



Borough Council of
**King's Lynn &
West Norfolk**



Stoke Ferry Neighbourhood Plan – Response to Examiner’s Initial Inquiries on behalf of the Qualifying Body (Stoke Ferry Parish Council) and Local Planning Authority (Borough Council of King’s Lynn and West Norfolk) March 2023

General Drafting Points

I note that the end date on the cover of the Plan is 2036 – selected as a date to coincide with the end date for the Local Plan Review. However, at a number of points within the document 2037 is referenced. I presume it is the latter entries that need to be amended. It would also help if the document could be put through an English (as opposed to an American) spell check.

Stoke Ferry Parish Council (SFPC)/ Qualifying Response (QB) response:

The end date should be 2036. This and any minor/ editorial errors can be corrected post-examination when the Neighbourhood Plan is finalised for referendum.

The NPPF (para 16f) says that Plans should “serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).” A significant number of comments below – addressing the Plan page-by-page – query the extent to which Policies are particular to the Neighbourhood Area as opposed to partial or reworded repetitions of national or local policy. For the benefit of clarity, wording should not seek to reinterpret other policies because the NPPF and the Local Plan policies will apply as written, unless evidence justifies a variation applicable to the particular conditions in the Parish.

Borough Council of King’s Lynn and West Norfolk (BCKLWN) response:

The Neighbourhood Plan should avoid repetition of national and/ or Local Plan policies, as far as is practicable. However, it should be noted that in some cases it has proven expedient to include appropriate cross referencing where expedient, to improve readability.

I am unclear as the expected status of (and correct title for) the “supporting” document “Stoke Ferry Design Codes” which, within the Plan, is primarily referenced as “Stoke Ferry Design Guidelines and Codes”...Normally, a Plan document would be expected to encompass

all the content to which a prospective developer must have access to apply its policies. Would that not apply to the Design Guide (by whatever title is appropriate)?

Stoke Ferry Parish Council (SFPC)/ Qualifying Response (QB) response:

The correct title for the Design document is Stoke Ferry Design Codes June 2022. This reference can be included throughout the Neighbourhood Plan when it is amended post-examination to ensure consistency. Whilst the QB do not have an objection in principle to the Design Codes being incorporated into the Neighbourhood Plan as an annex or appendix, it was produced to be a separate standalone document – in much the same way as District level Design Guides are rarely incorporated into Local Plans. Keeping them separate allows the Design Codes document to be updated regularly. There are some potential practical problems in that it has been produced in a landscape form and that it extends to over 100 pages, thereby considerably lengthening the Neighbourhood Plan. There are examples where other Examiners have maintained the separation of the two e.g. Redenhall with Harleston (South Norfolk), Tivetshall (South Norfolk), Starston (South Norfolk), Leavenheath (Babergh) and Boxford (Babergh).

1. Introduction

BCKLWN response:

Paragraph 1.5 provides evidence in terms of community support and the identification of the community's priorities. 1.5 sets out the aims of the Neighbourhood Plan, including its role in guiding development towards delivery of local infrastructure priorities, through S106 agreements and/ or Community Infrastructure Levy (CIL). The final bullet point ought to be re-worded to this effect.

2. The parish of Stoke Ferry

Primarily because the critical content – the Conservation Boundary - is not in colour, Figure 9 is very difficult to read. Since the map is evidently provided by others, providing the source reference would at least allow the original to be accessed. I note that you have committed to identifying and using a better map.

SFPC/ QB response:

The Conservation Area boundary map was provided by the Borough Council. The Borough Council will source a better version for inclusion in the amended plan.

Figure 10 is a map supplied by the Norfolk Biodiversity Information Service who always map a buffer around the parish boundary due to the transitory nature of some biodiversity species and that sites outside of the parish may be affected by policies in the Neighbourhood Plan . The map provides additional context.

It is important to note that Biodiversity considerations do not stop at administrative boundaries. The map has been provided for information, to show sites in proximity (if outside) the neighbourhood area. It may be appropriate to add explanation to this effect, to the Figure 10 caption (p18).

3. How the Plan was prepared

Whilst this section is descriptive of the process it does not appear to details the ways in which community consultation has influenced/impacted on the drafting and redrafting of the Plan. Whilst I appreciate that a Consultation Statement accompanies the Plan, the Plan document might helpfully reflect on the way it has been developed?

SFPC/ QB response:

Additional paragraph(s) can be inserted at the end of this chapter which outlines the key issues raised at each stage of consultation and how the plan has been amended to reflect them. These would be added to the referendum version of the Plan and would act as a brief executive summary to the Consultation Statement, in the interests of clarity.

5. Vision and objectives

I note that the Vision references 2037. I am uncertain as to why the words “in the future” are included at the end of the statement.

SFPC/ QB response:

Agree that the phrase ‘in the future’ appears to be unnecessary and can be removed when the plan is amended.

7. Community and Services

It is appropriate for Policy SF1 to identify the community facilities in the Neighbourhood Area; I note that the Core Strategy Policy CS13 seems to refer to these as “cultural assets”, but I think that there is no likelihood of confusion. In relation to the Policy wording, I have a few queries...

SFPC/ QB responses (Policy SF1):

Policy SF1: Suggest replace ‘current’ with ‘community’ in first bullet of policy.

Agree to remove the Local Green Spaces from the policy and to insert note to cross refer to LGS Policy SF18

Suggest add ‘where planning permission is required’ to policy to ensure that it is clear the policy only applies to development proposals.

Map references (and map numbering corrected) to be included in all relevant policies when Plan is amended.

The Group advised (15 March 2023) that the land area to the rear of the Blue Bell was divided into two plots by its previous owners.

Stoke Ferry Community Enterprise Limited bought one plot: the pub building and part of the land to the rear (the carpark and a stretch of land which contains the pub's septic tank.)

The remainder of the land to the rear is now owned by a private landowner.

Policy SF2 appears to be more a plea for funding than a land use policy. Although it is required that “New facilities should have safe and easy access to the village centre”, no assessment is apparent as to the capacity of such sites (if any) to accommodate this range of facilities. No specific locational guidance is given for each – and the meaning of “School outreach facilities” is obscure to me

SFPC/ QB responses (Policy SF2):

Policy SF2: No objection to the combining of Policies SF1 and 2

Policy SF3 – as noted above, the referencing of the related map within the Policy would be appropriate.

SFPC/ QB responses (Policy SF3):

Policy SF3: See above point in respect of map references.

8. Housing, Design, and the historic environment

Is there any evidence supporting the assertion at paragraph 8.5 that permissions relating to allocations made in 2016 “are more than sufficient to meet Stoke Ferry’s needs over the Local Plan period to 2036”? I note that you have agreed with the local authority that this paragraph needs updating as they have suggested.

BCKLWN response

It is suggested that additional explanation within the supporting text at paragraph 8.5 is necessary to explain the source for the statement at paragraph 8.5 that there are sufficient permission/ allocations to meet Stoke Ferry’s needs.

Suggested replacement text, to paragraph 8.5 (1st sentence, following bullet points): “In 2020, Stoke Ferry Parish Council appointed AECOM to produce a bespoke Housing Needs

Assessment (HNA¹). This highlighted a total need for 68 affordable houses of differing tenures at Stoke Ferry. The replacement Local Plan (paragraph 4.1.5) identified a reduced Local Housing Need for the Borough, such that committed site allocations throughout the Borough (as a whole), including consents on sites allocated at Stoke Ferry through the 2016 Site Allocations Development Plan Document (permitted for 52 dwellings), should be sufficient to cover the LHN for the Borough as a whole, including meeting Stoke Ferry's needs over the Local Plan period to 2036."

In relation to Policy SF4 I have the following queries...

SFPC/ QB responses (Policy SF4):

Policy SF4: Add 'or successor document' to footnote 13.

Qualifying sites are those above 0.65ha or 5 dwellings – insert footnote to this effect.

Suggest remove 'as a maximum' (70% affordable rented reference).

"Adaption to meet the needs of families" is a general reference to the relevant M(4)2 and M(4)3 standards. However some Examiners have removed those specific references and that is why they are not included here. Extract from Redgrave Neighbourhood Plan Examiner's Report (Mid Suffolk)

"PPG, (at Paragraph: 001 Reference ID: 56-001-20150327), makes it clear through a link to a Written Ministerial Statement of 25 March 2015 that it is not appropriate to refer to any additional local technical standards or requirements relating to the construction or performance of new dwellings in neighbourhood plans. Therefore, reference to M4(2) standards should be deleted from the third paragraph."

Suggest delete reference to 'smaller schemes' and replace with "schemes of 5-9 dwellings"

The NPPF encourages generally social integration and inclusivity . 'Pepper potting' is a widely used term, the definition of which can be included in the glossary to aid clarity.

Policy SF5 references the Design Guide (the nature of which I have queried above) but then appears to attempt a summary of the Guide in very few words... Cannot the Guide speak more helpfully for itself?

SFPC/ QB responses (Policy SF5):

¹ https://www.west-norfolk.gov.uk/download/downloads/id/7447/stoke_ferry_hna_november_2020.pdf

Policy SF5 See earlier comments about Design Codes document which was produced to be a separate and standalone document.

I note that it is stated that Policy SF6 “is not intended to allocate sites but to instead encourage the implementation of relevant extant planning permissions and to encourage others to come forward for development”. But the Policy does not, and I would suggest cannot, do anything practical to effect the implementation of existing permissions...

SFPC/ QB and BCKLWN responses (Policy SF6):

Policy SF6 It is considered that this policy provides some valuable local specificity and reflects locally expressed concerns through the consultation exercises. Whilst a number of the sites have/have had planning permissions, there has been little activity on most and the policy covers the eventuality that these permissions may lapse and therefore new or amended application will need to be submitted.

Paragraphs 8.32/8.33 provide additional explanation for SF6. That is, the identification of priority sites that offer opportunities for enhancement/ renewal through development.

In relation to Policy SF7 I note that a Conservation Area Appraisal already exists. There is an evident danger that a Policy that doesn't evidently reference this and which restates national and local policy in different words could lead to confusion. Does this Policy say anything particular about local matters?...

SFPC/ QB and BCKLWN responses (Policy SF7):

Policy SF7 The policy could usefully cross reference the Conservation Area Appraisal directly, as a separate policy document, with implications for decision making relating to those parts of Stoke Ferry so designated.

The NPPF (section 16) provides the current overarching direction regarding the management of the historic environment (including Conservation Areas). This has been adapted into criteria a-d. SF7 goes on to highlight particular issues of concern, such as advertisements. In practice, the policy could only apply where signs are a matter of express consent, as set out in the advertisement regulations.

I note that Policy SF8 draws heavily on the content of the Conservation Area Appraisal. A question arises as to how the additions to the listing from the Appraisal are considered comparable in importance if they were not included in the original Appraisal. Clearly some buildings are beyond the Conservation Area boundary where their setting may be of less significance?

SFPC/ QB responses (Policy SF8):

Policy SF8 The location of a potential non designated heritage asset outside the Conservation Area does not by itself indicate that the setting is of less significance. In rural areas there are often isolated unlisted farmstead of significant heritage value that are not located within a Conservation Area but are nonetheless worthy of protection. The fact that an asset is located outside of the Conservation Area means that it is immediately more vulnerable than an asset located within as it has no other form of legal protection other than the development plan (in this case, the Stoke Ferry Plan).

9. Transport and Access

Apart from the content about “droves” does Policy SF9 say anything that is not already said in the Local Plan? I am unclear whether the droves are already public rights of way? There is no legal power for a Neighbourhood Plan to designate new rights of way...

SFPC/ QB and BCKLWN responses (Policy SF9):

Policy SF9 Not all the identifies droves are public rights of way. When comparing Figure 7 and Figure 23 of the Plan some are restricted by-ways, some are footpaths but not all have a formal designation or protection. Some are permissive paths. The Policy provides some local specificity and recognises the historic value of these routes.

For droves (routes) that not Public Rights of Way, (PROWs) the policy and/ or supporting text should be amended to highlight that developers and the Borough Council would need to work closely with landowners to deliver green infrastructure/ access opportunities that drove routes could offer.

SF does not seek to designate new PROWs. However, Figure 23 should be amended, to clearly differentiate between PROWs and other drover routes that might offer potential green infrastructure/ access opportunities.

Policy SF10 appears to restate what is already in the “Design Guide”; the latter would appear to be the most appropriate place for guidance since it would help to ensure the integrated design that is required?

SFPC/ QB and BCKLWN responses (Policy SF10):

Policy SF10 The Design Codes document does cover this issue although it does not refer to the Norfolk County Council guidance, which it will need to do if the policy is to be deleted.

Policy SF10 provides a policy hook for the Stoke Ferry Design Guide and County Council parking standards. The policy could be tweaked to provide

summary criteria (e.g. bullet points) for key residential parking standards, to provide the necessary link to County standards.

I note that Policy SF11 relates to an allocated site that “has not yet come forward and is linked to a specific planning permission on an adjacent site where construction has begun but has not been completed”. My understanding from the description is that the car park will be provided before the new construction is complete, further suggesting that the car park may by now be in place?...

SFPC/ QB and BCKLWN responses (Policy SF11):

Policy SF11 The car park is not in place and the construction has been ceased for some time. The original developers are no longer involved in the scheme. It is considered that this policy provides an appropriate contingency should the SAMPDPD allocation G88.3 not be delivered as planned.

It is therefore important to retain SF11 as a “fall-back” position, in the event that G88.3 does not come forward as permitted.

10. Natural Environment

It is unclear to me why policies on defining the boundary of the built form of Stoke Ferry and a built-form gap between settlements appear under the “Natural Environment” heading?

Policy SF12 – as with all Policy statements – needs to be self-contained so that it can readily be quoted in Officer reports, etc.; the cross-reference to supporting text is inappropriate...

SFPC/ QB and BCKLWN responses (Policy SF12):

Policy SF12: Paragraph 10.1 explains the function of development boundaries in the adopted Local Plan. This confirms that the Parish Council/ Neighbourhood Planning Group have revised the development boundaries from the 2016 Site Allocations Plan and found these appropriate. It may be appropriate to acknowledge within SF12 that the role of development boundaries in managing development at the periphery of the built-up area is defined in strategic Local Plan policies (currently DM2).

2nd paragraph – suggested amendment to wording: *“Beyond defined development boundaries and/ or allocated sites, as shown in the Local Plan, new development will only be supported where this fulfils strategic policies regarding the role/ function of development boundaries...”*. This removes reference to NPPF paragraph 79.

There is existing ribbon development within the parish of Wretton along Wretton Road which is immediately adjacent to development within Stoke Ferry Parish. This represents a graduated change between the built-up areas

and may be more evident once the site visit has been undertaken. The Strategic Gap recognises the close physical/ functional relationships between Stoke Ferry/ Wretton, but can only apply within the Neighbourhood Area.

However the map could usefully provide more clarity and the hatching could be extended up to the settlement boundary, north of Wretton Road.

Important views

Whilst it is legitimate for the Plan to identify valued views, it is unrealistic for Policy SF13 to suggest that a decision on the acceptability of development proposals pivots around how they “adversely affect” an identified public view...

SFPC/ QB responses (Policy SF13):

Policy SF13: It is accepted that the Examiner’s suggested modification would improve the clarity/ effectiveness of SF13.

River Wissey corridor

In relation to Policy SF14 it seems that “development” pressure on the spaces identified is unlikely, whereas the value that is being protected is the linear and connected nature of the spaces?...

BCKLWN response

Policy SF14: The Policy is about seeking to encourage/ support appropriate development to protect the character of the Wissey corridor. It is accepted that some modification may be necessary, in the interests of effectiveness.

Changes to SF14 wording (1st/ introductory paragraph) are proposed, as follows: *“Proposals to provide/ improve public access will be supported, provided that these do not significantly adversely affect the visual, scenic and undeveloped nature...”*

Drainage and flood risk

The source reference for Figure 28 needs to be the data source (rather than the map source) so that, as the data is updated, Plan readers can access the most recent version... I can see that efforts have been made to reflect local conditions within Policy SF15. However...

SFPC/ QB and BCKLWN responses (Policy SF15):

Policy SF15: Fig 29 – Parish online includes flood risk data which is where this has been derived from. However, the description could usefully refer to the source of

that data which is the Environment Agency and/ or Lead Local Flood Authority (LLFA).

Areas at risk of flooding were identified by local people through the consultation events. Although anecdotal, these provide additional local detail/ evidence, potentially over and above the Environment Agency's/ LLFA records. It is emphasised that the areas of localised flooding (Figure 29) are derived from local evidence gathered through the plan-making process.

1st paragraph – suggested replacement of “lower than greenfield runoff rates” with reference to the need to take account of climate change.

2nd paragraph – Suggest removal of Bridleway 8 and 9 and replace with generic reference to Public Rights of Way.

4th (final) paragraph – Suggest that the last line of policy can be removed as the Design Codes document does contain specific guidance at 4.10 and Code SU.01.

Light pollution and dark skies

It seems to me that each paragraph of Policy SF16 says broadly the same thing with different words and a shifting emphasis...Arguably this topic is adequately or more appropriately addressed within Policy SF19?

SFPC/ QB responses (Policy SF16):

Policy SF16: No objection if this policy content is moved to/ merged with Policy SF19. Suggested new policy heading; e.g. “Light pollution and energy efficiency”.

Biodiversity

Given the existence of a Design Guide to inform local design choices, does Policy SF17 add anything that is not already in national or local planning policy?

SFPC/ QB and BCKLWN responses (Policy SF17):

Policy SF17: It is considered that this policy does provide a local dimension with its references to the River Wissey, the cut-off channel, and the specific landscape features of the Fens landscape character. It is noted that this also provides a policy “hook” between the natural landscape and Design Codes.

Local Green Spaces

I will need to make site visits to properly assess the spaces identified in Policy SF18 against the NPPF criteria... I further note that the County Council has added factual detail in relation

to space 9: “it should be noted that local green space “The Common” is 9.9 hectares and is underlain by sand and gravel resource...Since the allocation is for local green space, it does not sterilise the mineral resource underlain.”

SFPC/ QB responses (Policy SF18):

Policy SF18: The only criteria used to judge these spaces has been that of the NPPF, although local people did nominate spaces to be assessed. The intention of the policy is that these spaces are LGS not any other form of space.

The list in Policy SF18 should refer to 1 piece of land (not 4) and that the description in the assessment in Appendix C should also just refer to 1 piece of land. It seems the references to other areas of land are in error - possibly left over from previous drafts.

Energy efficiency and sustainability

Policy SF19 seems to be nebulous, unrelated to the Neighbourhood Area and often poorly detailed: “reduce carbon”...Given the, generally better expressed, local and national framework within which this Policy exists, is the Design Guide not sufficient to provide practical guidance as to how the measures identified there can successfully be incorporated within new and existing dwellings? Your comments are invited.

SFPC/ QB responses (Policy SF19):

Policy SF19: There may be some benefit to merging the broad content of SF16 and SF19, although the Design Codes document does provide a practical application. Suggested new policy heading; e.g. “Light pollution and energy efficiency”.

11. Business and Employment

Sentences such as “Anecdotal evidence suggests the number of people employed at 2Agriculture who live in Stoke Ferry is low” (para 11.2)...Is this intended to encourage garden outbuildings beyond the present scope of permitted development, and if the accommodation is “new” would it need “adaptation”?

SFPC/ QB and BCKLWN responses (Policy SF20):

Paragraph 11.2 – Accepted that additional evidence/ information needed to substantiate statement. Text could be replaced with descriptive text, derived from 2Agriculture’s website (<https://www.2agriculture.com/about-us/>); e.g.: “The skyline of the village is dominated by the 2Agriculture mill, which supplies poultry feed. The company employs around 250 people across 6-sites in Scotland, East Anglia and North Wales, including the Stoke Ferry site. 2Agriculture is highlighted due to its impact upon the landscape/ character of the village, although it does play some role in the local economy.”

Policy SF20: It is accepted that Policy SF20 needs some modifications, to differentiate between new-build business premises and conversion of existing buildings. These could be covered by separate sub-headings within the policy text, for clarity.

New-build business premises – should be suitable for adaptation (e.g. for homeworking)

Conversion/ adaptation of existing buildings – supported, provided that, for heritage assets, the external character is protected/ maintained.

12. Social and cultural

Policy SF21 is explicitly about “the change of use or conversion of existing buildings” but this might entail the loss of or compromising of existing facilities whereas new buildings or extensions might add to existing facilities, if there is site capacity to achieve this...“Extra sports facilities and a youth club” do not get a specific mention, perhaps because no potential site/location has been identified?

SFPC/ QB responses (Policy SF21):

Policy SF21: No objection to the Examiner’s proposed modification to the policy wording.

13. Implementation

Paragraph 13.3 says “Some of the policies included within the Stoke Ferry Neighbourhood Plan have a delivery element, often a requirement of development or ‘planning obligation’. It is not evident that this is the case - or that this would be appropriate without specific evidence.

BCKLWN response:

Paragraph 13.3 – The majority of policies do not have a “delivery element”. Rather, they are about effective development management and protection of existing assets/ facilities (e.g. natural, historic or community). However, some give direction as to infrastructure priorities, to which development contributions would need to be secured. It is suggested that 13.3 be modified to include a table setting out those policies that seek delivery of new infrastructure.

Policy ref	Policy title	Main delivery mechanism(s)
SF1	Protection and enhancement of existing community facilities	CIL – priority infrastructure identified (Regulation 123 list/ current guise)
SF2	New community facilities	CIL – priority infrastructure S106 – where specific infrastructure is required (e.g. open space, additional classrooms) to service new development

Policy ref	Policy title	Main delivery mechanism(s)
SF3	Cemetery extension at Furlong Drive	CIL – priority infrastructure
SF4	Housing mix	S106 – affordable housing contributions
SF9	Accessibility	CIL – priority infrastructure; e.g. improved accessibility to droves/ opening up PROWs S106 – provision for walking and cycling, to service development
SF11	Village Hall car park	CIL – priority infrastructure
SF20	New and existing business	CIL – priority infrastructure – high-speed broadband

The proposed table highlights policies with a delivery element, and it would helpfully explain/ summarise the main mechanisms for delivery.

Stoke Ferry Design Codes

I note that it has been agreed that references to Anglian Water need correction...As a generously illustrated document I assess the Codes document as very useful, subject to my comments above about the clarity/accuracy of its title and its integration with the Plan Policies

SFPC/ QB response

The qualifying body can ask the consultants who produced the Design Codes to add a parish boundary map to an amended document.