dwellings.

Q105. Does Policy E1.9 make adequate provision for additional informal recreation space to support its future residents? Should it require a project level HRA be undertaken to ensure appropriate mitigation is provided to avoid additional recreational pressure on Roydon Common SAC?

Yes. Policy E1.9 does make adequate provision for additional informal recreational space. The undevelopable 0.5ha 'triangular' (flood storage compensation) part of the site provides an opportunity to deliver an additional informal recreational area to service the development and support the needs of future residents.

Yes. A project level HRA should be required. We suggest a main modification to Policy E1.9 to precede criterion 4 to address this:

[A project level HRA to be undertaken to ensure appropriate mitigation is provided to avoid recreational pressure on Roydon Common SAC.](#)

Q106. Are the main modifications suggested by the Council to Policy E1.9, its supporting text and site allocation map, necessary for soundness?

Yes.

North of Wisbech Road, King's Lynn (Policy E1.10)

Q107. Is the inclusion of the greenfield land either side of Hardings Way between the River Great Ouse and the River Nar within the Policy E1.10 allocation justified, taking into account the reasonable alternatives and the projected surplus in the housing land supply?

Yes. Inclusion of the greenfield parts of site E1.10 is justified, as the principal role of the site allocation is to deliver waterfront regeneration (Great Ouse/ River Nar Corridor), providing enhanced place shaping opportunities and connectivity between Nelson Quay and Southgates. The extent of the E1.10 is justified as this is about delivering broader regeneration of the King's Lynn waterfront and Southgates, rather than being about delivering housing numbers.

The Hardings Way site allocation (Policy E1.10) includes a mix of brownfield and greenfield elements, including either side of Hardings Way between the River Great Ouse and the River Nar. It is one of a suite of Riverfront Regeneration Area sites (Policy E1.KLR).

The Hardings Pits (greenfield; south/ west of Hardings Way) part of the site is proposed for a mixture of housing and public open space in the Nelson Quay proposals [D31, King's Lynn Riverfront Delivery Plan, p19]. The other greenfield part (north-west of Hardings Way/ south of the River Nar) includes operational flood defences, so such constraints would significantly reduce the developable area.

The capacity of the site is limited to 50 dwellings for the 3.8ha site area, an overall 13 dwellings per ha density. This recognises site specific development constraints, and that large areas of the site (e.g., flood defences) cannot be developed.

The site allocation is an integral part of the Regeneration Area. The brownfield part of the site adjoins the emerging Southgates Masterplan (October 2022) site. Comprehensive

development of E1.10 could provide place-shaping opportunities, through opening up connections between the Southgates area, via the River Nar corridor, to Nelson Quay (Southgates Masterplan Development Brief Document, October 2022, p52).

Q108. Does the available evidence demonstrate that there is a reasonable prospect the site North of Wisbech Road will be available and that it could be viably developed at the point envisaged in the Housing Trajectory by 2028/29?

No. BCKLWN does not have specific evidence that the Wisbech Road site (E1.10) is deliverable at the point envisaged in the Housing Trajectory (2028/29 start date). Nevertheless, it is emphasised that the waterfront (including the River Nar corridor) has been a longstanding regeneration priority for over 15 years. It was identified as an important regeneration opportunity in the 2006 Urban Development Strategy [D31; p19, p45].

Consent was recently granted for infrastructure to serve the southern (underused brownfield) part of the site; three new access roads off the southern end of Hardings Way (reference 17/01008/F). The emerging Southgates Masterplan provides further evidence for a renewed vigour to bring forward this site, giving place-shaping opportunities, through opening up connections between the Southgates area, via the River Nar corridor, to Nelson Quay.

The role of Policy E1.10 is to deliver development as part of wider Nelson Quay/ Waterfront and Southgates regeneration opportunities. It is not about delivering housing numbers. The trajectory envisages development starting in 2028/29, but this is not critical insofar as the site is not being included within the deliverable five-year housing land supply, the Plan period running for a further 10 years beyond.

The trajectory is intended to provide an estimate for overall housing delivery across the Borough, not an absolute statement for delivery timeframes.

Q109. In the light of the outstanding objection from the EA, to ensure consistency with national policy for planning and flood risk, should Policy E1.10 and/or its supporting text specify the need for development proposals to contribute to maintaining the online surface water storage capacity of the Nar-Ouse Regeneration Area?

No. The role of Land north of Wisbech Road as incorporating flood defences is already recognised in Policy E1.10(1), although this does not make specific reference to the Nar-Ouse Regeneration Area (NORA) development. E1.10(1) requires a site-specific Flood Risk Assessment to consider the residual risk of flooding to the site in the event of a breach of the flood defences.

It is accepted that Policy E1.10 and the supporting text (section 9.1.11) do not make specific reference to the current function of the Land north of Wisbech Road site (adjacent to Hardings Way) as flood storage infrastructure, associated with development upstream adjacent to the River Nar, particularly NORA. Therefore, to bring forward a sustainable development it is necessary to ensure that the site's current flood water storage capacity is maintained. Main modifications to paragraph 9.1.11.1/ Policy E1.10(1) are therefore necessary to address this issue.

Policy E1.10 criterion 1

Submission of a site-specific Flood Risk Assessment. This must consider the residual risk of flooding to the site in the event of a breach of the flood defences. This should include details of the impact and likelihood of a breach occurring, and how the current Standard of Protection will be maintained, taking account of climate change;

Section 9.1.11.1

9.1.11.1 The land north of Wisbech Road consists of a mixture of industrial/former industrial uses to the east of the Hardings Way bus route adjoining the River Nar to the east, together with derelict, scrubland north of Blubberhouse Creek on the eastern side of the bus route and land between the northern boundary of the Harding's Pits Doorstep Green and the Rivers Great Ouse and Nar, west of the bus route. Part of the site, between Hardings Way and the Nar, incorporates flood defence infrastructure serving upstream developments, most significantly the Nar Ouse Regeneration Area. Therefore, development should maintain current standards of protection.

Q110. Does Policy E1.10 make adequate provision for additional informal recreation space to support its future residents? Should it require a project level HRA be undertaken to ensure appropriate mitigation is provided to avoid additional recreational pressure on Roydon Common SAC?

Yes. Policy E1.10 does make specific provision for the development of informal recreational open space on, or in the vicinity of, the allocated site (E1.10(4)). This will be provided to service the development, although there may be flexibility of open space provision requirements where this would result in qualitative and quantitative benefits to the community (E1.10(5)). It is asserted that these policy obligations are appropriate and proportionate, recognising the site-specific issues affecting development of the site.

Yes, the policy should require a project level HRA so we suggest a main modification to Policy E1.10 with an additional criterion:

9. A project level HRA should be undertaken and Informal recreation provision on, or in the vicinity of, the allocated site to limit the likelihood of additional recreational pressure (particularly in relation to the exercising of dogs) on Roydon Common Special Area of Conservation.

Q111. Are the main modifications suggested by the Council to Policy E1.10, its supporting text and site allocation map, necessary for soundness?

Yes.

Southgates, King's Lynn (Policy E1.11)

Q112. Does the available evidence demonstrate that there is a reasonable prospect the site at Southgates will be available and that it could be viably developed at the point envisaged in the Housing Trajectory by 2028/29?

No. BCKLWN does not have specific evidence that the Southgates site (E1.11) is deliverable at the point envisaged in the Housing Trajectory (2028/29 start date). Nevertheless, it is emphasised that the Southgates area/ River Nar corridor has been a longstanding regeneration priority for over 15 years, highlighted by the Nar Ouse Regeneration Area (NORA) development, first consented in 2005.

The role of Policy E1.11 is to deliver development as part of the Southgates Masterplan/ regeneration area. It is not about delivering housing numbers, with just 20 dwellings allocated. The trajectory envisages development starting in 2028/29, but this is not critical insofar as the site is not being included within the deliverable five-year housing land supply, the Plan period running for a further 10 years beyond.

Q113. Are the main modifications suggested by the Council to Policy E1.11, its supporting text and site allocation map, necessary for soundness?

Yes.

Employment Land, King's Lynn (Policy E1.12)

Q114. In the light of the Council's response (A8-1) to the representation from King's Lynn Civic Society about site E1.12-HAR at Hardwick, for clarity and effectiveness, does Policy E1.12 need to set out how proposals for retail uses on the three employment sites should be considered?

No. Policy E1.12 specifies the range of uses that are appropriate for the three site allocations; that is "business, industrial and distribution uses". Retail uses are not specified, although the Retail Development Policy (LP08) would always need to be considered in assessing retail applications. In the Borough Council's response to the representation from King's Lynn Civic Society about site E1.12-HAR at Hardwick [A8-1, 209], the assertion from the representation is noted, although officers are unclear which planning permission is referred to.

Policy E1.12(2) specifies that the site-specific policy is directly linked to LP07. Policy LP08 would need to be considered in assessing any retail proposals on any of the three allocated sites.

Q115. Are the main modifications suggested by the Council to Policy E1.12, its supporting text and site allocation map, necessary for soundness?

Yes

Green Infrastructure, King's Lynn (Policy E1.13)

Q116. To ensure the Policy E1.13 is positively prepared and effective in protecting, enhancing and extending Strategic Green Infrastructure (SGI) in the Borough, should criterion 1 also require the replacement of SGI where it is lost to development?

Yes, in certain circumstances replacement would be acceptable. A modification to Policy E1.13 criterion 1 is suggested below.

- Strategic Green Infrastructure in and around King's Lynn will be protected, enhanced and extended in the first instance. Where it is acceptable for SGI to be replaced, it should occur on site in the first instance, or if that is not possible, in a suitable offsite location that enhances other aspects of the built environment such as habitat corridors, spaces for urban cooling, or flood mitigation.

Q117. Are the main modifications suggested by the Council to the supporting text to Policy E1.13 necessary for soundness?

Yes. The modifications are required to ensure this plan is read in its entirety and not as a review. And to ensure the policies are explicitly justified.

Q118. Should the Additional Modification to the supporting text at paragraph 9.1.14.2 of the Plan, proposed by the Council, be treated as a suggested Main Modification, as identification of important habitat sites which are sensitive to recreational pressures caused by new development would be material to the determination of planning applications?

Yes. Additional modification at 9.1.14.2 introduces The Leziate, Sugar and Derby Fens SSSI sites for considerations within the GI provision. This should be a main modification due them being a material consideration for any planning application.

West of St Peter's Road, West Lynn (Policy E1.14)

Q119. What is the current delivery status of site E1.14 West of St Peter's Road in West Lynn? What evidence is there that development of the first phase will commence in 2022/23?

Reserved matters for the first development phase, for 38 dwellings (20/00470/RM), out of 44 (16/01105/OM) was granted in February 2022. The trajectory shows delivery of the first phase over 3 years, from 2023/24-2025/26.

Given that the first phase now has full planning permission it is considered deliverable under the national (NPPF) definition, whereby "all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years" (Annex 2). On this basis it is asserted that the current planning status demonstrates that the first phase could be delivered within the five-year land supply period, although there is no definitive evidence available that the site will start to deliver during the next (2023/24) monitoring period.

Q120. Are the main modifications suggested by the Council to the supporting text to Policy E1.14 necessary for soundness?

Yes. The Main Modifications to the Policy E1.14 supporting text (paragraph 9.2.1.1/Justification – new paragraph 9.2.1.2) and site allocation map are necessary for soundness.

Land at Bankside, West Lynn (Policy E1.15)

Q121. Is the proposed allocation of the land at Bankside, West Lynn for housing consistent with national policy with regard to the sequential and exception tests for flood risk? Does the evidence demonstrate that there are no reasonably available sites appropriate for the development of 120 homes at lower risk of flooding?

Yes, the proposed allocation at Bankside, West Lynn is consistent with national policy under the sequential and exception tests for flood risk.

The Environment Agency (EA) objected to Policy E1.15 asserting the allocation is in conflict with national policy. In addressing that objection, the parties collaborated on a Statement of Common Ground (SoCG) supported by a draft Sequential Test. The draft SoCG and Sequential Test [A12-1] were submitted with the Plan, with a view to using them as a vehicle to overcome the objection prior to the examination hearings ([A12-1a], p8-9). It is anticipated that the SoCG between the EA and BCKLWN will be finalised by the time of the examination hearings.

The draft SoCG and Sequential Test documents [A12-1a] and [A12-1c] conclude that the sequential test is passed, as there are no suitable alternative site allocations to E1.15 [A12-1a]. The draft SoCG also demonstrates the allocation passes the exception test.

The EA's objection has thus been addressed. The site allocation is otherwise sustainable. On that basis, absent any sequentially superior alternatives, the allocation is justified and sound.

Q122. Based on the evidence, is the allocation of site E1.15 for residential development justified as an appropriate strategy, taking into account the reasonable alternatives?

Yes. As explained in the Q121 answer above, the allocation of site E1.15 is considered an appropriate strategy. The Environment Agency SoCG [A12-1a] and Sustainability Appraisal

[B3] justify the allocation and these, with the draft Sequential Test [A12-1c], demonstrate that reasonable alternatives have been appropriately taken into account.

The Sustainability Appraisal has concluded the Bankside site remains suitable for development, as a “key brownfield, regeneration site capable of bringing benefits to both sides of the waterfront” [B3, p99]. This is supplemented by the Sequential Test [A12-1c] which considers all potential alternative sites in/ around West Lynn.

Q123. What is the status of the Statement of Common Ground between the Council and the Environment Agency regarding their objection to the site’s allocation for housing (Representation 510)? Can this objection be satisfactorily addressed through main modifications to Policy E1.15? If so, what are they?

The SoCG between the Borough Council and the Environment Agency was prepared during February/ March 2022 (in advance of submission) to identify a way forward in responding to the Environment Agency’s outstanding objections. It functions as a draft position statement between the Duty to Cooperate (DtC) bodies, to better understand both the Borough Council’s objectives (i.e., rationale for the allocation of E1.15) and the Environment Agency’s site-specific concerns (representation 510) about the allocation.

Following submission of the Plan, the Borough Council has held subsequent meetings to consider detailed amendments/ updates to the SoCG, to ensure the outstanding Environment Agency objection (representation 510 can be overcome). These will be agreed between the parties through the updated/ finalised SoCG, to be agreed and signed off before the hearings.

A summary explanation for the scope of the suggested Main Modifications is set out at [A12-1a] (p8-9). The Borough Council is confident that the Environment Agency’s objections regarding the Sequential and Exceptions Tests are now overcome. Main Modifications will be agreed between the parties through the finalised SoCG, addressing the Environment Agency’s site-specific concerns and allowing the site to be retained as an allocation:

- Additional/ replacement supporting text at paragraphs 9.2.2.1-2, to explain how the Sequential and Exceptions tests have been fulfilled
- Recognition of maintenance and operational needs for on-site flood defences; and
- Protection of vulnerable end users in the event of failure/ overtopping of defences.

Q124. Does the available evidence demonstrate that there is a reasonable prospect the land at Bankside, West Lynn will be available and that it could be viably developed at the point envisaged in the Housing Trajectory by 2028/29?

No. However, the Borough Council will continue to work with landowners/ agents to promote the Bankside (former Del Monte factory) site as an integral part of the wider Great Ouse waterfront regeneration agenda.

Policy E1.15 is not about delivering housing numbers, although the site has an estimated capacity for 120 dwellings. The trajectory envisages development starting in 2028/29, but this is not critical insofar as the site is not being included within the deliverable five-year housing land supply, the Plan period running for a further 10 years beyond.

The trajectory is intended to provide an estimate for overall housing delivery across the Borough, not an absolute statement for delivery timeframes.

Q125. Are the main modifications suggested by the Council to the supporting text to Policy E1.15 necessary for soundness?

Yes. The Main Modifications to the Policy E1.15 supporting text are necessary for soundness.

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

Q126. Have the potential impacts of the proposed increase in development at the WWGA under Policy E2.1 on the highway network, air quality, ecology, heritage assets, landscape character, green infrastructure, flood risk and local amenity been adequately assessed? Is the wording of Policy E2.1 sufficiently clear and robust to ensure that any adverse impacts would be effectively mitigated?

Yes. The WWGA is an existing allocation that has been found sound. The potential impacts of development on the WWGA have been assessed through the Sustainability Appraisal and Strategic Environmental Assessment ([B3]), the Infrastructure Delivery Plan [F24], a Strategic Flood Risk Assessment [D11], The Norfolk Green Infrastructure & Recreational Impact Avoidance and Mitigation Strategy [D14] and a Heritage Impact Assessment (see response to Q127).

Yes. Policy E2.1 reflects the requirements of the IDP for West Winch and is considered clear and robust.

Q127. 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?

A Heritage Impact Assessment has been prepared in response to Historic England's objection which follows best practice procedures produced by Historic England, the Chartered Institute for Archaeologists and is designed to meet the requirements of heritage planning policy contained in Section 16 of the National Planning Policy Framework (NPPF).

We propose the following main modification to Policy E2.1 Part B criterion 7 to ensure that a detailed Heritage Impact Assessment, that takes account of the Council's HIA and its recommendations, is submitted with any planning application.

7. A detailed Heritage Impact Assessment (HIA) shall be prepared to accompany a planning application for the development of any part of this site that identifies any heritage assets (including archaeology) potentially affected by the proposed development, and intended measures for their protection, recording, enhancement, setting treatment, etc. as appropriate. An assessment should be prepared in consultation with Historic England, take account of the Council's Heritage Impact Assessment for West Winch and demonstrate that the design of a scheme will protect and enhance the significance of any designated or other heritage assets affected by a proposal in accordance with Policy LP20.

Bearing in mind that West Winch is an existing allocation which was tested at examination of the previous local plan, we are satisfied that the that the proposed modifications to Policy E2.1 is justified, effective and consistent with national policy in relation to the potential impacts on nearby heritage assets and addresses Historic England's objection. A Statement of Common Ground is currently being finalised.

Q128. Given the potential for impacts on the River Nar SSSI and other nearby habitats, should Policy E2.1 require a project level HRA to be undertaken for the WWGA development and/or for planning applications submitted for major phases of development within it?

Yes, we agree that a project level HRA should be submitted with planning applications for major phases of development (as per the existing application) within the WWGA and we propose the following main modification to Policy E2.1 Part B to precede criterion 6:

A project level HRA to be undertaken to ensure appropriate mitigation is provided to avoid potential impacts on the River Nar SSSI and other nearby habitats.

Q129. Is Policy E2.1 consistent with national policy in requiring a measurable net gain for biodiversity as part of the development of the WWGA?

No. Whilst the policy requires the provision of significant green infrastructure, conservation and enhancement of local biodiversity, it does not specify that there should be a measurable net gain in biodiversity.

The mandatory biodiversity net gain as set out in the Environment Act is likely to become law in 2023. We therefore propose the following main modifications to Policy LP19 (preceding criterion 2) and supporting text to ensure that all development proposals meet the net gain biodiversity requirements:

Policy LP19:

Development should result in a net gain of biodiversity value which should be measured using the most up-to-date Defra Biodiversity metric or any replacement metric.

a) The biodiversity metric should demonstrate an improvement in biodiversity units of 10% or more from the existing baseline value of the site. Development should apply the mitigation hierarchy to minimise or mitigate harmful effects on biodiversity. Mitigation and compensation measures must offset any losses in order to achieve the measurable net gain for biodiversity.

b) Where it is not possible to avoid or mitigate all impacts on site, an offsite Biodiversity Offset Agreement should be submitted to demonstrate that any off-site measures proposed seek to enhance local and nationally important priorities.

c) To ensure the long-term net gain, all development proposals should prepare a long-term monitoring and maintenance plan for biodiversity and habitat proposals for a minimum period of 30 years, including both on-site and off-site measures.

Supporting text following section 6.5.3

The mandatory biodiversity net gain as set out in the Environment Act applies and is likely to become law in 2023. The Act sets out the following key components to mandatory BNG:

- Minimum 10% gain required calculated using Biodiversity Metric & approval of net gain plan
- Habitat secured for at least 30 years via obligations/ conservation covenant • Habitat can be delivered on-site, off-site or via statutory biodiversity credits
- There will be a national register for net gain delivery sites
- The mitigation hierarchy still applies of avoidance, mitigation and compensation for biodiversity loss

The Defra Biodiversity Metric has been designed to quantify the value of biodiversity (in terms of habitats) in a consistent, transparent and objective way. This mechanism is considered to be the appropriate method for determining ecological value and delivering measurable ecological gain.

Applicants will be required to complete the Defra Biodiversity Metric demonstrating a net gain in biodiversity. Any secured biodiversity net gain is expected to follow a hierarchy in terms of delivery. Firstly, any net gain should aim to be delivered on site if possible, where this is not possible the aim should be for local projects to be delivered in the immediate vicinity and then

an offsetting approach can be used whereby any monies secured can support projects at the national level.

Q130. Should the Countryside Buffer referred to in Policy E2.2 and shown on the Inset Map E2, also be referred to in Policy E2.1 and its supporting text and illustrated geographically on the Policies Map?

Yes. To address this, we propose a main modification to the Policies Map to include the Countryside Buffer referred to in Policy E2.2, a main modification to Policy E2.1 Part A and a main modification to the supporting text at section 9.3.1.5:

Policy E2.1

17. In the Countryside Buffer indicated on the Policies Map development should be designed and carefully landscaped to integrate the built form into the countryside landscape in a way that avoids the creation of a hard or prominent urban edge to the developed area.

Supporting text 9.3.1.5:

9.3.1.5 The Growth Area boundaries define where development is considered suitable. In identifying these boundaries consideration was paid to maintaining a degree of separation between the village of North Runcton and the new neighbourhoods, and good integration with the existing development and facilities in West Winch. Development proposals should avoid a hard and prominent edge to the development and maintain a soft edge to the countryside in the vicinity of the Countryside Buffer indicated on the policies map.

Q131. Have the potential impacts of the proposed increase in development at the WWGA under Policy E2.1 on local infrastructure been adequately assessed? Is the wording of Policy E2.1 sufficiently clear and robust to ensure that the infrastructure required to support the development of new homes would be delivered and brought forward in time to provide the necessary additional capacity to effectively mitigate any adverse impacts on existing infrastructure?

Yes. As set out in our response to Question 10 of the Inspectors' Initial Questions Part 2 [F20] the Infrastructure Delivery Plan (IDP) for the South East King's Lynn strategic Growth Area assessed the infrastructure requirements for the WWGA. The IDP also includes trigger points for the delivery of the key items of infrastructure for the growth area at Appendix C(ii) for up to 3,988 dwellings.

Q132. Is Criterion 5 of Part A to Policy E2.1 justified in requiring traffic calming measures on the existing A10 within 12 months of the start of development at WWGA, and will such measures be effective given the strategic nature of the A10?

The Infrastructure Delivery Plan for South East King's Lynn Strategic Growth Area (West Winch) (2018) (see [F24]) sets out the key strategic infrastructure that is required to support the housing and identifies where and at what time that infrastructure is required. It is a high-level reference and guide, setting out the agreed principles, processes and delivery mechanisms that will be updated as and when planning applications are progressed. It requires that the traffic calming measures on the existing A10 should commence within 12 months of development.

The West Winch Access Road will provide an alternative route around West Winch and traffic flows through West Winch are expected to fall significantly once the new road is opened. The reduction in traffic will allow the introduction of measures through the village. These could

include a reduction to existing speed limits, weight restrictions on heavy goods vehicles and new crossings for pedestrians and cyclists.

It is not anticipated that significant traffic calming measures would be in place within 12 months of commencement of development but some traffic calming measures will be required at the early stages to ensure safe routes to school. Therefore, we consider the criterion 5 is justified.

Q133. Is Policy E2.1 justified and effective in not setting a threshold for the number of new dwellings that can be built before the proposed new road linking the A10 and A47 is completed?

Yes. Policy E2.1 Part B- Process criterion 4 requires development proposals to be accompanied by a comprehensive transportation assessment detailing any planned additions and improvements to the road network. Norfolk County Council as the Highway Authority will be consulted on all planning applications and transport assessments to determine whether improvements to the road network are required and the acceptable quantum of development accessing the existing road network.

Q134. Is Policy E2.1 and its supporting text effective in ensuring that bus connectivity measures around the WWGA and the A10 corridor take into account the associated need for services to the existing villages at West Winch, Setchley and North Runcton?

As stated in our response to Question 10 f) of the Inspectors' Initial Questions Part 2 [F20] the Outline Business Case (OBC) for the WWHAR, being prepared by Norfolk County Council, will make additional provision for bus priority and Active Travel.

The [consultation](#) on the WWHAR currently being undertaken by Norfolk County Council is seeking further views on what improvements to the existing bus services/additional bus services are needed which will inform the OBC.

To ensure that development proposals consider the associated need for bus services to the existing villages at West Winch, Setchey and North Runcton, we propose the following modifications to the supporting text at section 9.3.1.52 and Policy E2.1 Part B Process criterion 4:

9.3.1.52 The need to improve the existing bus connectivity was identified in responses to earlier consultations. Development layouts should allow for a revised or new bus service connecting the growth area to King's Lynn. Furthermore, new services should where possible aim to serve the existing settlements at West Winch, Setchey and North Runcton. Further work is required to establish how the increased housing numbers can help deliver an improved service. The developers should provide subsidies for the new service.

Policy E2.1 Part B Process criterion 4:

Be accompanied by a comprehensive strategic transportation assessment for the area, covering the traffic likely to be generated by the development and its interaction with the existing road and path network, and planned additions and improvements. The strategic transportation plan should expressly address the provision of and role in minimising car-based traffic of public transport across the wider allocation to include consideration of new bus services to serve the existing settlements at West Winch, Setchey and North Runcton.

Q135. Have the impacts of the development at WWGA on overhead electricity transmission lines and gas pipelines forming part of the National Grid and the effects of any works associated with them on the viability of the proposed development been taken into account?

Yes. As stated in our response to Question 10 g) of the Inspectors' Initial Questions Part 2 [F20] The Infrastructure Delivery Plan (IDP) for the South East King's Lynn Strategic Growth Area sets out the key strategic infrastructure that is required to support the housing objectives of the Growth Area and identifies where and at what time that infrastructure is required, who is responsible for delivering it, the predicted cost of provision and how these costs are expected to be funded or contributed to. The IDP also includes an assessment of the viability of the development of the WWGA in relation to key infrastructure required and build costs of the infrastructure.

Appendix 2(ii) (page 9) of the IDP sets out the anticipated costs for National Grid Infrastructure required in relation to WWGA to include strategic improvements to the gas supply and diversion of the gas main at two crossing points.

Q136. Given the presence of silica sand deposits within the site and the requirements of Policy CS16 of the Norfolk Minerals and Waste Core Strategy and Development Management Policies Development Plan Document (2011) to safeguard such nationally important mineral resources, is the WWGA genuinely available and is the quantum of housing development proposed in Policy E2.1 realistically deliverable and/or developable?

Yes. The Norfolk Minerals and Waste Core Strategy Policy CS16 and national policy indicate that where non-mineral development is proposed a site investigation, assessment and potentially prior extraction are required. Policy E2.1 criterion 8 requires that development proposals are submitted with an assessment of the potential for extraction of any reserve of silica sand, either in advance of development or in the course of its development (if appropriate). Policy CS16 does not prevent development and no objections have been submitted by Norfolk County Council (NCC) as the Minerals & Waste Authority.

As set out at section 9.3.1.63 of the submitted Plan, the northern part of the site has been surveyed to the satisfaction of NCC that there are no exploitable deposits there and whilst the southern portions of the site have not yet been surveyed the Council has been advised that any exploitation would likely to proceed and be completed relatively rapidly and given the extent of the allocation it is unlikely that the scale of development proposed within the Plan period would be prejudiced.

The Regulation 19 consultation on the [Norfolk Minerals and Waste Local Plan](#) currently being undertaken does not allocate land in the WWGA for Silica Sands and neither does it allocate any areas of search for silica sand. Instead, it contains a criteria-based policy for the consideration of any future planning applications for silica sand extraction.

Q137. Would the main modifications suggested by the Council to criterion 1 of Part B of Policy E2.1 ensure the development of the WWGA would be consistent with the North Runcton and West Winch Neighbourhood Plan?

Yes. The suggested main modification makes it clear that development proposals need to demonstrate how they meet the requirements of Policies GA01 to GA10 of the North Runcton and West Winch Neighbourhood Plan.

Q138. In the light of the Council's responses to the Inspectors' initial questions on the WWGA26 and to the questions above, is there a realistic prospect and clear evidence that housing completions will begin on site within 5 years, as indicated in the Housing Trajectory?

Yes. The Housing Trajectory [F22] indicates a modest 12 dwelling completions on site in 2025/26 with a further 63 dwellings being completed in 2026/27. This assessment is supported by a phasing plan which has been submitted with the outline application (13/01615/OM), which indicates the developer will deliver around 300 dwellings between 2024-2029 (an average of 60 dwellings per year).

Q139. Does the Housing Trajectory for 2021/22 to 2038/39 and other submitted evidence demonstrate that at least 2,500 dwellings would be provided at WWGA within the Plan period, as set out in Policy E2.1?

The Housing Trajectory [F22] shows that 1,600 dwellings are anticipated to be delivered between 2025/26 and 2035/36. This is based on the existing planning applications for 1,100 dwellings (13/01615/OM, due to be determined in the next couple of months) and 500 dwellings (18/02289/OM – due to be determined in 2023).

The Housing Trajectory [F22] also anticipates that a further 420 dwellings will come forward between 2036/37 and 2038/39. As stated in our response to Question 10 h) of the Inspectors' Initial Questions Part 2 [F20], and in the Norfolk County Council's current consultation on the WWHAR, it is anticipated that construction on the access road is anticipated to commence in 2025 with construction taking approximately 2 years. Once the WWHAR is in place there is no cap on the number of units that can be delivered. The growth area is structured via the collaboration agreement and S106 Framework agreement to enable various developers/outlets to come forward at any one time and does not rely upon one developer building it out.

The suggested main modification to the table in Policy LPO1 [F21] reduces the original dwelling number for West Winch from 2,500 to 1,600 dwellings in the Plan period. However, this is considered to be a conservative estimate in light of the potential to accelerate and maximise development after the WWHAR is brought into use. A further main modification is proposed to Policy E2.1 Part A to reflect this:

1. At **A minimum of 1,600** ~~least 2,500~~ new dwellings, together with associated facilities and infrastructure, including around 1ha of employment land, in the current Plan period with up to 4,000. ~~Within the region of 3,500 – 4,000~~ new homes being delivered in the fullness of time:

A further additional modification is proposed to the supporting text at 9.3.8:

9.3.8 The West Winch Growth Area is around 192ha in size and is allocated for in the region of 3,500 – 4,000 new homes in the fullness of time. However, it is currently anticipated that over the Local Plan review period, to ~~2036~~**2038**, at least ~~2,500~~ **1,600** new homes are likely to be delivered, as per Policy LPO1: Spatial Strategy.

Q140. Does the submitted evidence demonstrate that the WWGA can support in the region of 3,500-4,000 new homes in the longer term, as set out in Policy E2.1? Do the Council's suggested Main Modifications adequately address the further infrastructure requirements and mitigation measures to support additional growth at WWGA beyond the end of the Plan period?

Yes. The suggested main modifications together with the infrastructure requirements and mitigation measures identified in The Infrastructure Delivery Plan [F24] for the West Winch Growth Area support the additional growth beyond the end of the Plan period. As set out in our response to Question 10 g) of the Inspectors' Initial Questions Part 2 [F20], the Collaboration Agreement, an overarching S106 Legal Agreement, referred to as a Framework Agreement, has been prepared that sets out all the strategic infrastructure identified in the Infrastructure Delivery Plan. Sitting underneath this will be site specific S106 Legal Agreements

that will secure the necessary infrastructure on a site-by-site basis. All developers/landowners will be required to enter into the Framework S106 agreement.

Development in existing built up areas of West Winch (Policy E2.2)

Q141. In the absence of a reasoned justification, does Policy E2.2 serve a clear purpose and is it justified? Would the main modification suggested by the Council to the supporting text to Policy E2.2 adequately address this soundness issue?

A modification was proposed to the preceding text of this policy to justify its position. The policy ensures that windfall development is suitable within the built up areas of West Winch that would be over and above what is strategically planned for the area.

It is important not to increase pressure on the road networks and the SADMP found that without improvements, cumulative windfall development could have a negative impact. Therefore criterion (a) that ensures that development in the area is only permitted once the new West Winch link road is open and additional traffic from development in this location would then be manageable. Criterion 3 directs traffic through the growth area and diverts it from the existing A10, again avoiding further cumulative pressures on the road network as a result of windfall development.

In accordance with NPPF paragraph 128 and the National Design Guide paragraph 53, the policy also considers the character of the area, seeking to improve the edge of the A10 with planting, and maintaining the soft edge of the settlement.

South Wootton

Q142. Should the permitted Knight's Hill Village site at South Wootton be included as an allocation in the Plan for the King's Lynn area, given that it forms an allocation in the adopted development plan, which is as yet unimplemented?

The Council's formal position which is recorded in the minutes of the Local Plan Task Group dated 19 September 2019 which concluded that Knights Hill be removed as an allocation from the new Plan and the portion of the site which has outline permission be considered as a commitment.

As a matter of fact, the Council has received an application for an approval of reserved matters pursuant to the outline planning permission which remains to be determined.

The Council's position remains that the allocation should not be included in the Plan. The question whether the site ought to be allocated in the new Local Plan will be a matter for the Inspectors to determine.

Hall Lane, South Wootton (Policy E3.1)

Q143. Given that site E3.1 has full planning permission for 575 dwellings, is the policy justified in continuing to allocate the site for only 300 dwellings?

Yes. The policy states at least 300 dwellings should be delivered on this site. It does not preclude 575 homes from being built if that is deemed suitable when detailed planning permission has been assessed.

Q144. What is the current delivery status of site E3.1 Hall Lane, South Wootton? What evidence is there that development of the first phase will commence in 2024/25?

The site has obtained planning permission and the best estimate for commencement is 2024/25.

Q145. In the event that the extant planning permissions are not implemented, does Policy E3.1 contain the necessary safeguards to ensure that the social, economic and environmental impacts of the proposed development on the existing population and infrastructure of South Wootton would be adequately mitigated?

Yes. The policy contains all the requirements that are needed to enable a development of that scale to occur in this location.

Q146. Are the main modifications suggested by the Council to the supporting text to Policy E3.1 necessary for soundness?

Yes. The modifications restructure the policy to ensure the justification of the policy is before the policy to be consistent with the rest of the policies in the plan in response to the inspectors' initial questions part 2: Question 19. The modifications also remove the map that will be replaced in the site allocation map.