

**KING'S LYNN AND
WEST NORFOLK
LOCAL PLAN
EXAMINATION
ADDITIONAL MIQS
HEARING POSITION
STATEMENT
MATTER 2 SPATIAL
STRATEGY**

Quality Assurance

Site name: Borough Council of King's Lynn & West Norfolk Local Plan Examination Additional MIQs

Client name: Bennett Homes

Type of report: Matter 2 - Hearing Position Statement

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Signed 

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Signed 

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PLAN IDENTIFYING LAND NORTH OF HAYFIELDS (275 DWELLINGS)

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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 the Inspectors additional MIQs Matter 2 Spatial Strategy (AQ1-AQ9 and AQ 117), as a basis for discussion at the resumed hearings on 26th and 27th March 2024.

2.0 Response to Inspector's Questions

- 2.1 The following provides a response to the Additional MIQs that are applicable to the representations already submitted at earlier stages of the Local Plan preparation in connection with Matter 2 Spatial Strategy, Issue 2.

Plan Period

AQ117 - In the light of the extended timetable for the Examination and the potential timescale for the adoption of the KL&WN LPR following its conclusion, is there a need for the Plan period to be extended beyond 2039 to ensure consistency with paragraph 22 of the NPPF, which expects strategic policies to look ahead over a minimum 15-year period from adoption? If so, what would the implications be for the Plan's housing requirement and supply?

- 2.2 Yes, Bennett Homes contends that the Plan period should be extended beyond 2039, and realistically consider this should be extended by two years, to an end date of at least March 2041. This would reflect the time required to conclude the current resumed hearings (Sept 2025), receipt of Inspector's Report, consultation on modifications to the Plan and then anticipate adoption no earlier than March 2025. This timeline remains ambitious, but potentially realistic. Notwithstanding the question (AQ1) over the reassessment of the housing requirement, based upon the Council's current assumptions of an annual requirement of 571 units, extending the Plan period by a further two years would equate to an additional housing requirement of 1142 units. It is Bennett Homes view that, given the significant number of windfall being relied upon, that the Plan should positively plan for these additional numbers rather than rely on their already excessive windfall expectation.
- 2.3 We would suggest in order to deliver sustainable development this can be accommodated with the allocation of deliverable sites already promoted through previous stages of the Plan process at Downham Market (Land North of Hayfields for circa 275 dwellings, see plan in **Appendix 1**) and 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 for approximately 115 dwellings – see plan in **Appendix 2**).

Housing Need and Requirement (Policy LP01)

AQ1 - Does the housing requirement of 10,278 dwellings for the period 2021-2039 need to be reassessed, given that the Plan was submitted on 29 March 2022 and the Planning Policy Guidance states that local housing need calculated using the standard method may be relied upon for a period of 2 years from the time that a plan is submitted for examination?

- 2.4 Bennett Homes contends that the housing requirement for the Plan should be recalculated on two counts, firstly, it is now beyond the time period permitted by the PPG, and secondly, needs to reflect the requirement for extension to the Plan period to at least March 2041 to ensure consistency with national policy, as outlined in response to AQ117.

AQ2 - In the modified version of Policy LP01, set out in the Spatial Strategy and Settlement Hierarchy Topic Paper [F47], should the minimum level of housing for the Borough be based on the housing requirement rather than the estimated housing land supply?

- 2.5 To be consistent with National Policy, the Plan should be based upon a minimum housing requirement informed by a local housing need assessment using the standard method in national planning guidance. However, it is clear this should be considered a minimum requirement, with a plan which is consistent with national policy supporting the Government's overarching objective of 'significantly boosting the supply of homes'. To ensure the Plan can deliver on this objective, there needs to be a degree of certainty, which is created through allocation of a sufficient amount and variety of land that can come forward without unnecessary delay. Bennett Homes would contend the spatial strategy put forward by the Borough Council, particularly with respect to the scale of growth envisaged for the West Winch Growth Area is a significant scale of growth in one location, which through the last Plan period has provided no prospect for delivery, and now carrying this forward and increasing the scale of growth, at the cost of distributing this to other settlements, including Downham Market and Watlington, we would consider is not consistent with para 60 of the NPPF.

Spatial Strategy and Settlement Hierarchy (Policies LP01 and LP02)

New Policy on the Spatial Strategy and Settlement Hierarchy

AQ3. Are the Council's proposals to modify the Plan's spatial strategy in the following ways justified by the evidence set out in the Spatial Strategy and Settlement Hierarchy Topic Paper [F47] and would the resulting spatial strategy be positively prepared and consistent with national policy in enabling the delivery of sustainable development:

(a) The removal of the Strategic Growth Corridor from the Plan?

- 2.6 Bennett Homes contends that the removal of the Strategic Growth Corridor (SGC) makes the Plan unsound, insofar as it is not positively prepared, based upon the available evidence base, and more importantly is not consistent with national policy in enabling the delivery of sustainable development. The omission of the SGC is not a minor omission/change of terminology as the Council suggests, but instead goes to the heart of the Council's Spatial Vision within the submitted Plan. The proposition of focussing growth along a strategic corridor represented by a major road (A10) and part of the mainline railway line including the key settlements along this sustainable transport route i.e. Downham Market and Watlington is a sound plan led vision. However, the change proposed would now suggest the Plan is one of a vision driven by allocation, rather than a vision driven by a distribution of housing across the Borough which meets the requirements of national policy in achieving sustainable development.
- 2.7 As referenced in para 4 of F47, it should be acknowledged that limiting growth to Downham Market was the strategy for the last plan. This plan should move beyond this and encourage further growth for Downham Market, given it is the second largest town and has land available in closer proximity to the town's rail station than further expansion of King's Lynn. This would align with the Council's Spatial Strategy in the submitted plan to focus growth along the SGC, and responds to the Inspector's concerns in their letter of 30 January 2023, whereby the Spatial Vision '*implies an increased rate of growth at Downham Market*' which is not the current proposals at West Winch. Ironically, the more feasible commute to access train connections from the West Winch Growth Area will be Watlington rail station. This is supported by the Council's

own evidence in the form of the West Winch sustainable transport document, the consultation feedback notes that over 40% identify Watlington Station as a destination they would like to be able to access. Surely, it would be more sustainable for these people to be better served living in Watlington with direct access to the Station, rather than in West Winch, as currently proposed.

2.8 We contend that the removal of the SGC from the Plan, and thereby downgrading Watlington as a Growth Key Rural Service Centre, is a retrograde step to the soundness of the Plan. The removal of the SGC would endorse the unsustainable distribution of housing, with specific focus on the West Winch Growth Area, which has not been proven to be deliverable across the Plan period in the scale envisaged and be heavily reliant upon road transport. This is at the cost of distributing more growth to otherwise sustainable locations, including Watlington and Downham Market, which are both locations accessible by a number of sustainable transport modes, consistent with national policy.

2.9 In view of the above, Bennetts Homes considers that the Council has not answered the Inspectors previous request for explanation as to the *'purpose of the SGC'* particularly with regards to the sustainability in terms of transport, facilities and infrastructure'

(b) The change in the status of Watlington and Marham from Growth Key Rural Service Centres to Key Rural Service Centres?

2.10 The justification provided by the Council within topic paper (F47) is irrational when considered against the Council's own evidence. In para 3 of the topic paper F47, the Council suggest Watlington has a "lack of facilities". This is directly contradicted by Appendix 1 Settlement Hierarchy table, and the comments within Appendix 2 (p20) of the same document where it states that Watlington has *"a range of services and facilities (which) help meet the day to day needs of the residents."*

2.11 For the Council to suggest in this topic paper that limited growth to Watlington *"reflects the lack of facilities to support without substantial investment in infrastructure, which is not planned"* is irrational and misleading. In accordance with national policy, the village has the ability for new residents to access everyday services and facilities and employment by a variety of sustainable transport modes including rail.

2.12 Compare this to the West Winch Growth Area where substantial growth is proposed for allocation, where significant investment in road infrastructure is required with no certainty over the timing of its delivery, or certainty that funding of the full scheme is in place. Even with such essential road infrastructure in place, this Growth Area will not offer the connectivity required to offer new residents the genuine and 'easy' choice of alternative sustainable modes of transport. As previously highlighted, the most direct and accessible mainline rail station from the West Winch Growth Area for travel southwards to Cambridge and London would be from Watlington, not King's Lynn.

2.13 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'.*

- 2.14 Bennett Homes contend that there is not sufficient justification in the latest topic papers which acknowledges the different role a settlement like Watlington, which is a unique village in the Borough with its sustainable transport connections, can place on the level of service provision and growth that could be sustained within such a settlement. This is not comparable with other settlements now contained within the same Key Service Centre grouping.
- 2.15 This differentiation was previously clearly identified by the unique characteristics for growth represented by both Watlington and Marham, with their Growth Key Rural Service Centre status. However, in the case of Watlington, a scale of growth commensurate with its sustainable location (i.e. WAT1 of 115 dwellings) was removed from the Plan, prior to submission.

AQ5 Should the Spatial Strategy, as proposed to be revised in the New Policy, provide for more growth at Downham Market given its status as a Main Town and its accessibility by public transport?

- 2.16 Bennett Homes would agree that more growth should be allocated to Downham Market acknowledging its position in the settlement hierarchy as a main town, and in particular its sustainable transport connections with direct access to the mainline rail station between King's Lynn, Cambridge and King's Cross, London.
- 2.17 Para 4 of the Council's evidence suggesting limited growth to Downham Market was the strategy for the last plan, this plan should encourage further growth given Downham Market is the second largest town and has land available in closer proximity to the town's rail station. This would align with the Council's Spatial Strategy to focus growth along the SGC and responds to the Inspector's concerns in their letter of 30 January 2023, whereby the spatial vision '*implies an increased rate of growth at Downham Market*' which is not the current proposals at West Winch. Ironically, the more feasible commute to access train connections from the West Winch Growth Area will be at Watlington rail station. This is supported by the Council's own evidence in the form of the West Winch sustainable transport document, the consultation feedback notes that over 40% identify Watlington Station as a destination they would like to be able to access. Surely, it would be more sustainable for these people to be better served living in Watlington with direct access to the Station, rather than in West Winch.

AQ6 In the light of the analysis in the Updated Technical Note on Transport Evidence [F48, F48a and F48b], does the evidence base demonstrate whether or not the Borough's transport network would have the capacity to support the proposed spatial distribution of development in the Plan, with the range of transport mitigations and interventions proposed in place? If not, why not?

- 2.18 There appears too much uncertainty in this technical note on what the final mitigation measures for the new road to release the West Winch Growth Area will be. Given previous representations to the Examination submitted on behalf of Bennett Homes, we have already made the case that the West Winch Growth Area appears to be predicated on road-based travel, there is nothing in this paper which assures that other sustainable transport measures will either be tangible or deliverable. The topic paper instead continues to make generic statements about a Sustainable Transport Strategy which will accompany the outline business case to the DfT for funding, which is not guaranteed at this stage, and not certain at the point this statement is prepared, whether this will be forthcoming to deliver the development to support the housing trajectory provided by the Borough Council across the Plan period. Given this is such a major and essential piece of

road infrastructure which is only viable through external funding, without more certainty over this funding, this goes to the heart of whether this growth area will be deliverable across the Plan period. It remains Bennett Homes opinion that with such uncertainty, and how significant a part this growth area plays in the emerging plan, the examination should not continue towards its conclusion, without receiving further evidence that foreseeable funding will be secured, and the road infrastructure is viable to be delivered within the Plan period, aligned with the Council's current housing trajectory. Furthermore, justification as to why the significant element of this growth area, as allocated in the current adopted plan, has not come forward in the Plan period, and what changing circumstances have occurred since then, to demonstrate it is appropriate to reallocate and further extend this existing allocation to the full extent as submitted.

- 2.19 It is clear from the Council's evidence base (F48, F48a and F48b) that there is finite capacity in the existing highway network, which will stifle early delivery on this site. Given part of this growth area was allocated in the last plan, but not one housing unit has been delivered in that plan period, it does raise serious doubts about the prospect of a larger allocation delivering within the identified trajectory period. Moreover, the limitations on number of dwellings that can come forward ahead of this significant infrastructure is low, and therefore poses the question of whether other sites in other sustainable locations such as Downham Market and Watlington would be required to fill a shortfall in housing delivery across the Plan period, as the existing plan is testament to.

AQ7 Would the proposed New Policy on the Spatial Strategy and Settlement Hierarchy be consistent with national policy in maximising opportunities for sustainable transport solutions? If not, why not? Should it do more to reduce carbon emissions and improve air quality?

- 2.20 The new policy on the Spatial Strategy directing a significant proportion of the Plan's new allocations to the West Winch Growth Area, part of which was allocated in the previous plan and has not delivered, coupled with it being a road biased transport solution is unsound. As per previous representations, given the physical barrier provided by the Hardwick roundabout and the peripheral nature of the site from the town centre of King's Lynn, this will deter as a meaningful contribution from walking and cycling to access town centre facilities and employment opportunities. Instead, it will be a road biased transport option (private car or public bus service) accessing an already congested gyratory to the town centre, which already has a designated AQMA due to road traffic vehicle pollution. Whilst a transition to all electric vehicles will assist in the longer term, this cannot be relied upon for the purposes of adopting a sound strategy for reducing carbon emissions and improving air quality.
- 2.21 Reverting back to the SGC and redistribution of housing to increase the allocation to both Watlington and Downham Market is a sound proposition.

AQ8 Overall, would the proposed New Policy provide a Spatial Strategy for King's Lynn & West Norfolk, which is positively prepared in meeting the Borough's needs, justified as an appropriate strategy, taking into account the reasonable alternatives, deliverable over the Plan period and consistent with national policy in enabling the delivery of sustainable development? If not, why not?

- 2.22 The New Policy proposed for addressing the Spatial Strategy is not sound for the following reasons:
- 2.23 **Positively Prepared** – the rationale provided by the Council for removing reference to the SGC and the impact this then has on omitting Growth Key Service Centres from the settlement hierarchy is not supported by the Council's own evidence base. Even in recent topic papers (F47) reference for placing limited growth at Watlington is based upon limited facilities, which is contrary to the Council's own evaluation of the services and facilities available and provided by Watlington and accessible via sustainable transport modes. Furthermore, this also undermines the Council's previous position of allocating a site for 115 dwellings in Watlington due to the overall sustainability of the village location.
- 2.24 **Justified** - the principle of focussing strategic growth along the A10 and utilising the benefit of mainline railway connections is justified, however, the current change in 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 the SGC could provide in fulfilling its development requirements across the Plan period. The previously omitted WAT 1 remains available, suitable and a deliverable site within the Plan period, its reinstatement as an allocation would be consistent with the Council's submitted Spatial Strategy, and more appropriately reflect the status of the settlement within the Council's Settlement Hierarchy, 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*'.
- 2.25 Therefore, the proposed strategy is not justified when alternatives exist which at this stage would be more deliverable over the Plan period and would be consistent with national policy by enabling the delivery of sustainable development. One component of which relates to providing development accessible by a genuine choice of sustainable transport modes, which is not possible with the Council's revised proposals for its spatial strategy.
- 2.26 **Effective** - the strategy is predicated on large amounts of growth being distributed to the West Winch Growth Area at the cost of distributing appropriate levels of growth to other main towns i.e. Downham Market and key villages along the A10/Mainline rail corridor i.e. Watlington. Both of which have access to mainline rail connections, which the West Winch Growth Area does not have the benefit of. From the evidence available, there still remains uncertainty over the level of funding available and whether this can be realistically secured to deliver the essential road based infrastructure required to unlock the growth area within the timeframe required. Furthermore, there has been no scheme viability to demonstrate whether delivery of development in accordance with the allocation policy, whilst fulfilling other policy requirements i.e. level of affordable housing, is a viable proposition.
- 2.27 Couple this with the fact that a large allocation was already secured in this location in the existing adopted Local Plan, with not one residential unit delivered within the existing plan period. With this in mind, it does question the effectiveness of this policy approach to deliver development in

line with the Council's housing trajectory, or will we find as with the existing adopted plan, no development being delivered within the new plan period.

- 2.28 **Consistency with National Policy** - the policy approach is inconsistent with National Policy, specifically para 105 of the Framework as it does not provide a genuine choice of sustainable transport modes, with alternative spatial strategies that exist, which would comply with this aspect, and has the potential of delivering sustainable development.

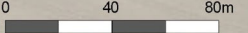
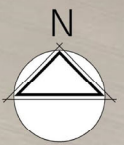
New Policy on Neighbourhood Plans

AQ9 Are the proposed housing requirements for designated neighbourhood areas, as set out in the Spatial Strategy and Settlement Hierarchy Topic Paper [F47], justified as appropriate, based on proportionate and robust evidence, taking into account the reasonable alternatives?

- 2.29 It is unsound for the Council to expect historic windfall rates of sites coming forward to continue at the same pace. It is important to note that the relatively recent historic spike in windfall is correlated to a period in which the Council could not demonstrate a five-year housing land supply. Therefore, to assume that there is still sufficient site capacity within the Borough that exists to reasonably bring forward the high level of windfall being relied upon here and utilised to calculate the distribution of housing requirements in designated Neighbourhood Plan areas is not justified, effective over the Plan period and consistent with national policy. Expecting settlements such as Downham Market to deliver 642 units from windfall is not justified by the evidence, and potentially is over inflating the delivery potential of certain settlements, without the intervention and certainty offered by allocation.
- 2.30 To expect this quantum of windfall is not sound across the Borough. It is also not effective, in the case of Watlington. Since the Local Plan has been submitted for examination, the Watlington Neighbourhood Plan 2019-2036 was passed at a referendum on 7 December 2023, and was made on 13 December 2023. As referenced in previous representations no housing allocations have been identified by this plan. Therefore, there is a direct conflict between what the strategic plan policies of this plan are now expecting, and then actually being delivered through the Neighbourhood Plan process, thereby making this policy approach ineffective. Bennett Homes therefore contends that where this has occurred, and there is no reasonable prospect of the Neighbourhood Plan process delivering on the Local Plan expectations, relevant allocations should be made through the Local Plan. Otherwise, this could leave a loophole whereby expected delivery is not met and the expectations of the Local Plan are not met across the Plan period.
- 2.31 The proposed approach has no regard to the Council's own evidence which states *'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'*,
- 2.32 This would also need to be updated and recalculated in the event the Plan period is extended to 2041 to reflect the additional two years of housing requirement.

APPENDIX 1

PLAN IDENTIFYING LAND NORTH OF HAYFIELDS (275 DWELLINGS)



Kingston Plantation

Existing adjacent fields

Open green space

Attenuation basin

New landscaping screen

Informal footway route through adjacent fields

Section of IDB drain to be culverted

Existing footpath maintained

Existing adjacent fields

Existing footpath maintained

Possible retail unit

Existing tree belts and hedging retained and form green links through development

Edge of cordon sanitaire

Village Green

LAP

LAP

Access from Wimbotsham Road

Brothercross Way

Wimbotsham Road

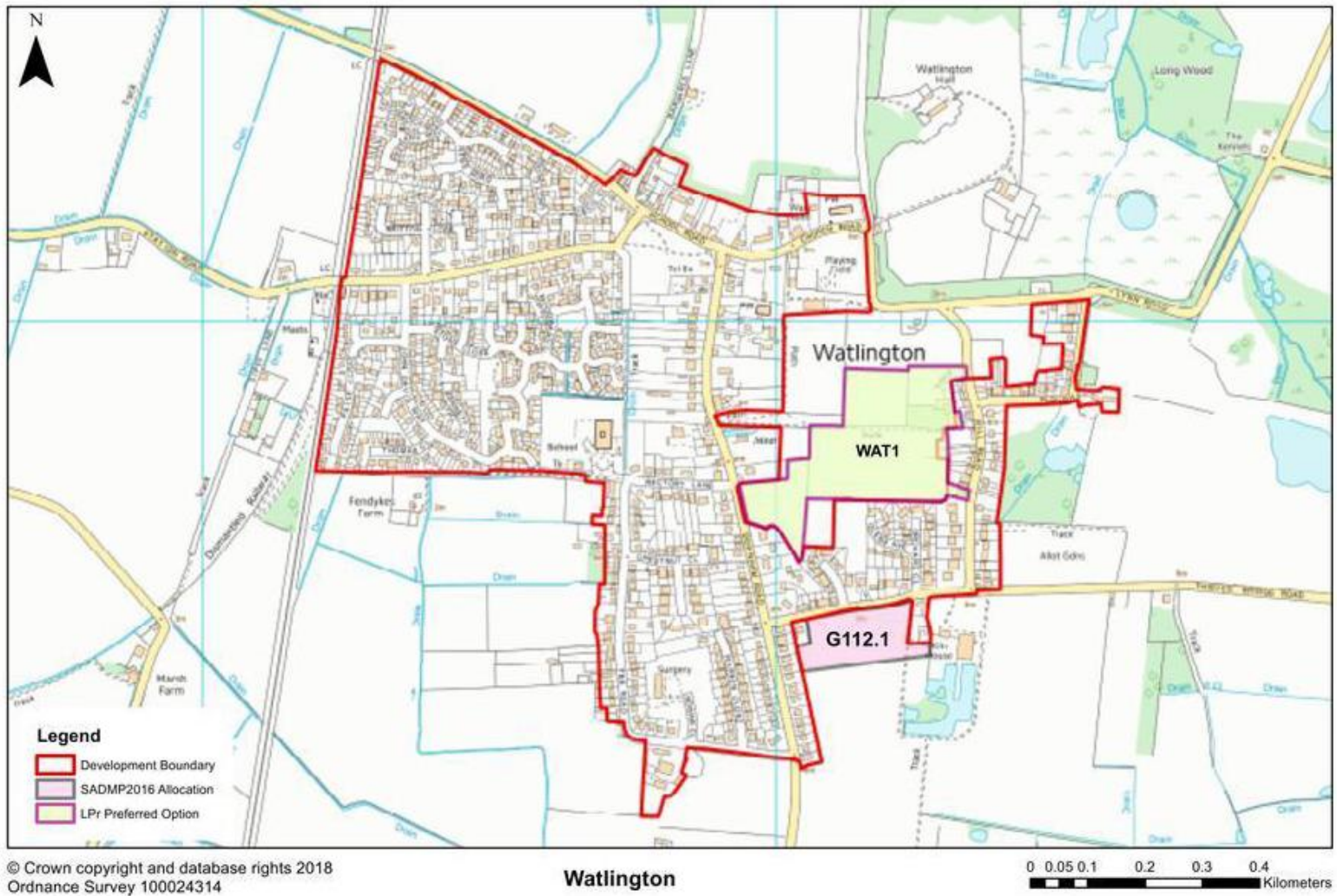
Gallow Drive

Access from existing Bennett Homes development



APPENDIX 2

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



Source: King's Lynn & West Norfolk Local Plan Review – Preferred Options Document, 2019



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