



Borough Council of King's Lynn and West Norfolk Local Plan Reconvened Examination

Additional "Matter 5" Statement – Settlements and Sites – Rural Villages

Response to the Inspectors "Additional Matters, Issues and Questions"

09 April 2024

Introduction

1. This statement is a response from the Borough Council of King's Lynn and West Norfolk Council (BCKLWN) to the following issues and questions raised by the Inspectors relating to Matter 5 of the examination into the King's Lynn and West Norfolk Local Plan relating to Monitoring and Implementation.
2. References used in this statement (e.g.[F10],[D10]) relate to documents held in the examination library as either a submission document or as part of the wider evidence base.

Borough Council of King's Lynn and West Norfolk Responses to Matter 5 Additional Questions

Issue 5: Are the proposed settlement and site allocations policies justified, taking into account the reasonable alternatives, and are they positively prepared in meeting the Borough's development needs, effective in terms of deliverability over the Plan period and consistent with national policy in enabling sustainable development?

Rural Villages

Denver

AQ85. Is the expected delivery of dwellings on the site allocated by Policy G28.1 in 2027/28 (4) and 2028/29 (4) supported by appropriate evidence in the Update Note on Deliverability and Developability of Housing Allocations [F50b]?

Yes. The agent (Anglian Building) submitted an updated position statement (Appendix 22, 07/03/2024), with reference to the previous/ most recent application to develop the site (22/02142/F, refused 23/10/2023). This states that their client (Fountain Construction) has recently purchased the site, and that they have recently met with the Borough Council's Conservation Officer on site to discuss options given the previous planning proposal was refused with concerns of the previous scheme in relation to the historic environment. They consider that due to this constraint, and the protected trees on site, that a scheme of 6 dwellings would be likely. They are currently in the early stages of preparing concept plans for Conservation Officer comment and are seeking to be come forward with a scheme for the site shortly.

Given the current status of the site, factoring in that it is currently being actively promoted for development and that there is a house builder who has recently purchased the site who is engaged with positive talks with Borough Council to deliver a scheme that can be supported, the following timing for delivery is considered to be realistic: 2027/28 to 2028/29.

AQ86. Has the planning application for 5 dwellings been considered by the Council? If approved, what would be the implications for the trajectory, if any, and/or the number of dwellings allocated on this site (currently at least 8)?

Yes. As stated in the answer to AQ85 (above), the previous application for the site (ref 22/02142/F) was refused in October 2023. Given the answer to AQ85 above, and in particular the agents comments, it is suggested that the site allocation housing number be reduced, to reflect the latest evidence. However, the timing for the trajectory (2027-29) should remain unchanged: 2027/28 (3), 2028/29 (3).

Main Modification

Policy G28.1 Denver - Land to South of Sluice Road

Land of around 0.5 hectares, as shown on the Policies Map, is allocated for residential development of at least ~~8~~ 6 dwellings.

East Winch

AQ87. Should the allocation of the site in Policy G33.1 be removed from the Plan in order for it to be effective, as the Updated Housing Land Supply [F50] indicates that this site has been completed?

Yes. The site allocation G33.1 is now complete. It should therefore be removed from the emerging Local Plan. Accordingly, it is proposed through a Main Modification to remove the allocation from the emerging Local Plan and include the site, to be shown on the Policies Map, within the development boundary for East Winch.

Fincham

AQ88. Is the expected delivery of dwellings on the site allocated by Policy G36.1 in 2022/23 (2), 2023/24 (1), 2024/25 (1) and 2025/26 (1) supported by appropriate evidence in the Update Note on Deliverability and Developability of Housing Allocations [F50b)?

No. Recent planning history reveals ongoing discussions between the Borough Council and developers regarding matters relating to the discharge of conditions (e.g. archaeology). Although reserved matters (19/01760/RM) were approved in September 2020, the discharge of conditions has only recently been fully resolved; planning permission for the variation of conditions relating to archaeology having recently been granted (23/01327/F, approved 13/10/2023). This should allow continued delivery of the scheme (two under construction, as at spring 2023 – F50b).

Given this a revised timeline for development is proposed as follows: 2023/24 (2), 2024/25 (1), 2025/26 (1) and 2026/27 (1).

AQ89. Is the expected delivery of dwellings on the site allocated by Policy G42.1 in 2027/28 (5) and 2028/29 (5) supported by appropriate evidence in the Update Note on Deliverability and Developability of Housing Allocations [F50b]?

Yes. The developer (Avada Country Homes) submitted an updated position statement (Appendix 23, 03/03/2024), with reference to the previous/ most recent application to develop the site for 12 dwellings (ref 23/00768/FM; validated 04/05/2023, currently pending consideration).

'The...application was submitted in March 2023 and consultation progressed as normal.

Notwithstanding LA and other evidence that the site was outside the Wensum catchment zone for Nutrient Neutrality, in the summer we were advised that Natural England, using another map considered the site to be subject to NN. We then provided calculations to discover there is NO mitigation scheme for Wensum. We are however trying to explore an alternative mitigation strategy. This is not entirely straightforward. We are clearly disappointed that the government's pledge to scrap NN for house building was overturned.

All the other issues raised during consultation have been addressed but we are advised the application cannot be resolved without the NN matter mitigated.

We had planned to commence construction on the site in April 2024 (next month), but this is now on-hold due to the unexpected and highly frustrating matter of NN.'

Given the current status of the site, it is noted that this is currently being actively pursued for development by developers who are keen to diver the scheme as soon as they possibly can. Given the ongoing Nutrient Neutrality issue, it is noted that, despite the developer's desire to commence delivery during the 2024/25 monitoring period, the cautious trajectory (2027-29) remains realistic, however this can be updated in the future to reflect progress.

AQ90. Has planning permission been granted for 12 dwellings on this site, as the Update Note on Deliverability and Developability of Housing Allocations [F50b] refers to an application having been submitted and work commencing on site in late 2023? If not, what, if any, are the implications for the delivery of this site?

No. As stated in the response to AQ89 (above), planning permission for 12 dwellings has not, as yet, been granted, due to ongoing Nutrient Neutrality (NN) issues. Until planning permission is granted, it is considered that 10 dwellings (number allocated

in the submission Plan), remains appropriate. Anticipated delivery is already set back (2027/28), in recognition of the need to resolve NN issues.

Harpley

AQ91. Should the allocation of the site in Policy G45.1 be removed from the Plan in order for it to be effective, as the Updated Housing Land Supply [F50] indicates that this site will not be taken forward by the landowner?

Yes. The site cannot be considered deliverable or developable, as the landowner(s) has expressly stated that they no longer wish to release the land for development.

Hilgay

AQ92. Is the expected delivery of dwellings on the site allocated by Policy G48.1 in 2024/25 (6) and 2025/26 (6) supported by appropriate evidence in the Update Note on Deliverability and Developability of Housing Allocations [F50b]?

Yes. The agent (Broadleaf) submitted an updated position statement (Appendix 24, 14/03/2024), with reference to the previous/ most recent application to develop the site for 16 dwellings (23/00824/FM, validated 16/06/2023, currently pending consideration).

'The current planning application for the residential development of 16 dwellings (Planning ref: 23/00824/FM) to the land south of Foresters Avenue, Hilgay was submitted last year and has undertaken a very thorough process and all queries from consultees have been accepted apart from final signoff from the Highways Officer which is due immediately. An extension of time was agreed last week until the 5th of April to provide Highways adequate time to respond and for the case officer to write her report. Once planning is achieved, works onsite are planned to start straight away.'

On the basis of this latest information provided by the promoter/ developer, a 2024/25 start date remains realistic. The capacity will increase to 16 dwellings when planning permission is granted which is currently anticipated to be spring 2024.

AQ93. The outline planning permission for 17 dwellings on this site has lapsed and a subsequent application for planning permission for 17 dwellings has since been submitted. What is the status of the current planning application and what are the implications for the delivery of this site, if any?

As stated in the AQ92 response (above), the previous planning permission for 17 dwellings has now lapsed. Given that 17 dwellings were previously consented, it is considered this provides a realistic indicator of potential capacity. The timing for the

delivery (2024-26) should remain unchanged (please see AQ92 response), although numbers ought to change in accordance with the latest application proposals (23/00834/FM), for 16 No dwellings: 2024/25 (8), 2025/26 (8).

Ingoldisthorpe

AQ94. Should the allocation of the site in Policy G52.1 be removed from the Plan in order for it to be effective, as the Updated Housing Land Supply [F50] indicates that this site has been completed?

Yes. The site allocation G52.1 came forward as a Custom and Self-Build site and is now complete. It should therefore be removed from the emerging Local Plan. Accordingly, it is proposed through a Main Modification to remove the allocation from the emerging Local Plan and include the site, to be shown on the Policies Map, within the development boundary for Ingoldisthorpe.

Runcton Holme

AQ95. Is the expected delivery of dwellings on the site allocated by Policy G72.1 in 2021/22 (2), 2022/23 (2), 2023/24 (4) and 2024/25 (3) supported by appropriate evidence in the Update Note on Deliverability and Developability of Housing Allocations [F50b]?

Latest monitoring data, including a site visit (March 2024), shows that 10 of the 11 dwellings are complete and the final 1 is currently under construction. Based on this delivery of the final home is considered likely to be achieved during the remainder of 2023/24. The delivery was as follows: 2 (201/22), 5 (2022/23), 4 (2023/24).

It should therefore be removed from the emerging Local Plan. Accordingly, it is proposed through a Main Modification to remove the allocation from the emerging Local Plan and include the site, to be shown on the Policies Map, within the development boundary for Runcton Holme.

Sedgeford

AQ96. Is the expected delivery of dwellings on the site allocated by Policy G78.1 in 2027/28 (4), 2028/29 (4) and 2029/30 (2) supported by appropriate evidence in the Update Note on Deliverability and Developability of Housing Allocations [F50b]?

The site is currently owned by the Borough Council. Unfortunately, the previous planning permission (16/01414/O) has expired. The site is allocated through the Site Allocations and Development Management Policies (2016), It is also allocated through the Sedgeford Neighbourhood Plan, proposed to be carried forward as an allocation within the emerging Local Plan, and previously was granted planning

permission, this all means that there is a decent chance that planning permission would be granted once more for an acceptable sustainable scheme.

The Borough Council intends to bring forward a fresh planning application during the 2024/2025 financial year, and once granted will actively market the site for sale on the open market. Given this the anticipated delivery is proposed to be amended as follows: 2028/29 (5) and 2029/2030 (6). This also recognises the Sedgford Neighbourhood Plan which policy for this site is broadly for a minimum of 11 new dwellings.

AQ97. As outline planning permission has lapsed for development on this site, when is a further application for planning permission expected to be submitted and, as a Council owned site, who is it anticipated will build out any scheme?

Please see the response to AQ96 above.

Shouldham

AQ98. Should the allocation of the site in Policy G81.2 be removed from the Plan in order for it to be effective, as the Updated Housing Land Supply [F50] indicates that this site has been completed?

Yes. Site G81.2 is now complete. It should therefore be removed from the emerging Local Plan. Accordingly, it is proposed through a Main Modification to remove the allocation from the emerging Local Plan and include the site, to be shown on the Policies Map, within the development boundary for Shouldham.

Syderstone

AQ99. As the site allocated by Policy G91.1 is now completed, should this allocation be removed from the Plan, as suggested by the Council in the Updated Housing Land Supply [F50]?

Yes. The site allocation (Policy G91.1) is now complete. It should therefore be removed from the emerging Local Plan. Accordingly, it is proposed through a Main Modification to remove the allocation from the emerging Local Plan and include the site, to be shown on the Policies Map, within the development boundary for Syderstone.

Walpole Highway

AQ100. Is the expected delivery of dwellings on the site allocated by Policy G106.1 in 2021/22 (2), 2022/23 (3) and 2023/24 (3) supported by appropriate evidence in the Update Note on Deliverability and Developability of Housing Allocations [F50b]?

Site G106.1 came forward in two phases each for 4 dwellings (outline and reserved matters). 6 dwellings have completed to date, with 1 during 2023/24, and the final two dwellings are under construction. Accordingly, it is considered appropriate to revise the end date for the anticipated delivery as follows: 2024/25 (2).

AQ101. Has development on this site been completed? If so, should the allocation be removed from the Plan in order for it to be effective?

The site is almost complete, with the final 2 dwellings under construction (please see response to A100 above). Therefore, it should be removed from the emerging Local Plan. Accordingly, it is proposed through a Main Modification to remove the allocation from the emerging Local Plan and include the site, to be shown on the Policies Map, within the development boundary for Walpole Highway.

Welney

AQ102. Is the expected delivery of dwellings on the site allocated by Policy G113.1 in 2027/28 (3) and 2028/29 (4) supported by appropriate evidence in the Update Note on Deliverability and Developability of Housing Allocations [F50b]?

No. This was proposed on the basis that the site had extant outline permission (18/00934/O, granted 12/02/2020) for Phase 1 (4 dwellings). This was subsequently superseded by a new consent (23/00179/O, granted 18/10/2023). Phase 2 (land adjacent to the village hall, capacity 3 dwellings) is in the same ownership although this does not benefit from planning permission.

The agent for the site submitted a statement (Appendix 25, 07/03/2024) which confirms that the owners intend to sell the site so that a buyer can develop the site and that this is being actively marketed. Indeed, the site is currently for sale via Rightmove.

Given the above, that it is an allocated site with planning permission and is minor development a delivery of the four dwellings in 2028/29 is considered realistic as this would allow time for the site to be acquired, reserved matters to be granted etc, and the site to be delivered.

Phase 2 (in the same ownership as the currently consented phase 1) could deliver a further 3 dwellings however this does not benefit from planning permission

currently and so the anticipated delivery should be revised to come forward after phase 1 and 2031/32 is proposed allowing time for the same process as phase 1 to be achieved.

AQ103. The outline planning permission for 4 dwellings on this site (G113.1) has lapsed and a subsequent application for outline planning permission for 4 dwellings has since been submitted. What is the status of the current planning application and what are the implications for the delivery of this site, if any?

Please see the response to AQ102 above.

AQ104. Is the expected delivery of dwellings on the site allocated by Policy G113.2 in 2023/24 (8) and 2024/25 (9) supported by appropriate evidence in the Update Note on Deliverability and Developability of Housing Allocations [F50b]?

The latest monitoring data, including site visit (March 2024), shows that Site G113.2 (18/00195/FM) has started with the access road now in (Old Croft Place) and 9 dwellings have been completed during 2023/24 and a further 1 is currently under construction. Therefore, given progress of the site to date, the delivery should be slightly amended as follows: 2023/24 (9) and 2024/25 (8).

Wiggenhall St Germans

AQ105. Is the expected delivery of dwellings on the site allocated by Policy G123.1 in 2025/26 (4) supported by appropriate evidence in the Update Note on Deliverability and Developability of Housing Allocations [F50b]?

Yes. The Update Note [F50b] specifies that reserved matters for development of the site was pending consideration. This has since been granted (17/05/2023) for 4 dwellings (22/01549/RM).

The agent (Ian H Bix Associates Ltd) submitted a statement regarding the latest position in bringing the site forward (Appendix 26, 29/02/2024). This confirms that the land has been transferred to the applicant now that planning permission has been granted. They plan to commence work on site before the expiry of the planning permission (17/05/2025).

Given the above it is considered that the anticipated delivery of the site during 2025/26 remains appropriate.

AQ106. Has the application for reserved matters on this site been approved? If not, what are the implications for the delivery of this site, if any?

Please see the response to AQ105.

AQ107. Is this site viable, given the concern expressed in the Update Note on Deliverability and Developability of Housing Allocations [F50b] around build costs?

Yes, please see the response to AQ105. Now that the reserved matters have been granted, the agent has expressed confidence that the applicants expect the development to commence before expiry of the permission.