

King's Lynn & West Norfolk Local Plan Review Examination

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Stuart Ashworth
Assistant Director
Borough Council of King's Lynn & West Norfolk
King's Court
Chapel Street
King's Lynn
Norfolk PE30 1EX

By email via the Programme Officer

Dear Mr Ashworth,

Examination of King's Lynn & West Norfolk Local Plan Review: Hearing Adjournment and Further Evidence

Following our adjournment of the Examination Hearing on 11 January 2023, we are writing to set out in more detail the reasons for the adjournment and the further evidence we require from the Council to enable the Examination of the King's Lynn & West Norfolk Local Plan Review (the Plan) to continue.

It will be clear from our Matters Issues and Questions (MIQs) and from the discussions held at the Examination Hearing sessions to date, that we have questions about the soundness of the Plan, in respect of key elements of the proposed spatial strategy and distribution of housing development. In summary, our concerns are:

1. Strategic Growth Corridor

A key component of the spatial strategy in Policy LP01 is to direct development and investment to the most sustainable places in the A10/Main Rail Line Strategic Growth Corridor. However, the proposed allocations in the Plan would direct around 40% of housing growth to the West Winch Growth Area (WWGA), which is likely to rely on car and road-based transport, with comparatively limited housing development at Downham Market and Watlington, which, with railway stations, appear to be more sustainable locations in transport terms. Our questions have sought to understand the evidence to support this distribution of development within the corridor, but to date the Council has been unable to provide a clear explanation. We question, therefore, whether this component of the spatial strategy is justified as appropriate, based on the evidence, and consistent with national policy in enabling the delivery of sustainable development.

2. West Winch Growth Area

The evidence to support the increased growth proposed at the WWGA is inadequate. Whilst the WWGA has been established as an appropriate location for strategic growth through the adopted Core Strategy and allocated for at least 1,600 dwellings up to 2026 in Policy E2.1 of the Site Allocations and Development Management Policies Plan (the SADMP), it is clear in the SADMP that the potential for further development beyond that at WWGA is subject to future development plans.

The submitted Plan is now seeking to establish the extent of further growth at the WWGA. Policy E2.1 as submitted allocates the site for at least 2,500 dwellings in the period to 2036 and up to 4,000 dwellings in the fullness of time. However, the evidence to justify the additional growth of 2,400 dwellings and to demonstrate that its impacts on matters such as the operation and safety of the transport network, and on air quality, heritage and ecological assets, landscape character and local amenity, are capable of being mitigated, was not submitted with the Plan. Although the effects of the proposed allocation were assessed through the Sustainability Appraisal (SA), it is unclear what evidence was used to derive the appraisal scores for heritage, highways and transport, landscape and amenity, natural environment and pollution.

A Heritage Impact Assessment (HIA) for the WWGA has now been undertaken and we understand further transport modelling work is available. But, based on the Council's responses to our MIQs and oral questions at the Hearing, we are concerned that the necessary technical work has not been undertaken to determine the development capacity of the site in environmental and infrastructure terms. As yet, therefore, we are unable to conclude that the proposed allocation for up to 4,000 dwellings at the WWGA, in Policy E2.1, is justified as appropriate based on the evidence, nor that it would deliver sustainable development in accordance with national policy.

3. Downham Market

The role of Downham Market within the Plan's spatial strategy is ambiguous. Paragraph 3.1.2 of the submitted Plan, introducing the Vision for the Borough, signals '*a shift towards encouraging development towards Downham Market based on the sustainable nature of the settlement and the key role the town plays within the borough, as opposed to the previous approach which sought to allow for a slower pace of growth*'. This implies an increased rate of growth at Downham Market in the submitted Plan to 2036, compared to the current adopted Plan. However, whereas the Core Strategy makes provision for at least 2,710 dwellings at Downham Market in the period to 2026 (Policy CS04), the proposed Plan only provides for at least 390 dwellings up to 2036, on two sites (Policies F1.3 and F1.4) which were allocated in the SADMP; there are no new allocations at Downham Market in the proposed Plan.

Further, although Downham Market is the second largest town in the Borough, with a station on the main railway line and within the Strategic

Growth Corridor, it attracts a very limited proportion of the housing growth proposed within the Plan, compared to King's Lynn and West Winch. The table at the end of Policy LP01 shows that 6% of the homes are allocated at Downham Market, compared to 62% at King's Lynn and the surrounding area. As such, the level of housing growth allocated to Downham Market does not appear to be consistent with the role and vision for the settlement in the submitted Plan.

In discussions at the Hearing, the Council was unable to explain the justification for this apparent inconsistency. We are concerned, therefore, as to whether this element of the Plan's growth and spatial strategy is justified as appropriate, based on the evidence, and whether it is consistent with national policy in focusing significant development in a location which is sustainable in transport terms.

4. Watlington

Watlington is identified in the submitted Plan as a Growth Key Rural Service Centre (KRSC), because it lies on the main line railway between King's Lynn, Cambridge and London within the Strategic Growth Corridor, and is a sustainable settlement with a wide range of facilities. However, the submitted Plan allocates just one site (G112.1) at Watlington for 32 dwellings, which is a carried forward allocation from the SADMP, intended to meet needs in the existing adopted Plan period to 2026. No further housing growth is proposed at Watlington for the submitted Plan period to 2036. Whilst the supporting text of the Plan (at paragraph 11.2.7) indicates that it would be appropriate to consider further allocations through the emerging Watlington Neighbourhood Plan (NP), there is no requirement for the NP to do so, in the form of a housing requirement for Watlington to support its status as a Growth KRSC.

At the draft Plan consultation stage in March/April 2019, an additional site was allocated at Watlington for 90 dwellings (Policy WAT1), to support its role as a Growth KRSC. In answer to oral questions at the Hearing, the Council confirmed that this site was removed on the basis that it was no longer required to meet the Borough's overall housing requirement, regardless of the proposed growth status of Watlington. As such, in the absence of any further housing allocations or a housing requirement to be met through allocations in the NP, we question whether the status of Watlington as a Growth KRSC is justified as appropriate, and whether this element of the Plan is consistent with national policy in respect of its emphasis on focusing development in sustainable locations.

5. Rural Settlements

The spatial strategy for rural settlements in the Plan is also ambiguous for the following reasons:

- Criterion 8(a)(iii) of Policy LP01 and criterion 3 of Policy LP41 identify the KRSCs as a focus for most new development within the rural

areas of the Borough. However, the Plan does not propose housing allocations at all of the KRSCs, with no provision made at Burnham Market, Middleton and West Walton. Where sites are proposed, many were allocated in the SADMP and have either been completed or are nearing completion. Based on the latest housing delivery monitoring data in document F34, around 50% of the proposed supply at the KRSCs will have been built by the end of 2026/27. For the remainder of the Plan period to 2036 (or 2039 under the proposed change to the Plan period), only 9 of the 23 KRSCs will have any allocations remaining to meet housing needs that come forward after 2026/27.

- Whilst Rural Villages (RVs) are expected to accommodate more modest levels of development, only 16 out of 30 RVs have housing allocations in the submitted Plan. Most of the sites were allocations in the SADMP and are either completed or under construction, with very few dwellings projected to come forward in the RVs from 2027/28 to the end of the Plan period.
- Paragraph 2.0.19 of the Plan says that Neighbourhood Plans (NPs) must support the overall scale and nature of growth indicated in the Plan, and that the Plan will specify the minimum scale of growth appropriate for each settlement. However, paragraph 4.1.23 goes on to say that the allocations for areas preparing NPs will not be made in the Plan. Policies LP01 and LP02 do not set out housing requirements for each settlement or neighbourhood area.
- In its suggested Main Modifications (MMs) [F37], the Council proposes to delete from the Plan any KRSC or RV which no longer has a housing allocation to be delivered. This reinforces the impression that the Plan does not seek to provide for the needs of these settlements going forward.
- The Plan also proposes to change the status of a number of rural settlements in the Settlement Hierarchy in Policy LP02, but the evidence to justify a number of these decisions is not clear in the supporting study on Further Consideration of the Settlement Hierarchy [document D21]. Whilst the Council has sought to update this evidence in Examination Document F38, in many cases the commentary about the decisions to change or not to change the tier of different rural settlements in the hierarchy, does not provide the reasoning for those decisions.

Overall, the spatial strategy and housing provision for rural settlements appears to be based largely on carrying forward existing allocations from the SADMP and windfall provision under Policy LP31, rather than evidence of the needs of settlements over the Plan period. This does not present as a positively prepared strategy to meet the needs of rural communities. National planning policy expects planning policies to be responsive to local circumstances and support housing developments that reflect local needs in rural areas. Paragraph 66 of the NPPF also expects strategic policies to set out a housing requirement for

designated neighbourhood areas, which reflects the strategy for the pattern and scale of development and any relevant allocations. The Plan does not do this. For these reasons we question whether the spatial strategy for rural settlements is justified as appropriate, based on the evidence, and consistent with national policy.

Without further evidence to support these elements of the Plan, we are unlikely to be able to conclude that the spatial strategy and distribution of housing growth are justified as appropriate, based on the evidence submitted; deliverable over the Plan period and therefore effective; or consistent with national policy in enabling the delivery of sustainable development.

During the first week of the Hearing, we requested a number of pieces of evidence to deal with questions on these matters that the Council was unable to answer. These were set out in the Action List issued after the first week [G12]. We had hoped these would address our concerns and enable the discussion of development proposals for the main towns and rural settlements, but the documents submitted by the Council [F34, F36, F38 and F39] do not provide the necessary evidence, for the reasons we explained at the opening of Day 4 of the Hearing.

It is for these reasons that we have taken the decision to adjourn the Hearing and give the Council the opportunity to carry out the work necessary to address the above questions. The note attached to this letter sets out the further evidence we require the Council to undertake at this stage. For the avoidance of doubt, this incorporates actions 12, 13, 18, 19, 21 and 52 in the Action List and the topic paper on the WWGA.

We would encourage the Council to progress the remaining actions in that list alongside preparing this further evidence, most of which involve preparing MMs to policies and site allocations that were discussed during the Hearing sessions to date. The evidence on housing land supply and the deliverability and developability of housing allocations will also need to be updated, based on discussions at the Hearing so far and any further development progress on sites during the Hearing adjournment. We have set this out in the attached note as well.

We propose a deadline of 28 April 2023, allowing the Council a full three months to complete this work, but would be grateful for your confirmation that this can be met. During this period we also ask that the Council provides monthly updates, which should be posted on the Examination website, to ensure all parties are kept informed of progress.

Once this work is completed to our satisfaction, we will ask the Council to undertake public consultation on the further evidence and provide us with a summary of any representations. Further Hearing sessions are likely to be necessary to discuss the findings of this work and its implications for the spatial strategy and distribution of development in the Plan. At this stage, we estimate these could take place in the early autumn, assuming a 6-week period for consultation on the further evidence and 6-weeks' notice of the resumption of the Hearing.

We expect that the cancelled Hearing sessions on Matters 6-9 of the MIQs from January would be scheduled to take place at the same time, along with any Hearing session necessary to consider the findings of the Gypsy and Traveller work currently being undertaken by the Council.

On receipt of this letter, please would the Council upload a copy to the Examination website.

We need to make clear that we are not inviting or proposing to accept comments on this letter or the attached note from any Examination participants. The consultation and future Hearing sessions referred to above will provide the opportunity for any further representations on the issues raised in this letter and the further evidence to be submitted.

Yours sincerely,

Karen L Baker

INSPECTOR

Mike Hayden

INSPECTOR

Attachment:

Inspectors' Note on Further Evidence required from the Council – Jan 2023