

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



Local Development Scheme
April 2024

1. Introduction

- 1.1 The Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011 requires local planning authorities to prepare, make publicly available and maintain a Local Development Scheme (LDS). The LDS is a timetable for production of a local planning authority's Local Plan, and any other Development Plan Documents. It enables the public and stakeholders to view the proposed schedule and therefore the status of policies contained within the plan documents.
- 1.2 This LDS (April 2024) supersedes previous version (March 2024), in view of matters arising during the 3rd week of Local Plan examination hearings (26-28 March 2024). It provides a timetable for which documents are proposed to be prepared and when. It indicates the stages at which the public can be involved in the local plan process. The main document that this LDS covers is the Local Plan.
- 1.3 This Local Development Scheme sets out the following:
 - Information on the Development Plan.
 - Timetables the progress of the Local Plan.
 - The delivery and implementation of the documents, including resources, risk management and monitoring and review.

2. King's Lynn & West Norfolk Development Plan

- 2.1 The development plans system is the basis upon which planning applications are determined.
- 2.2 The Development Plan for King's Lynn and West Norfolk currently comprises a series of documents which collectively form planning policy for the borough:
 - Local Plan, comprising:
 - Core Strategy (2011)
 - Site Allocations and Development Management Policies (2016)
 - Norfolk Minerals and Waste Development Plan Documents (produced by Norfolk County Council)
 - Any Neighbourhood Plans which have been made

- 2.3 The **Core Strategy** sets out the spatial planning framework for the development of the borough up to 2026 and provides guidance on the scale and location of future development in the borough. It contains strategic policies on a range of topics that include: the environment, employment, infrastructure, and housing. The Core Strategy was formally adopted by the Borough Council in 2011.
- 2.4 The **Site Allocations and Development Management Policies** document complements and facilitates the implementation of the Core Strategy by providing detailed policies and guidance. This includes development boundaries, site allocations across the borough for a variety of uses and area-wide development management policies on specific issues. It contains Policies Maps, and insets, which geographically illustrate the policies within the local plan where appropriate. This was formally adopted by the Borough Council in 2016.
- 2.5 The minerals and waste adopted development plan documents currently comprises:
- **Core Strategy and Minerals and Waste Development Management Policies Development Plan 2010 – 2036** (adopted September 2011).
 - **Minerals Site Specific Allocations Development Plan Document** (October 2013).
 - **Waste Site Specific Allocations Development Plan Document** (October 2013).
 - **Single Issue Silica Sand Review of the Minerals Site Specific Allocations** (December 2017).
- 2.6 **The process of plan preparation** involves evidence gathering, opportunities for public involvement and comment and an independent examination, the process is outlined below:
- i. Evidence gathering – forms the basis of information for the Plan.
 - ii. Development of options – preparation of the draft plan
 - iii. Draft Local Plan – published for consultation.
 - iv. Submission Local Plan – Plan is submitted to the Secretary of State.
 - v. Independent Examination – held by a Planning Inspector.
 - vi. Inspectors Report – setting out any recommended changes.
 - vii. Adoption of Local Plan – by the local planning authority.

2.7 Other documents:

- **Supplementary Planning Documents (SPDs)** –These should build upon and provide more detailed advice or guidance on policies in an adopted local plan. They do not form part of the development plan so they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making.

The Borough Council adopted the West Winch Growth Area Framework Master Plan 26 January 2023. The Core Strategy (2011) (CS) and the Site Allocations and Development Management Policies Plan (2016) (SADMP) allocated the West Winch Growth Area as a strategic ‘urban expansion’ area around King’s Lynn to meet most of the Borough’s need for housing over the plan period in a sustainable manner with the appropriate level of supporting facilities. This strategic allocation has been carried forward into the new Local Plan (which will replace the CS and SADMP).

This SPD aids clarity and effectiveness by providing one source for: viability, infrastructure requirements (importantly including the West Winch Housing Access Road), and planning policy requirements. It also provides updated information, and a more detailed focus on practical implementation and a design framework, all of which is informed by public consultation.

- **Neighbourhood Plans** – The Localism Act 2011 introduced provision to allow communities to set out their own policies in relation to use and development of land in their areas through Neighbourhood Plans. The Council have a duty assist to these communities. However, they are produced by the community themselves and so it is not appropriate for this document to specify when they will be produced.
- **Community Infrastructure Levy** – The Community Infrastructure Levy (CIL) is a mechanism for raising funds from new development to contribute towards essential infrastructure. The Council formally introduced its CIL in February 2017.

- **Statement of Community Involvement (SCI)** - sets out how the public will be consulted as part of the Local Plan review process. The latest version was adopted by the Borough Council in June 2017.
- **Authority Monitoring Report (AMR)** - considers how the authority is implementing their planning policies and the progress in terms of producing the planning documents.
- **Local Development Scheme (LDS)** (this document).
- **Housing and Economic Land Availability Assessment (HELAA)** - This is an appraisal of the amount of land available for housing and economic development is required in order to assess the capacity of suitable land. Its purpose is to which is available. It is vital that there is sufficient land to meet the housing need, referred to Local Housing Need (LHN), for the borough. It also identifies where this could potentially be located. The HELAA does not allocate land for development or determine whether a site should be given planning permission for development. This is the role of the Local Plan and the development management function of the Borough Council. However, it is a key piece of supporting evidence for the Local Plan.

2.8 **Sustainability Appraisal and Habitats Regulations Assessments** - In preparing the Local Plan the documents will be subjected to a Sustainability Appraisal (which will also incorporate the requirements of the EU Directive 2001/42/EC on Strategic Environmental Assessments). The Sustainability Appraisal will help identify and evaluate what effects the document/ proposed plans are likely to have on social, economic and environmental conditions of an area, and help to ensure that the plan takes account of sustainable development objectives.

2.9 The Sustainability Appraisal Scoping Report is the first step in this process and is followed by the sustainability appraisal of options as they develop. The document guides and informs the choices made as the document evolves and so forms an integral part of the preparation.

2.10 Amendments were introduced in the UK Conservation (Habitats & etc.) Regulations 1994 in September 2006. These result in Appropriate Assessment under Article 6(3) and (4) of the Habitats Directive 92/43/EEC being required for all plans likely to have

a significant effect on a European site. Habitats Regulations Assessments, including Appropriate Assessment as necessary, were undertaken prior to submission of the Local Plan.

3. The King's Lynn & West Norfolk Local Plan (2021 -2040)

- 3.1 The Borough Council, as part of the Site Allocations and Development Management Policies Plan (SADMP) examination and adoption process, committed to an early review of the Local Plan. This meant reviewing both the Core Strategy (CS) and the SADMP to create a single Local Plan document.
- 3.2 This commitment is encapsulated as Policy 'DM2A – Early Review of Local Plan' of the SADMP. A new Local Plan will ensure a set of deliverable and achievable housing sites, and up to date policy framework to secure continuity for the longer term is in place. The new Local Plan will identify the Local Housing Need for the borough and proposals to ensure that this is met in a consistent manner with national planning policy.
- 3.3 The new local plan process began in 2016 and continued in 2017 including the Sustainability Appraisal Scoping Consultation with statutory consultees (Environment Agency, Natural England and Historic England), and the 'Call for Sites and Policy Suggestions' Consultation (Regulation 18). The latter ran for 6 weeks, between the 17 October and 28 November 2016, and offered an opportunity for developers, agents, landowners, individuals, and other interested parties to promote sites located within the Borough for future development, suggest locations/areas for special policy treatment, and put forward policy suggestions. The HELAA process also commenced.
- 3.4 The draft Local Plan Review was published for an eight-week consultation period from 4 March to 29 April 2019 (Regulation 18) and the Pre-submission publication and consultation (Regulation 19) was undertaken between 2 August and 27 September 2021.
- 3.5 The Local Plan Review was submitted to the Secretary of State for Levelling Up, Housing and Communities on 29 March 2022 for examination. The first round of Local Plan examination hearing sessions was held during December 2022/ January 2023. In January the Inspectors adjourned the hearings to allow the Council to undertake further work to justify the Local Plan. The majority of this work has been

completed and included further consultation between 8 September and 20 October 2023. Additional work on the Gypsy and Traveller and Travelling Showpeople policies continues.

- 3.6 The Local Plan examination hearing sessions reconvened in March & April 2024 (26-28 March 2024 and 16-19 April 2024). There is a further session scheduled, 3-4 September 2024, which focuses on the Gypsy and Traveller and Travelling Showpeople elements of the Local Plan.
- 3.7 The timetable for the production of the Local Plan is set out overleaf and takes account of the changes to the Local Plan timetable as a result of the first rounds of the Local Plan examination hearing sessions. This outlines the process and the timetable of the Local Plan review and the role and content of each element. A summary table follows and after this a detailed table which illustrates the timetable through to adoption during the current financial year.

Local Plan Production Timetable

| | 2021 | | | | 2022 | | | | 2023 | | | |
|---------------------------------|---------|---------|----------|---------|---------|---------|----------|---------|---------|---------|----------|---------|
| Local Plan Documents | Jan-Mar | Apr-Jun | Jul-Sept | Oct-Dec | Jan-Mar | Apr-Jun | Jul-Sept | Oct-Dec | Jan-Mar | Apr-Jun | Jul-Sept | Oct-Dec |
| Local Plan review (2021 – 2040) | A | A | B | C | C/D | E | E | E | E | E | E | E |

| 2024 | | | | 2025 | | | |
|---------|---------|----------|---------|---------|---------|----------|---------|
| Jan-Mar | Apr-Jun | Jul-Sept | Oct-Dec | Jan-Mar | Apr-Jun | Jul-Sept | Oct-Dec |
| E | E | E | E | E/F/G/H | | | |

| | Key Stages of Local Plan Preparation | Regulation |
|---|--|--------------------|
| A | Pre-Submission plan development | |
| B | Pre-Submission publication and consultation | Regulation 19 & 20 |
| C | Submission plan development | |
| D | Submission of document to Secretary of State | Regulation 22 |
| E | Examination (Including Hearing Sessions) | Regulation 24 |
| F | Receipt of Inspectors Fact Check Report | |
| G | Receipt of final Inspector's Report | Regulation 25 |
| H | Adoption | Regulation 26 |

Indicative Schedule of Proposed Local Plan

| Development Plan Documents (Title) | Role and Content | Conformity | Geographical coverage | Timetable Milestones | | | |
|------------------------------------|--|---------------|-----------------------|----------------------|-------------------|------------------|----------|
| | | | | Publication of DPD | Submission of DPD | Hearing Sessions | Adoption |
| Local Plan (2021 – 2040) | Will update the strategic planning policies for the borough, allocate land for housing and employment and provide up to date development planning policies | With the NPPF | Whole authority area | 2021 | 2022 | 2022/23/24 | Q1 2025 |

In accordance with section 15 of the Planning and Compulsory Purchase Act (as amended), this indicative timeline has updated the previous timeline contained in the published LDS June 202 & March 2024, as published at www.west-norfolk.gov.uk/info/20214/emerging_local_plan_review/500/local_development_scheme, as milestones were out of date.

Proposed Local Plan Timetable

LDS Addendum / Update

| Month | Main Local Plan | Gypsy and Traveller Work |
|-----------------------|--|--|
| April 2024 | w/c 22/04/2024 – Preparation of Main Modifications (part 1) following Hearings. | 25/04/2024 – Full Council to approve Gypsy and Traveller site allocations and policies |
| May 2024 | Prep for Main Modifications consultation | 10/05/2024 – Consultation start date (Gypsy and Traveller site allocations and policies) |
| June 2024 | Prep for Main Modifications consultation | w/c 21/06/2024 – Close of Gypsy and Traveller site allocations and policies consultation |
| | w/c 24/06/2024 – Start consultation on Main Modifications | 28/06/2024 – Submission of Gypsy and Traveller site allocations and policy responses, with summary table of responses, to the Inspectors |
| July 2024 | Main Modifications consultation period | |
| August 2024 | w/c 02/08/2024 – End of consultation period on Main Modifications | w/c 05/08/2024 – Receipt of Gypsy and Traveller MIQ's |
| September 2024 | w/c 9/09/2024 – Submission of Main Modification responses (part 1) to Inspectors with summary table of responses | 03/09/2024 – 04/09/2024 – Gypsy and Traveller examination hearings |
| | | Agree Main Modifications with Inspectors following Hearings. |
| October 2024 | | w/c 07/10/2024 – Start consultation (Main Modifications part 2) |
| November 2024 | | w/c 18/11/2024– Close of Main Modifications part 2 consultation |

| | | |
|----------------------|--|--|
| | | w/c 25/11/2024- Submission of Main Modification responses (part 2) to Inspectors with summary table of responses |
| December 2024 | | |
| January 2025 | | |
| February 2025 | | |
| March 2025 | | |
| April 2025 | | |
| | Early January – Receipt of Inspectors’ final report | |
| | 04/02/2025 - Cabinet report to consider Inspectors’ Report and recommend adoption of the Local Plan | |
| | 27/2/2025 – Full Council adopt Local Plan | |
| | w/c 03/03/2025 – Begin process of preparing publication version adopted Local Plan – Including incorporation of Main Modifications and Policies Map amendments etc.. | |
| | 10/04/2025 – Expiry of 6-weeks legal challenge period | |

4. RISK MANAGEMENT AND RESOURCES

4.1 The Planning Policy team at the Borough Council currently consists of:

- Planning Policy Manager (1FTE)
- Principal Planner (1FTE)
- Senior Planner (1FTE) – Position Currently vacant
- Graduate Planner / Planner (1FTE)

4.2 Assistance is also provided by a number of teams elsewhere in the Borough Council including Development Management, Planning Technical Support, Housing Strategy, Environmental Health, Regeneration, and Leisure. Consultants may also be used where there is insufficient resource / expertise within the authority. Advice will also be sought, and guidance provided from Norfolk County Council, the Environment Agency etc., where necessary.

4.3 The budget for Planning Policy makes allowance for the anticipated costs of development plan production, including examination. However, the timing set out in this document is indicative and based on assumptions. It may therefore be necessary to make further amendments to the timetable. The table below considers potential areas of risk which could cause the programme to slip and details their impact and likelihood of occurrence alongside contingency and mitigation measures.

| Risk | Likelihood | Impact | Contingency | Mitigation |
|--|------------|--------|---|---|
| A team member may leave / Long term sickness absence | High | High | Spread knowledge throughout the team | Re-appoint as soon as possible. Alternatively, seek to re-deploy staff from within the Planning department or use consultants / agency staff if necessary. |
| New national legislation, policy, or guidance | High | High | Delays in the delivery of plans may occur in terms of compliance with the NPPF and PPG as a result of future changes / revisions. This is also dependent upon the political composition of the Government | Some flexibility has been included in the timescales for Local Plan production, although these may need to be revised deepening upon the nature of any potential future changes Revise LDS where necessary. |
| Legal challenge | Medium | High | Post adoption of a Local Plan, there is a six-week challenge period. | To reduce risk of challenge, ensure the Local Plan legally compliant, is based on robust evidence and been subject to extensive consultation. |
| Problems arising from joint working; compliance with | Medium | High | Close working with other authorities and Council | Some flexibility is included in the Local Plan timescales. |

| | | | | |
|--|--------|--------|---|---|
| the duty to co-operate and Statement of Common Ground | | | Members to detect issues early in the process | |
| Programme slippage | Medium | Medium | Contingency time is built into the LDS programme, which includes sufficient time to deal with a large number of representations. | Sufficient flexibility is included in the Local Plan review timescale. Revise LDS where necessary. Ensure sufficient resources available to complete future stages. |
| Local Plan found not to be 'sound' | Low | High | Seek advice from PINS at key stages (e.g. advisory visits) and be prepared to make modifications. Develop and take account of sound evidence. | Develop sound technical evidence base. If necessary, go back to an earlier stage, revise the plan and re-submit. |
| Timely provision of infrastructure | High | High | Discussions with infrastructure providers have been focused through the Infrastructure Study, as the development strategy and impact on infrastructure has become clearer. | Continuing engagement with infrastructure providers and development of the study will ensure timely provision. |
| Failure to secure agreement of full Council to Local Plan review | Low | High | It is important to work closely with all elected Members and to raise awareness of the Local Plan, and to secure an up-to-date development plan that complies with the NPPF. | Build sufficient flexibility into the strategy and timescales. The impact of elections cannot be predicted, and mitigation is limited. |
| Inspector's report includes recommendations that the Council finds difficult to accept | Medium | Medium | Although the Inspector's recommendations are no longer binding (except for any modifications proposed by the Council), the Plan may not be 'sound' unless it is modified. The Council will need to consider all recommendations if it wishes to have an up-to-date development plan in place as required by the NPPF. | Keep Council Members up to date on issues arising and likely recommendations. |

5. Monitoring and Review

5.1 The Local Development Scheme will be monitored on an ongoing basis, including through the Authority Monitoring Report (AMR). The latest version is available on the Council's website. The AMR also monitors the delivery and effectiveness of policies in line with the Monitoring Framework outlined in the Core Strategy and Site Allocations and Development Management Policies Plan documents.

5.2 It is currently anticipated that implementation of parts of the Levelling Up and Regeneration Bill which relate to plan-making, to make plans simpler, faster to prepare and more accessible will be introduced. Some of these have been consulted upon by the Department for Levelling Up Housing & Communities as per the Levelling-up and Regeneration Bill: consultation on implementation of plan-making reforms, published 25 July 2023. This LDS does not consider the timeline for the preparation of a new local plan (and design code) post the adoption of the Local Plan which is currently at the examination stage. The LDS will be updated at the appropriate time.