

**Borough Council of King's Lynn
and West Norfolk Local Plan
2021-2039**

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



Representation Form

Consultation on additional evidence base documents, September 2023

Closing date for submitting representations: **11:59pm, Friday, 20th October 2023**

Part A

Section 1: Personal Details

Title:	Mr
First Name:	Kelvin
Last Name:	Loveday
Job Title (where relevant):	
Organisation (where relevant):	Save the Downham and Wimbotsham Green Space.
Address:	[REDACTED]
Postcode:	[REDACTED]
Telephone:	[REDACTED]
Email:	[REDACTED]

Section 2: Agent Details (if applicable)

Please supply the details below of any agent you have working on your behalf.

Agent name:	
Address:	
Postcode:	
Telephone number:	
Email:	

Part B

Please fill in a separate form for each document

Section 3: Representations

Which Document are you responding on?

Examination Library ref	Document name	Paragraph No(s)
F47	Topic Paper Spacial Strategy and settlement Hierarchy / (Main Towns-Downham market)	LP01

Summary of Comments:

Please be as precise as possible as to why you support or object to the evidence and/or any suggested main modifications to the Plan contained in the document, providing the relevant paragraph and/or policy number for each point.

Planning and national guidance.

The planning inspector has correctly identified ambiguity in the BCKLWN's Plan documentation. On the one hand the BCKLWN suggests that Downham Market is a key development town implying further growth is sustainable but on the other it has not allocated any more housing to the town. To understand how they arrived at this contradictory position we need to look at the historical context.

Downham Market has grown disproportionately in recent years doubling in size. The BCKLWN wisely supported the notion that growth needs to be slowed down to give the town's infrastructure shortfalls the chance to 'catch up'. The NPPF (para 11) states that plans must apply a presumption of sustainable development. That plans "align growth and infrastructure". This was recognised in LDF documents in 2011, 2013 and a later pre-submission document that stated;

"A lower proportion of the Borough's new growth over the next decade or so has therefore been allocated to this town, compared to others, in order to provide a slower pace of growth allowing the town to settle and for services and facilities to adjust to the increased population".

This position was justified and based on evidence. However, the 'lower growth' of 390 homes soon became 600 but with significantly reduced CiL contributions (see below). National policy requires local authority policies to be 'responsive to local circumstances'. By not allocating further housing the BCKLWN were in fact responding to local circumstances and therefore consistent with national policy. Under pressure, the BCKLWN

has now chosen to reverse it's policy and allocate a minimum of further 642 units (LP01). Taking the line of least resistance. Was this based on sound 'objective evidence' that the infrastructure shortfalls have been addressed? Are growth and infrastructure aligned? The evidence points to the contrary and that the Plan is not consistent with national policy.

As Downham has increased in size employment opportunities have failed to keep pace and local wages are below the national average. To avoid becoming a 'dormitory town' investment in the local economy is now crucial. Paragraph 82 of the NPPF requires planning policies to ***“address potential barriers to investment, such as inadequate infrastructure”***. Lack of a supportive infrastructure is now a barrier and now deters investment in the town (see evidence below). A policy that further stresses the infrastructure is therefore bad for the community and local economy. It is and not consistent with government policy.

The proposed 'Data Park', that lent weight to the idea that Downham Market should continue to be a key development town, has now fallen through. Thousands of jobs failed to materialise. Poor infrastructure, digital/optical connectivity and data speeds were cited as issues to be addressed. In this context the ambiguous position and the inability of officers to justify their plan can be understood. On the one hand Downham is a key settlement on the other it cannot sustain growth at this time.

The allocation of nearly 390 houses in the Local Development Plan led to actual permission for nearly 600 houses. And this without the inclusion of large swathe of land, allocated to contribute towards that 390 figure. Once this unused land is utilised the LDF allocations to the town will have led to nearly 1000 additional units (once repeatedly amended planning applications have been submitted approved). The undue stress placed on the town's infrastructure will become a greater barrier to investment. The Plan to add 642 units to this figure is not justified. Without being 'responsive to local circumstances and reasonable needs it is not positively prepared or consistent.

The current construction of 300 houses to the NE of Downham will bring no infrastructure contributions to the town. (see BCKLWN CiL Policy). The SADMP for site F1.3 specified; ***“financial contributions towards the provision of infrastructure including; additional primary and secondary school places, strategic infrastructure for Downham Market, as set out in the Council's Infrastructure Study;”***

Unfortunately, the BCKLWN struck a deal with Albanwise, the landowners, whereby they are not required to make any contributions. Albanwise still own remaining sites enveloping Downham Market. This catastrophic policy was adopted, following a poorly publicised consultation. The relevant information hidden in a data table incomprehensible to the layperson. I would image that even the Planning Inspectorate missed it. The residents of Downham Market would never have agreed with this. While it may be too late to reverse this policy we can still recognise that it is catastrophic for the infrastructure 'catch up' and creates an even greater barrier to business investment. The infrastructure shortfall is now

accelerating towards a breaking point.

For the plan to be justified it needs to be based on 'objective evidence'. It is incumbent upon the BCKLWN to provide evidence that the proposed 'catch up' has actually occurred. Evidence of the investment of 106/CiL monies in the town. Where the 106/CiL contributions ended up.

The NPPF states that the local authority develop a Plan ***“ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure”*** Downham Market may be the right place but this is not 'the right time' while the provision of infrastructure is still uncoordinated. The current plan is not justified. It is not based on objective evidence available at present. Other strategic planning solutions and compromises are needed.

For the Plan to be 'justified' the BCKLWN have also to take into account 'reasonable alternatives'.

Previously their proposed site adjacent to West Winch was considered sufficient to meet borough needs. It was deemed sustainable by the BCKLWN and even predicted to improve the adjacent village by redirecting enormous amounts of traffic from the area. With good planning, this new development could have a net positive effect since the local authority effectively have a 'tabula rasa'. We need objective evidence that there will be a net benefit to developing Downham Market too. If this cannot be achieved then the Plan fails and requires modification. The Plan is not justified.

The BCKLWN's Sustainable Transport Strategy narrative (appendix b) states "With the WHAR there is an opportunity to re-design the A10 corridor through West Winch with through traffic substantially reduced and increased priority for non-car modes. The STS considers this specific opportunity and develops a strategy for enhancing accessibility and creating a sense of place which is suitable for a larger community of around 5000 total dwellings, with the former A10 changed in character to become a central spine road through the settlement connecting residents with facilities and services rather than dividing the community". WHAR provides opportunities for net gain. The local authority must now use the Plan to facilitate this opportunity. If it does not the Plan fails to be justified or consistent.

Local authorities are required to seek agreements with each other "so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development" The records show that over the period of disproportionate growth, Downham Market has accrued no benefits from the 106/CiL payments. That infrastructure contributions were utilised 'cross border' elsewhere in the Norfolk County. The responsibility lies with the BCKLWN to seek agreements with those authorities that benefited and are now in a position to

accommodate excess demand. The government guidance states; ***“local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination”*** The local authority may have cooperated in the past. They still have a duty to do so now. Failure in this context would make the plan fail in regards to being ‘positively prepared’. Rules state ***“The the authority will need to submit comprehensive and robust evidence of the efforts it has made to cooperate and any outcomes achieved and this will be thoroughly tested at the examination”***. The Plan is not positively prepared.

The local authority have a built flexibility through the excess allocation. Cooperating authorities can have a level of confidence that they are unlikely to be called upon to help. Alternatively the surplus could be reduced to 1756 without impact. (pg48)

Town Capacity/Impacts

Access to the historic centre of town during working hours is limited due to parking reaching it’s full daytime capacity. The organic development of the town with its narrow streets means that nothing can be done to change this. This problem of full capacity was highlighted when the viability of a multi-story car parking project was discussed in the Town Council. New homes on the outskirts of town will simply add to the road usage towards Kings Lynn. They will provide a net harm to the town and West Norfolk. Far from being a local hub the town will see a net flow out of the town. New new residents will generally be repelled from the town rather than attracted into it. Until the town develops into the adjacent land to the east with whole new facilities people will continue to vote with their cars and travel to Kings Lynn and Ely. The Plan is not consistent with national policy.

Trade goes outside of the town to corporate chains outside of King’s Lynn rather than local business owners. Revenue from these corporate chains leaves the region with no benefit to the local economy. It does not trickle down to the community. 642 ‘dormitory’ units will not provide a net benefit to the town. It adds to the traffic in all directions towards Kings Lynn, Ely, Wisbech and Swaffham. The Plan is not consistent with national policy.

This net flow out of town is exacerbated by Downham Market’s growth without sufficient employment. The town now has a ‘dormitory’ status. Lack of employment opportunities, low and property prices means that most of the new houses will be occupied by those that do not work or spend here. Dormitory towns do not create a sustainable footprint. They create new social issues and undermine the community cohesion. They simply add to the stress upon roads while bringing little benefit to the local economy. . The plan is

not justified or consistent.

Basic infrastructure

The sewage treatment works has demonstrable shortfalls. It relies on using multiple tankers a week to transport effluents away causing increased odour issues. The sewage works has seen no expansion of its facilities during the decades of growth. Expansion of this works is now impossible because, despite Anglia Water's objections, it is now bordered by a brand new housing estate. Other borders are constrained by a railway line and flood risk restrictions. The requisite improvements may not be delivered in the Plan period exposing all allocations to risk. The current 300 unit development to the south of the town is currently suspended because of serious sewage and waste water issues. Will Anglian Water seek to build a new facility within the Plan period to impact the village of Denver? No applications have been submitted. The Plan is not effective.

Paragraph 82 of the NPPF specifies that planning policies should **“seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment”**.

Access to education is another such barrier. We cannot expect investors and entrepreneurs to move to a town where they are not confident in the education of their children. The NPPF states:

“It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education”.

Downham Market Academy, our only secondary school, is one of the largest in the county. The school has a history of failing Ofsted inspections and falling into special measures. Despite this, parents cannot be guaranteed a place even if it is their first 'choice'. Instead their children are now being transported miles away. Is this 'sustainable'? Just let that sink in! Parents can't even get their children into a school with a history of failure. Does this sound like “services and facilities” have been able to “adjust to the increased population” as recommended by the local authority?

Is the town a 'hub' if people are travelling in the opposite direction to access services? Quality education is a UN 'sustainable development goal'. The NPPF states:

“It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that

will widen choice in education". The plan is not consistent with national policy.

Water supply issues are now known to the council too. The irony is that Downham Market has suffered flooding and run-off issues since the exponential growth of the town. The BCKLWN know this. Clean water and sanitation are Sustainable Development Goals (SDG) of the United Nation to which the UK has signed up. The plan is not consistent with national policy.

[Downham Market restaurant shares video of 'devastating' flood damage \(lynnnews.co.uk\)](https://www.lynnnews.co.uk)

Electrical sub station failures/overload power outages are above the national average.

[Electricity issues persist in west Norfolk as fresh power cut hits | Eastern Daily Press \(edp24.co.uk\)](https://www.edp24.co.uk)

Dentists are full to the brim. The ratio of residents to dentists has increased. No planning permissions exist regarding the expansion of services. Many residents travel to Swaffham and Ely for treatment. This is not sustainable. The ratio of residents to doctors has also increased. Good health provision is a UN sustainable development goal. New residents unable to pay for private treatment are being directed to places 25 miles away. Healthcare is a UN SDG. The plan is not consistent with national policy.

[Dentists near Downham Market - NHS \(www.nhs.uk\)](https://www.nhs.uk)

The Post Office has closed and the only facility in the whole town of 12k residents is a counter in a local newsagents where access is via a dangerously narrow pavement next to a main transport corridor. Many from Downham now drive to the post offices in the neighbouring village of Wimbotsham and denveras it is easier to access.

All the high street banks and building societies will have disappeared by March 2024.

[Downham Market Lloyds to stay open for another six months | Eastern Daily Press \(edp24.co.uk\)](https://www.edp24.co.uk)

The BCKLWN regional study states that Downham Market has 177 shops. This to justify its current hierarchy classification. If we subtract the charity shops staffed by volunteers (8 at the time of writing) and premises that fail within the first year we have a very different figure. The devil is always in the detail.

The town's quaint historical market status has been undermined by excessive growth. Tourism is at an all time low. The historic Castle Hotel has closed and is being converted to flats. So too the Grammar School. Many pubs and three social clubs have closed. There

are no live music venues left. Facilities for young people are meagre. The tennis club has folded as other sports have been compressed into the limited recreational space.

[Downham Market Club is up for auction after closing down | Eastern Daily Press \(edp24.co.uk\)](#)

Much has been made of McDonalds and Costa arriving yet they operate zero hours, minimum wage contracts. Profits from these corporations leave the local economy while employees still require state support through benefits. This is not sustainable.

In view of the genuine lack of real facilities and infrastructure, the only rationale left for continuing to consider Downham Market as a key development town, that can accommodate 642 new homes, is that it has rail access. A point raised in the Inspectors letter. Here however the devil is, as always, in the detail!

True impact of railway

The Inspector questions whether the BCKLWN's previous Plan was "consistent with national policy in focusing significant development in a location which is sustainable in transport terms". What is actually in question is whether the transport arrangements for Downham can in actually be considered 'sustainable'. The presence of a railway line in Downham Market does not guarantee people will choose to use it over non sustainable options. It doesn't guarantee benefits to the local economy either indeed it has the negative impact of inflating a local housing bubble.

The railway station is actually based on the very outer reaches of the town with a very limited bus service. It has limited parking and is a considerable distance from future housing sites. There is no evidence that the additional new residents in Downham Market will choose to use the railway over the accessible A roads. Their school aged children on the other hand will be forced to do so in the busy morning period. Standing room only.

Already there are problems with local residents reporting that rail users clog the narrow residential roads adjacent to the station creating hazards. Obviously cycle lanes are not an option. Often it is easier and cheaper to drive to Ely and Kings Lynn. The travel study at West Winch has shown 20k vehicles travel between Kings Lynn and the south. This is not sustainable.

People do not use the trains to access Downham Market's limited facilities. It is not a local hub that a Planning Inspector might imagine. People do not travel to Downham from Ely or Kings Lynn to to visit it's charity shops, it's limited employment opportunities or non existent venues/events.

Impact on local amenity/green environment/ solutions.

Downham Market is a town physically constrained on 3 sides by the A10, the bypass, the

rivers and flood restrictions. Setting aside land for 642 houses in the wrong place may lead to the removal of the last countryside spaces still accessible for future generations. Green space that separates the town's sprawl from the conservation area of Wimbotsham Village. Unless we seek solutions now the village conservation area will be under the light pollution of Downham Market.

The 'Preferred Options' consultation in 2013 drew an enormous response from the residents of Downham Market and Wimbotsham as they sought to preserve the land considered by them to be a valuable green space between the two settlements. This land was initially included as a 'preferred option' but, as a result of the consultation, then rejected by the BCKLWN. A decision agreed to be justified and positively prepared by inspectors at the time.

More letters were received defending this site than almost all other West Norfolk sites combined. This factor must not be lost as the revised Plan moves forward. The revised 'indicative' allocation of 642 will provide a backdoor route to circumvent very real community objections to the loss of this countryside. If any of the 642 houses end up on this site it would be a travesty and not justified. Any plan that doesn't find a way to accommodate local wishes could not be considered 'positively prepared'. 1800 names are attached to a petition relating to this land.

[Save the Downham Market and Wimbotsham green space. | 38 Degrees](#)

Residents of the town do not oppose the growth of Downham Market at the 'right time' and in the 'right places' and when it is sustainable. There is a strong case to be made that Downham will need to expand beyond the constraints of the major A roads in the long term. With this in mind the planning for this should start now before the last remaining countryside accessible to residents is lost. Since both the land separating the town from Wimbotsham and the land beyond the A 10 are owned by the same corporation, a longer term 'win-win' compromise could be agreed. This would be consistent with national policy.

Setting aside valued and cherished space while allocating new homes to adjacent land to the east would be a compromise solution agreeable to many. This compromise is consistent with the NPPF that states ***'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable'***. With this in mind it would be reasonable for the BCKLWN look to sites adjacent to either West Winch and to the east of Downham Market which was historically a WWII airfield. This would be consistent, justified and positively prepared.

This could form part of a compromise that is consistent with the NPPF that states ***“The designation of land as Local Green Space through local plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.”***

The land identified by residents meets the criteria;

“a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land”

Local petition comments include

We need more infrastructure to facilitate this, the town is already struggling, dentists are already over run with people coming from kings Lynn and surrounding areas taking up our lists, The people of Downham market are unable to get into surgeries, Gp's, schools, it would be a very very bad move!

Laura C.

The Town size, infrastructure, education institutions, surgeries etc cannot support the people moving into new developments already!!!!

John D.

Downham cannot cope with more building until more services are put in place. Also please not another older person development, we need to attract younger people to the town. Finally leave Wimbotshsm as a village, if this goes ahead they will just end up as part of Downhsm

Sally C.

The infrastructure in Downham is already insufficient for the existing population. Further growth will impact on long waiting times at doctors, dentists, etc, that is extant.

Christine C

The best view of the fens from anywhere in Downham would be lost forever. With predicted food shortages we can ill afford to lose productive agricultural land like this to say nothing of the habitat loss to the many declining species of wildlife.

Linda C.

(Continue on a separate sheet if necessary.)

Please note you should cover succinctly all the information, evidence and supporting information necessary to support/justify your comments.

Section 4: Examination Hearings

This consultation may be followed by further Examination Hearing sessions, at the discretion of the Planning Inspectors. Do you consider it necessary to participate in Examination Hearing sessions? (Please select one answer)

No, I do not wish to participate at the Examination Hearing

Yes, I wish to participate at the examination hearing

Section 5: Data Protection


Do you wish to be notified further about the Local Plan Examination process, at any of the following stages?

Schedule of Main Modifications stage (following hearings)	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Publication of Inspector’s Report	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Adoption of Local Plan	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

In complying with the General Data Protection Regulation (UK GDPR) and Data Protection Act 2018, King’s Lynn and West Norfolk Borough Council confirms that it will process personal data gathered from this form only for the purposes relating to the consultation. It is intended to publish responses to this consultation on the Borough Council’s website. However, it should be noted that all personal information (except for names and organisation name, where appropriate) will not be published.

When you give consent for us to process data, you have the right to withdraw that consent at any time. If you wish to withdraw your consent, you must notify us at lpr@west-norfolk.gov.uk or 01553 616200.

Section 6: Signature and Date of Representation

Please sign and date below:	
Signature: (electronic signatures are acceptable)	
Date:	18.10.23

Please note that, to be considered, your representation will need to be received by **11:59pm on Friday, 20th October 2023.**