

**KING’S LYNN AND
WEST NORFOLK
LOCAL PLAN
EXAMINATION
HEARING STATEMENT
– PART TWO MATTER 5**

Quality Assurance

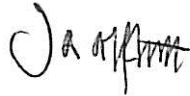
Site name: Borough Council of King's Lynn & West Norfolk Local Plan Examination (Part 2)

Client name: Bennett Homes

Type of report: Matter 5 - Hearing Statement

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Signed



Date 16 December 2022

Reviewed by: Karen Long

Signed



Date 16 December 2022



Table of Contents

1.0	Background	1
2.0	Response to Inspector’s Questions	2

Appendix 1

WAT 1 - LAND TO EAST OF DOWNHAM ROAD AND WEST OF MILL ROAD, WATLINGTON

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 5, specifically in respect of Growth Key Service Centres – Watlington and Matters, Issues and Questions (MIQs) 182-186 for Part 2 of the Examination, and the following site which is being promoted by Bennett Homes:
- Land to East of Downham Road and West of Mill Road, Watlington (referenced as WAT 1 in the Borough Council's Draft Local Plan Review Document, 2019 – see extract in **Appendix 1**).

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.

Matter 5, Issue 5, Question 182

Is the Plan justified in allocating a single site for 32 dwellings at Watlington, given its status as a Growth KRSC within the A10/main rail line growth corridor, and its range of facilities, including a railway station?

- 2.2 The Plan as submitted is not justified by only allocating a single site for 32 dwellings at Watlington. The allocation proposed is carried forward from the last Local Plan, therefore, intended to contribute to the Council’s housing land supply up to the end of the Plan period of the current adopted Core Strategy which is 2026. With a resolution to grant full planning permission, subject to S106 on the proposed allocation site for 40 dwellings (ref 21/02421/FM), it is reasonable to assume that the site will deliver (due to the time limit on any permission) within the existing plan period to 2026. Therefore, question the assumptions for delivery within the Council’s Housing Trajectory (Examination Doc Ref F22) being much later in 2027-2029/30. It is important to note that the 40 dwellings proposed are to be affordable housing. Therefore, with this consent in place, there are no further sites allocated which will deliver, within one of two ‘Growth’ Key Rural Service Centres within the Borough, the size, type, and tenure of housing needed for different groups in the community. Consequently, the Plan as submitted does not deliver a sufficient supply of homes in a sustainable location, and therefore is not consistent with para 62 of the Framework.
- 2.3 Given the Local Plan Review is intended to extend the Plan period to 2038/39, and noting the status of Watlington in the Settlement Hierarchy as a Growth Key Rural Service Centre, it is not justified to then not allocate growth to a settlement which within the Council’s own Spatial Strategy, Settlement Hierarchy and Sustainability Appraisal (SA), is a settlement capable of accommodating further growth beyond the scale that was proposed in the previous Plan. The purpose being to deliver sustainable development consistent with national policy and to fulfil the ambitions of the Council’s own spatial strategy to focus development in the most sustainable locations along the strategic growth corridor for the extended part of the Plan period from 2026 to 2038/39.
- 2.4 Within the Borough Council’s own evidence ‘Further Consideration of the Settlement Hierarchy’ (Examination Doc Ref D21) concludes that ‘*Watlington has been chosen for growth as it lies upon the Main Line Railway and is a sustainable settlement boasting a primary school, local convenience shop, public house, social club, church, village hall, GP/pharmacy and bus links*’. The allocation of additional land at Watlington would be compliant with the Council’s own SA evidence and spatial vision, by focusing growth along the strategic growth corridor of which Watlington should form a key part. Watlington is only one of two settlements along this corridor that has access to mainline rail connections within its settlement. It is in part the mainline rail connectivity which has justified the Council’s spatial vision.
- 2.5 At earlier stages of the Plan making process (preferred options 2019), the Borough Council identified the need for a further 90 dwellings in Watlington beyond the 32 previously allocated and carried forward as part of this review. The justification for seeking such growth was due to the sustainability of the settlement and Watlington being equidistant between King’s Lynn &

Downham Market along the A10/main rail line growth corridor and being the only village in the Borough which has the benefit of a mainline rail connection. It is our contention that this justification remains sound, which prompted the inclusion of WAT 1 for 115 dwellings on Land East of Downham Road and West of Mill Road. The decision to omit from the submitted Plan, does not appear to have been based upon any sound planning judgement, or furthermore guided by the Council's own evidence base.

- 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. The previously omitted WAT 1 remains available, suitable and deliverable within the Plan period, its reinstatement as an allocation would be consistent with the Council's Spatial Strategy, more appropriately reflect the status of the settlement within the Council's Settlement Hierarchy as a 'Growth' Key Rural Service Centre, and in delivering a form of sustainable development consistent with the Council's own evidence and national policy, specifically para 105 of the Framework to focus development in locations that offer '*a genuine choice of transport modes*'.
- 2.7 Bennett Homes therefore 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 goes 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. Compare this to lower tiers of the Settlement Hierarchy where a larger allocation of the Borough's housing need is distributed, without the access to sustainable modes of transport as readily available within the settlements, and certainly without a direct mainline rail connection link between King's Lynn & King's Cross via Cambridge.
- 2.8 The Plan as submitted also does not identify the level of growth for the settlement beyond the current plan period of 2026.

Matter 5, Issue 5, Question 183

Should the Plan set a housing requirement for the designated Neighbourhood area of Watlington to guide the preparation of the Watlington Neighbourhood Plan, in line with paragraph 66 of the NPPF?

- 2.9 Yes, the Plan should set a housing requirement for the designated Neighbourhood area of Watlington. Furthermore, the Local Plan as submitted should allocate site(s) to meet this housing requirement, as the progress with the Watlington Neighbourhood Plan to date has failed to fulfil the Borough Council's expectations, as set out within para 11.2.4 – 11.2.7 of the submitted Plan.
- 2.10 Watlington Parish Council have recently published their pre-submission draft of the Neighbourhood Plan (Regulation 14) for consultation. The consultation period runs for 8 weeks (5 December 2022 – 30 January 2023). The draft Neighbourhood Plan proposes no further allocations for housing, on the basis that the current submitted Local Plan leads the Parish to conclude that there is no pressure upon them to find sites for housing. Furthermore, they claim,

notwithstanding their call for sites process taking place, no sites of sufficient size were put forward. However, this is contrary to Bennett Homes making the Parish Council aware of the availability of WAT 1 as identified at the draft Local Plan stage, and through the Neighbourhood Plan process to date. There is no evidence to conclude that the Parish Council have considered the merits of the sites considered as part of the Borough Council's Local Plan Review, including the preferred option site of WAT1, in reaching a sound conclusion on whether to consider allocation of further housing land in the Neighbourhood Plan. Whilst the Neighbourhood Plan has some way to go through examination and then referendum, it is interesting to note from the draft Neighbourhood Plan that over 1/3 of respondents within the village would like to see more new dwellings than currently allocated for the "*sustainability of the village, and its ability to retain existing services*" (para 29 of the pre-submission neighbourhood plan).

- 2.11 We therefore contend that the latest progress with the Watlington Neighbourhood Plan further demonstrates that it is unsound for the Council not to set a housing requirement for the Neighbourhood area of Watlington beyond the 32 dwellings in the submitted Plan. The evidence and earlier drafts of the Plan would suggest a requirement of 90-115 dwellings in addition to the 32 already carried forward is justified.
- 2.12 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 is not effective, nor does it sufficiently set out the strategic policies for housing requirement within the designated neighbourhood area, which reflects the role that Watlington should have in accordance with the Council's own Settlement Hierarchy and Spatial Vision, nor provides 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, will effectively be delivered.
- 2.13 In the absence of the emerging Neighbourhood Plan allocating sites and the Council's reference in para 11.2.7 of the strategy that '*Given the status of Watlington within the Settlement Hierarchy (LP02) and its role within the Borough it would be appropriate for further allocations to be considered through the Neighbourhood Plan*', do not understand why '*it would be inappropriate for the Local Plan [as the strategic policy document] to impose development upon the Area*'. Given the Borough Council's recognition for further growth, which now does not appear to be delivered through the neighbourhood planning process, and noting the Borough Council's previous allocation of up to 115 dwellings in the village, in accordance with para 66 of the NPPF, the strategic policy making authority should establish a housing requirement for the designated neighbourhood area which more effectively reflects the overall spatial strategy and growth status of the settlement within the settlement hierarchy.

Matter 5, Issue 5, Question 184

Given that site G112.1 is located within a Mineral Safeguarding Area for sand and gravel resources, is there a reasonable prospect that it will be available and could be viably developed at the point envisaged in the Housing Trajectory? If so, what evidence is there to support this delivery trajectory?

- 2.14 Through consultation on planning application ref: 21/02421/FM, Norfolk County Council as the Minerals Planning Authority raised no objection subject to inclusion of a condition to any grant of planning permission to require the submission of a Materials Management Plan - Minerals, to evaluate the opportunity for any sand and gravel resources to be used in on-site resources (such as groundworks) during the construction phase of the development, as it was demonstrated that significant extraction of sands and gravel would not be viable.
- 2.15 The Mineral Safeguarding Area is a 'blanket' designation which covers vast parts of the County, and in the majority of cases it is proven through appropriate mineral assessment, that the extent of resource available is not viable for extraction and instead to utilise the resource in construction, improving the sustainability of the project. WAT 1 proposed for allocation at the draft Local Plan stage is also underlain by the mineral safeguarding area for sand and gravel. From the evidence underpinning recent applications in Watlington, this designation should not be seen as a constraint to delivery of sites within the settlement.

Matter 5, Issue 5, Question 185

Is the selection of site G112.1 as the preferred location for housing in Watlington justified as an appropriate, taking into account the reasonable alternatives, and based on the evidence?

- 2.16 With the recent resolution to approve the development of 40 affordable units on site G112.1, it is reasonable to conclude that the inclusion of this site is justified, albeit, it was only previously considered to fulfil the housing requirement up to 2026, and the Council acknowledges the need for further allocation beyond that previously identified in the adopted Local Plan. This was identified in para 11.2.4 of the draft Local Plan and para 11.2.7 of the submitted Plan.
- 2.17 At the draft Local Plan stage, the Council's preferred strategy was for the identification and allocation of Land to the East of Downham Road and West of Mill Road, Watlington for at least 115 dwellings (WAT1) (see **Appendix 1**). The Council acknowledged in para 11.2.2.9 of the draft version of the Plan, that the allocation of WAT 1 for at least 115 dwellings, '*represents an opportunity for a significant contribution towards the overall local housing need to be met in a sustainable manner at one of the most sustainable settlements within the Borough.*'
- 2.18 In addition, an outline application for 40 dwellings (reference: 15/01575/OM) on part of the WAT1 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.
- 2.19 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.
- 2.20 In view of the above, reliance only on G112.1 throughout the extended plan period to 2038/39 is not justified based upon reasonable alternative sites in the form of WAT 1 that exist and remain available, suitable and deliverable. Furthermore, the strategy without the reintroduction of WAT 1 will not be effective in fulfilling Watlington's elevated status within the settlement hierarchy as a 'Growth' Key Rural Service Centre. Based upon the submitted plan, 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. As evident from the draft pre-submission version of the Neighbourhood Plan, the community are concerned about maintaining the wealth of facilities that could be lost if further growth is not allocated.

- 2.21 Given the status of WAT 1 as the Council's preferred option site (Site Ref H464 and H465), site assessment by the Council and its SA process has already been undertaken, therefore reinstatement of this within the Plan in order to make it sound would not require, in our view, any further re-consideration of other site options put forward during earlier stages of plan making.
- 2.22 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. In any event, based upon the latest pre-submission consultation version of the Neighbourhood Plan which makes no intention to consider allocation of any of the Local Plan review sites put forward in the village.

Matter 5, Issue 5, Question 186

Are the Main Modifications suggested by the Council to the supporting text of Policy G112.1 necessary for soundness?

- 2.23 The modifications proposed do nothing to address the points of soundness raised over the spatial strategy under Matter 2 and within the above Hearing Statement.

APPENDIX 1

WAT 1 - LAND TO EAST OF DOWNHAM ROAD AND WEST OF MILL ROAD, WATLINGTON

11.2 Watlington

Growth Key Rural Service Centre

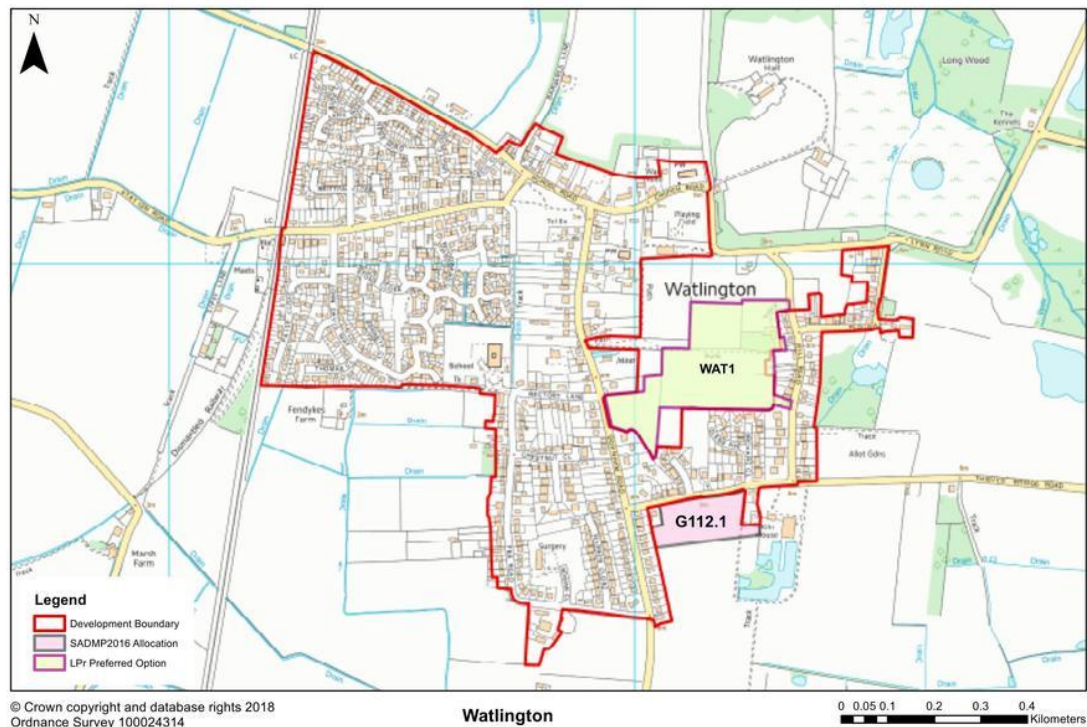
Description

11.2.1 Watlington is situated approximately six miles south of King's Lynn, and seven miles north of Downham Market. The village is served by Watlington railway station (on the Fen Line between London Kings Cross- Cambridge and King's Lynn) which is situated less than a mile from the centre of the village. The Parish of Watlington has a population of 2,455.⁽¹⁷⁾

11.2.2 The village has a range of services and facilities present which include a general practice surgery, school, bus route, railway station, Post Office, public house and other retail uses. Watlington provides a local employment base which has developed from its role in serving the local agricultural community.

11.2.3 The Borough Council's preferred distribution of development in the previous local plan for Watlington saw the provision of an allocation of at least 32 new dwellings.

11.2.4 The Local Plan review seeks to promote Watlington within the Settlement Hierarchy (LP02) to a Growth Key Rural Service Centre this is for two main reasons as discussed it currently has a wealth of facilities including the rail way station and it is geographically located within the Local Plan review's A10/main rail line growth corridor, being almost equidistant between King's Lynn and Downham Market. Accordingly a further residential housing allocation in the region of 90 new dwellings is sought.



17. Census Data 2011

11.2.1 G112.1 - Watlington - Land south of Thieves Bridge Road Policy

Site Allocation

11.2.1.1 The allocated site lies in the southern part of Watlington in a relatively built up area. It is situated south of Thieves Bridge Road and opposite established residential development in the form of bungalows and large detached houses.

11.2.1.2 To the east of the site is further residential development in the form of bungalows along Downham Road, and to the west are two large detached properties with substantial gardens, one has associated farm buildings and ponds/water storage.

Policy G112.1 Watlington - Land south of Thieves Bridge Road

Land of around 1.8 hectares, as shown on the Policies Map, is allocated for residential development of at least 32 dwellings.

Development will be subject to compliance with all of the following:

1. Submission of an Environmental Statement that satisfies Norfolk County Council that:

- a. the applicant has carried out investigations to identify whether the resource is viable for mineral extraction and if the mineral resource is viable, that:
 - b. the applicant has considered whether it could be extracted economically prior to development taking place; and if the mineral resource can be extracted economically, whether (or not):
 - c. there are opportunities to use the onsite resource during the construction phases of the development;
2. Development is subject to the demonstration of safe highway access that meets the satisfaction of the Highway Authority;
 3. Provision of affordable housing in line with the current standards.

Site Description and Justification

11.2.1.3 The site comprises of Grade 2 agricultural land and has defined boundaries in the form of hedgerows and trees. Watlington comprises mostly higher grade agricultural land, limiting the ability to choose lower grade land.

11.2.1.4 The site is ideally located for residential development. It is well integrated with built form and would represent a natural continuation of housing along Thieves Bridge Road, without significantly extending the village into countryside. It is considered that development in this location would not be intrusive in the landscape but would rather fill the gap between existing housing. When viewed from the wider landscape, development would be seen in the context of the existing village.

11.2.1.5 The site is well located to local services found within the village and has good pedestrian/vehicular links. Safe access and egress is obtainable from Thieves Bridge Road as supported by Norfolk County Council as the local highway authority, who identify the site as a preferable site in terms of highway matters.

11.2.1.6 The Council considers that the site is of a sufficient scale to accommodate the 32 dwellings sought in the settlement at a density consistent with its surroundings and without detriment to the form and character of the locality.

11.2.2 WAT1 - Watlington - Land to east of Downham Road and west of Mill Road Policy

Site Allocation

11.2.2.1 The site proposed for allocation is relatively centrally located within the village, to the east of Downham Road and the west of Mill Road, consequently services and facilities at Watlington are considered to be within close proximity. It comprises the submitted sites H464 and H465. To the north is the church, public house, post office / village shop, village hall, social club, recreational and park areas.

11.2.2.2 To the east is Mill Road and Pound Lane which comprises mainly ribbon style residential development, with those around Pound Lane representing an older section of the village. To the south are a series of cul-de-sac style residential housing developments, to the west is Downham Road where the settlement pattern is predominantly linear albeit with an estate/series of cul-de-sac's accessed off

Downham Road further to west, here the school and doctors surgery are both located.

Policy WAT1 Watlington - Land to East of Downham Road and West of Mill Road

Land of around 6.4 hectares, as shown on the Policies Map, is allocated for residential development of at least 115 dwellings.

Development will be subject to compliance with all of the following:

1. Submission of an Environmental Statement that satisfies Norfolk County Council that:
 - a. the applicant has carried out investigations to identify whether the resource is viable for mineral extraction and if the mineral resource is viable, that:
 - b. the applicant has considered whether it could be extracted economically prior to development taking place; and if the mineral resource can be extracted economically, whether (or not):
 - c. there are opportunities to use the onsite resource during the construction phases of the development;
 - d. the design scheme for the development of the site provides a road through the site which links Downham Road and Mill Road to the satisfaction of Norfolk County Council as the local Highway Authority;
2. Suitable improvements and integration of the Public Right of Way (Watlington Footpath 6) which crosses through the site;
3. The design and layout of the proposed scheme will demonstrate special regard to the character and setting of the heavily treed area (including the TPO area) to west of the site;
4. Submission of a Heritage Impact Statement that establishes that development would preserve the following heritage assets and their settings: Grade I Listed Church of St Paul and Peter, the Grade II Listed Manor House, and the Grade II Listed Watlington House. This should be accompanied by an Archaeological Field evaluation, if required;
5. Submission of details showing sustainable drainage measures will integrate with the design of the development and the drainage system will contribute to the amenity and biodiversity of the development. A suitable plan for future management and maintenance of the SUDS should be included with submission;
6. Development is subject to the demonstration of safe highway and pedestrian access onto both Downham Road and Mill Road. This should include improvements to the Mill Road / Thieves Bridge Road and the Mill Road / Lynn Road junctions in addition to upgrading Mill Road in the vicinity of the new access point. Details of this shall be submitted and agreed by Norfolk County Council as the Local Highway Authority as part of the planning application;
7. Provision of affordable housing in line with the current standards.

Site Description and Justification

11.2.2.3 The land is classed as a mixture of Grade 2 and 3 agricultural land. Watlington comprises mostly higher grade agricultural land, limiting the ability to choose lower grade land. The site is located within Flood Zone 1 (low risk) of the Borough Council Strategic Flood Risk Assessment. Consequently Norfolk County Council as the Lead Local Flood Authority consider that there are relatively few to no constraints and standard information would be required at the planning application stage.

11.2.2.4 The site is underlain by a defined Mineral Safeguarding Area for sand and gravel. Any future development on this site will need to address the requirements of Norfolk Minerals and Waste Core Strategy Policy CS16 - 'safeguarding' in relation to mineral resources.

11.2.2.5 Access should be achieved from both Downham Road and Mill Road. Whilst Site H464 is potentially capable of accommodating the growth sought alone, Norfolk County Council as the Local Highway Authority considers that it is preferable for both sites to come forward together with access from Downham Road. They indicate that access on to Downham Road is possible and that access onto Mill Road would require improvements to the Mill Road / Thieves Bridge Road and Mill Road / Lynn Road junctions, as well as improvements to Mill Road in the vicinity of the new access point. This would include road widening and footpath provision. The policy also requires the provision of a link road, this is to ensure a comprehensive development that is well integrated with the existing village.

11.2.2.6 There is an existing footpath which travels through the site (east – west) this provides a pedestrian link to Mill Road, Downham Road and Church Road, this should be incorporated within any design and suitably upgraded. The footpath also links to Route 11 of the National Cycle Network which runs close to the site, and could encourage residents to walk or cycle to services and facilities including the train station. There is also the potential to integrate with the existing footpath network, along Mill Road, Glebe Avenue and Downham Road.

11.2.2.7 To the west of the site is a heavily treed area, part of this is classed as a TPO area. The western boundary of the site is bordered by this. This area is of landscape value and is considered to contribute to the amenity of the area. As such, a policy is included above, to ensure that the proposed development has special regard to this area in terms of its design and layout.

11.2.2.8 There are three heritage assets (and their settings) which need to be carefully considered. These are the Grade I Listed Church of St Paul and Peter and the Grade II Listed Manor House to the north and the Grade II Listed Watlington House to the west. Historic England advise that a site specific Heritage Impact Assessment is undertaken so the impacts upon the historic environment and the setting of these assets can be better understood. Development would need to preserve the listed buildings and their settings. This could be achieved through mitigation measures such as appropriate design, massing, landscaping/planting and setting the development back from the listed buildings. There is also a requirement for an archaeological field evaluation as the site sits within an area of high archaeological potential according to the Norfolk Historic Environment Service.

11.2.2.9 It is recognised that the number of dwellings proposed via this draft allocation are slightly higher than those sought, however given the status of the settlement (Inc. services and facilities) and the Borough Council's preferred strategic growth strategy in combination with making the best use of the sites as submitted, it is considered appropriate to allocate the whole of submitted sites H464 and H465 as draft allocation WAT1 for at least 115 dwellings. This represents an opportunity for the a significant contribution towards the overall local housing need to be meet in a sustainable manner at one of the most sustainable settlements within the Borough.



BIDWELLS