

**KING'S LYNN AND  
WEST NORFOLK  
LOCAL PLAN  
EXAMINATION  
HEARING STATEMENT**

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# Quality Assurance

**Site name:** Borough Council of King's Lynn & West Norfolk Local Plan Examination (Part 1)

**Client name:** Bennett Homes

**Type of report:** Matter 2 - Hearing Statement

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**Signed** 

**Date** 15 November 2022

**Reviewed by:** Karen Long

**Signed** 

**Date** 15 November 2022



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## 1.0 Background

- 1.1 This Hearing Statement has been prepared by Bidwells LLP on behalf of Bennett Homes in support of representations made to the King's Lynn & West Norfolk Local Plan Review.
- 1.2 This Statement seeks to address Matter 2 – Spatial Strategy with specific regard to the matters, issues and questions (MIQs) for Part 1 of the examination, and the following site which is being promoted by Bennett Homes:
- Land off Mill Road, Watlington (referenced as WAT 1 in Consultation of the Borough Council's Draft Local Plan Review).

## 2.0 Response to Inspector's Questions

- 2.1 The following provides a response to MIQs that are applicable to the representations already submitted at earlier stages of the Local Plan preparation.

### **Plan Period**

*Matter 2, Issue 2, Question 16 - Is the Council's proposal to modify the Plan period from 2016-2036 to 2021-2038 justified in order to comply with national policy 13? If so, should the revised plan period end in 2038 or 2039, as indicated in the Revised Housing Trajectory?*

- 2.2 Assuming adoption of this plan occurs in 2023, a plan end date of 2038 would provide the minimum 15-year period from adoption required by para 22 of the NPPF.

*Matter 2, Issue 2, Question 17 - Given that the Revised Housing Trajectory anticipates the majority of development from larger scale developments being delivered by 2036, is the Plan positively prepared and consistent with national policy in not setting a spatial strategy to look at least 30 years ahead?*

- 2.3 The Plan, as submitted, currently fails on this element of national policy (para 22) insofar as it does not provide the longer term (at least 30 years) spatial strategy with a vision that is 'prepared positively in a way that is aspirational but deliverable' (para 16, part b of NPPF). This is reflective of the fact that the Borough Council's Plan is predicated on utilising the identified housing need requirement as a ceiling figure for the amount of housing to be delivered within the Plan period, to the extent that certain draft allocations in previous iterations of the Plan (i.e. WAT 1 at Watlington) have been omitted in the submitted Plan. This is in part due to the Borough Council concluding that the additional housing at the scale previously proposed for allocation in earlier iterations of the Plan preparation is not required. Given the reliance of this strategy on the delivery of large urban extensions to King's Lynn, this longer-term vision/spatial strategy should be considered, alongside the additional housing needs and sites this additional housing delivery requires.

## **Housing Need & Requirements (Policy LP01)**

*Matter 2, Issue 2, Question 19 - Is there a need to increase the housing requirement above the LHN to take account of economic growth forecasts, address the need for affordable housing in the Borough, or provide for the unmet needs of neighbouring local authorities?*

- 2.4 The Local Housing Need figure should be a minimum figure. Opportunities to boost the supply of housing at higher levels where it would have a positive impact on delivering the growth aspirations of the Council in other tiers of the Settlement Hierarchy (i.e. Growth Key Rural Service Centres, which also fulfils the Council's focus of growth along the Strategic Growth Corridor, should be sought through the policies of the Local Plan.
- 2.5 The Plan, as submitted, is not effective in this regard given the number of allocations proposed to be rolled over from the previous plan. Insufficient evidence has been provided by the Council to justify why these allocations have not delivered in the last Plan period, and what evidence now exists that is compelling to indicate that these sites will be any more effective in delivering development in this plan period.

## **Spatial Strategy (Policy LP01)**

*Matter 2, Issue 2, Question 20 - Is the spatial strategy justified and effective in respect of its focus on a Strategic Growth Corridor along the A10 and Mainline Railway, given that the rail line only connects to two stations within the corridor and parts of the A10 are heavily congested?*

- 2.6 The principle of focussing strategic growth along the A10 and utilising the benefit of mainline railway connections is justified, however, the current strategy is not effective in delivering on this ambition. The Borough Council in preparing the Plan has not taken full advantage of the opportunity and the role this Strategic Growth Corridor could provide in fulfilling its development requirements across the Plan period. This is in part, compounded by carrying forward/reallocating limited growth to two settlements outside of King's Lynn, both with mainline rail stations – Downham Market and Watlington. Both of these settlements have potential development sites available, suitable and deliverable now, which have been promoted through previous iterations of the submitted Plan and discounted by the Borough Council, which due to their spatial location and accessibility/connectivity to a variety of transport modes could be demonstrated to be as, and in some cases, more sustainable than other allocations currently proposed in the Plan.
- 2.7 Furthermore, placing significant growth (2500 units rising to 4000 over time) in locations such as West Winch Growth Area which doesn't benefit from any rail connectivity within the settlement and is, therefore, reliant upon the rail services of King's Lynn, circa 3 miles away. Consequently, its sole reliance upon road transport must be questioned, with additional road infrastructure required (linking A10 to A47) to mitigate the adverse effects on the highway network, when the opportunity to locate more housing in locations such as Watlington and Downham Market where future residents have a choice of transport modes immediately available to them, must be considered more sustainable in the long term. This will also mitigate against concerns surrounding the congestion of the A10.

*Matter 2, Issue 2, Question 22 - Would a broader distribution of growth across a wider range of settlements, both within and outside of the Strategic Growth Corridor, represent a more sustainable spatial strategy to meet the needs of the Borough?*

- 2.8 Distributing the growth more thinly across more settlements, whilst may assist delivery, it would not represent a sustainable form of development, given the relatively rural nature of the Borough already, where dependency on car travel is already high. Instead, priority in the spatial strategy should be given to sites within higher tiers of the Settlement Hierarchy within the Strategic Growth Corridor, where access to a range of transport modes is available and land is available now for development.
- 2.9 Given the criterion of Policy LP01 identifies the Growth Key Rural Service Centres as a focus for growth, the Plan as currently submitted, is not currently positively prepared and justified in the case of Watlington, by not allocating sufficient land for housing development to reflect its function in the Settlement Hierarchy. The land proposed for allocation is carried forward from an existing allocation in the current Local Plan, which since our previous representations, now has committee resolution to approve planning permission for 40 dwellings, subject to S106 Agreement (App Ref 21/02421/FM). Whilst this site will deliver some housing, this still represents a low level of growth which was previously anticipated by the current adopted Plan and does nothing to add to the delivery of housing across the proposed Plan period to 2038/39. In addition, this level of housing delivery is lower than that proposed at Marham, the other Growth Centre, which does not have the benefit of access within the village to main line rail connections to King's Lynn, Cambridge and London King's Cross. This is unique to Watlington, as the only village in the Borough which has these mainline rail connections, and arguably one of the most sustainable villages in the Borough as a consequence.

*Matter 2, Issue 2, Question 24 - Is the policy of major urban expansion effective in meeting the Borough's housing needs? Should more small-scale allocations be proposed to increase flexibility in the housing land supply and provide more choice for homeowners and developers?*

- 2.10 Major urban expansion, as proposed, often has a long lead in time in making an effective contribution to the Council's housing land supply. For example, an outline planning application for Land West of Constitution Hill, North Runcton (which forms part of the West Winch Growth Area) was submitted in November 2013, and over 9 years later still not determined.
- 2.11 The smaller scale allocations are arguably more deliverable in the short term and can result in multiple sites contributing to housing delivery across the Borough at any one time, providing more choice to the market and, therefore, aiding a more continuous/reliable trajectory of housing delivery. Therefore, the spatial distribution of smaller scale allocations should be considered. Numerous land/development opportunities exist in settlements in the higher tiers of the Settlement Hierarchy including the main towns (Downham Market) and Growth Centres (Watlington), but have not been identified in the submitted Plan, many of which could accommodate 100-300 dwellings immediately adjacent to these settlements, and are within the Strategic Growth Corridor and have access to mainline railway connectivity, which the Council identifies should be a focus for growth. This adjustment to the spatial distribution of housing must provide a preferable solution to achieving sustainable development, whilst still fulfilling the Council's spatial intent to focus development along the Strategic Growth Corridor, some of which were in the previous iteration of this Plan Review (i.e. WAT 1). These are site opportunities which will provide much quicker/certain delivery in the Plan period and at the same time, offering a

genuine alternative transport choice other than continued over reliance upon road/private car transport.

*Matter 2, Issue 2, Question 25 - Is the spatial strategy defined in Policy LP01 consistent with national policy in maximising opportunities for sustainable transport solutions? Is the strategy too reliant on road transport solutions? Should it do more to reduce carbon emissions and improve air quality?*

- 2.12 The current strategy is heavily reliant on road transport. However, this is due to not allocating sufficient sites or numbers of dwellings in settlements where this reliance is not necessary. In the case of both Downham Market and Watlington, our client has land available now for residential development immediately adjacent to both of these settlements that can fulfil housing delivery in more sustainable locations, whilst still being in accordance with the overall strategy to allocate growth in this corridor.
- 2.13 Furthermore, given that King's Lynn already has a designated Air Quality Management Area, arising from vehicle emissions on the main road gyratory around the Town Centre, then the current Plan is not sufficiently justified in its evidence base to indicate why allocating further residential development on the edges of King's Lynn, with future occupants reliant upon car/road based public transport to access King's Lynn through an already congested and poor air quality gyratory of the town is sound. Alternatively, redistributing some of this growth to other locations in the Borough, still within the higher tiers of the Settlement Hierarchy which have direct access to mainline train services within walking/cycling distance, whilst still delivering on the Council's Spatial Vision to focus growth within the Strategic Growth Corridor.
- 2.14 Consequently, the Plan as current submitted, underplays the role towns like Downham Market and villages like Watlington can play in more sustainable forms of development. This could lead to a plan that raises further air quality issues within King's Lynn and/or places so much emphasis on larger sites, that delivery becomes more uncertain.

*Matter 2, Issue 2, Question 27 - Should more growth be provided for at Downham Market given its status as a Main Town and its accessibility within the Strategic Growth Corridor? Is it clear what is meant by 'appropriate housing growth' in criterion 5(b)(iii) of Policy LP01?*

- 2.15 Yes, previous representations prepared and submitted on behalf of Bennett Homes at pre-submission stages of the Plan preparation, and through the Borough Council's Call for Sites Consultation (ref: 28-11-20163706) questioned the rationale beyond the growth strategy for Downham Market. Downham Market is the second largest town within the Borough and forms part of the Local Plan Review's Strategic Growth Corridor. The town benefits from an array of services and amenities, including primary and high schools, various retail offerings including multiple supermarkets, alongside doctors and dentist surgeries. The town is also highly accessible within the wider region, particularly given the train station which provides direct rail links with King's Lynn and London King's Cross; and the A10 (providing a direct road link to King's Lynn, Ely and Cambridge).
- 2.16 Therefore, Downham Market should, in view of the above, play a significant role within the Borough, particularly in supporting the anticipated Strategic Growth Corridor identified within the Plan.

- 2.17 On this basis, it is surprising that the Local Plan Review is only considering the reallocation of two existing site allocations (total of 390 dwellings, only 6% of the Plan's allocation)

*Matter 2, Issue 2, Question 33 - Given that paragraph 66 of the NPPF expects strategic policies to set out the housing requirements for designated neighbourhood areas, is the Plan, in particular Policy LP01 and its supporting text, justified and consistent with national policy in not doing so for each parish and/or each KRSC and Rural Village (RV) in the Borough?*

- 2.18 This is not just confined to the Parish and/or each KRSC and Rural Village in the Borough, this is also applicable to other higher tiers of the Council's Settlement Hierarchy, where arguably it is more critical to be identifying the level of growth that can be accommodated within these locations during the Plan period. In the case of Watlington, which has been designated a Growth Key Rural Service Centre, whereby the Council identifies that Watlington can accommodate further growth, the Council has moved from a position of allocating land in previous iterations of the Plan to now leaving this to the neighbourhood plan process. The Watlington Neighbourhood Plan process is at its infancy with no guarantee that this process will be progressed or in a timely manner to be effective in allocating housing to Watlington. Therefore, in the interim, we are left with the Local Plan Review, as the Strategic Policy document, lacking to fulfil the requirements of national policy. The Plan, as submitted, does not sufficiently set out the strategic policies for housing requirement for the designated neighbourhood area, which reflects the role that Watlington should have in accordance with the Council's own Settlement Hierarchy and Spatial Vision, a strategy for the pattern and scale of development along any relevant allocations in accordance with Para 66 of the NPPF. Watlington is an important settlement in delivering on the Council's strategy of focussing growth within the Strategic Growth Corridor, but insufficient certainty is offered by the Plan at this stage to ensure growth, reflective of its status within the Settlement Hierarchy, is delivered.

- 2.19 In accordance with para 66 of the NPPF, the rationale for requiring this level of detail at the strategic policy level is such that once these strategic policies have been adopted, these assumptions should not need to be re-tested at the neighbourhood plan examination.

### **Settlement Hierarchy (Policy LP02)**

*Matter 2, Issue 2, Question 39 – Is the Settlement Hierarchy in Policy LP02 justified as appropriate, based on proportionate evidence? Is the change in status of the following settlements from that defined the hierarchy in Policy CS02 of the adopted Core Strategy, justified by the evidence?*

- 2.20 The proposed Settlement Hierarchy is justified, however, the policy response arising, in terms of allocation of new development, does not appear to be consistent. The rationale for identifying Watlington as a Growth Key Rural Service Centre in the third tier of the Settlement Hierarchy, as justified, and reaffirmed by the proposed main modification by the Council under LP02 Settlement Hierarchy, has found that the village is capable of accommodating further growth due to its close proximity to the A10/Main Rail line alongside provision of a range of services and facilities.
- 2.21 Notwithstanding this, Bennett Homes considers this part of the Local Plan is not effective over the Plan period. Not only are the Borough Council falling short of allocating growth to arguably one of the most sustainable village locations in the Borough, contrary to their previous preferred approach, they are undermining their own Spatial Strategy and Settlement Hierarchy which correctly identifies Watlington as a Growth location, specifically, a Growth Key Rural Service



Centre, however, then going on to allocate a level of growth 1% (32 dwellings) of the Borough total housing need which is not commensurate to the services, facilities and sustainability offered by the settlement.

- 2.22 Compare this to the previous consultation version of the Plan which identified the Council's preferred strategy for the identification and allocation of Land at Mill Road, Watlington for at least 115 dwellings (WAT1). This proposed allocation acknowledges the important role the village should rightly play in the distribution of housing across the Borough, in view of its sustainable and unique accessible village location, as having both good access to the A10 strategic road corridor and a village railway station, with main line train accessibility to King's Lynn – London King's Cross.
- 2.23 In addition, an outline application for 40 dwellings (reference: 15/01575/OM) on part of the preferred allocation site, promoted by Bennett Homes was recommended for approval by Planning Officers of the Borough Council of King's Lynn and West Norfolk, and was resolved to approve at Planning Committee in June 2016. Unfortunately, due to delays in completing the S106 within 4 months of the resolution to grant consent, planning permission was not issued.
- 2.24 Notwithstanding this, the recognition by the Council in resolving to grant the outline application provides a clear indication that the site provides for a sustainable form of development, and hence the recognition of this as a draft allocation for the wider landholding in earlier iterations of the Plan review.
- 2.25 Bennett Homes also contends that the current Settlement Hierarchy is not consistent with national policy. The Framework advises (para 23) that *'Strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate.... In line with the presumption in favour of sustainable development.'*
- 2.26 Currently the Plan as submitted, whilst has an appropriate spatial strategy and Settlement Hierarchy, the proposed distribution of housing does provide a clear strategy for bringing forward sufficient land at a sufficient rate over the Plan period. Instead, the Plan is proposed of either a series of carried over allocations from the previous Plan, with insufficient justification for why these remain suitable and available, or large extensions to existing urban areas which takes time to come online and deliver meaningful housing delivery. All of this within the context of housing requirements being seen as minimum figures to be consistent with the Framework.

*Matter 2, Issue 2, Question 43 - Are Policies LP02 and LP01 consistent in respect of the role of each settlement tier in accommodating development? Would the changes to Policy LP02 proposed by the Council in the Schedule of Suggested MMs ensure the two policies are consistent and unambiguous in this regard?*

- 2.27 Bennett Homes acknowledges the Borough Council's decision to carry forward the previous distribution of development with emphasis upon the A10/main rail line which includes support for growth at various settlements across the Strategic Growth Corridor including Watlington. However, the approach then taken by the Borough Council in implementing its Growth Strategy for Watlington is not compatible with either its tier within the Settlement Hierarchy or what is required of a Growth Key Rural Service Centre under Policy LP02. Based upon the uncertainty of delivery of sites in the village, and given the Borough Council has not taken the strategic policy decision to allocate sufficient sites within Watlington, there is no prospect through the Local Plan

period, that Watlington will deliver the extent of housing growth compatible with its status, role and function within the Settlement Hierarchy. These are strategic policy matters, which in line with the Framework, need to be addressed within this Local Plan and not deferred to other neighbourhood plan making processes. This is to ensure sufficient land is identified and allocated for a settlement with a role for growth within the Council's Spatial Strategy.



BIDWELLS