

**Examination of the
King's Lynn & West Norfolk
Local Plan Review 2016-2036**

**MATTERS, ISSUES AND QUESTIONS
FOR THE EXAMINATION (MIQs)
Part 3: Gypsies, Travellers and
Travelling Showpeople**

Inspectors: Karen L Baker DipTP MA DipMP MRTPI
Mike Hayden BSc (Hons) DipTP MRTPI
Programme Officer: Annette Feeney
annette.feeney@ipswich.gov.uk
07775 771026

INTRODUCTION

This document contains the Part 3 of the Matters, Issues and Questions (MIQs), which form the basis for the Examination of the King's Lynn & West Norfolk Local Plan Review 2016-2036. They cover the need, policies and proposals for accommodation for Gypsies, Travellers and Travelling Showpeople.

The questions set out below will be discussed at the Resumed Examination Hearing on 3 and 4 September 2024, the details of which are contained in the Resumed Hearing Programme [Document G23].

You should also refer to the Inspectors' Resumed Hearing Examination Guidance Note [G22], which explains how you can participate in the Hearing sessions and the timescales for submitting any further written responses to the questions.

Document References in footnotes or square brackets are to the Examination Library List, which can be viewed at the link below:

https://www.west-norfolk.gov.uk/info/20216/local_plan_review_2016_-_2036/882/proposed_pre-submission_local_plan_review_documents

Abbreviations used in this document:

HRA – Habitat Regulations Assessment
GTAA – Gypsy and Traveller Accommodation Assessment
NPPF – National Planning Policy Framework
PPG – Planning Practice Guidance
PPTS – Planning Policy for Traveller Sites
SA – Sustainability Appraisal
SFRA – Strategic Flood Risk Assessment

MATTER 6 – HOUSING

Issue 6: Has the Plan been positively prepared and is it justified, effective and consistent with national policy in meeting the housing needs of all groups in the Borough over the plan period?

Gypsy and Traveller Accommodation (Policy LP28)

Gypsy and Traveller Accommodation Needs

416. Does the Gypsy and Traveller Accommodation Assessment 2023 (GTAA) [F44], as updated by the Gypsy and Travellers and Travelling Showpeople Proposed Site Allocations and Policy Consultation (May 2024) [F93] and the Technical Note: King's Lynn GTAA – Revised 2023 PPTS Need Figures for Gypsies and Travellers (May 2024), provide a robust evidence base to establish the need for Gypsy and Traveller accommodation in the Borough to 2040? In particular:
- a). Is the overall methodology of the GTAA robust and based on industry standards and practice, and are the definitions of terms in the Glossary at Appendix B justified and consistent with national policy?
 - b). Has adequate allowance been made within the need figures to take account of the effects of displacement and to ensure future households are not forced to move out of the Borough due to overcrowding or an inadequate supply of pitches?
 - c). Is an assumption of nil net migration within the assessment of need justified and reasonable, given that the future movement of Gypsy and Traveller households into and out of the Borough over the remainder of the Plan period is unknown?
 - d). On what basis has the pitch need arising from households who meet the 2015 PPTS definition been reduced from 102 to 98 pitches for the period 2023/24 to 2038/39, and the 5-year need for the period 2023/34 to 2027/28 from 76 to 74 in the Technical Note?
 - e). Is an allowance of 6 pitches sufficient to meet the needs of households whose status against the 2015 Planning Policy for Traveller Sites (PPTS) definition is undetermined, given that 14 such households were identified in the GTAA, and 52% of households that were surveyed met that definition?
 - f). How have the pitch needs arising from households that did not meet the 2015 PPTS definition of Gypsies and Travellers, but meet the revised definition in the 2023 PPTS, been ascertained, given that 14 such households generate a need for only 2 additional pitches? Has the revised definition also been applied to the allowance for undetermined households?

- g). Should the overall pitch need be adjusted to take account of the proposed change to the Plan period to 2040?

Proposed New Policy: Sites for Gypsies, Travellers and Travelling Showpeople

417. Is the proposed New Policy intended to replace Criteria 17 to 20 of Policy LP28 in the submitted Plan?
418. On what basis has the Council proposed changes to the new supporting text and policies for Gypsies, Travellers and Travelling Showpeople set out in its 'Suggested Changes to the Proposed Gypsy and Traveller Sites Policies Document'? Is it this amended version which is to form the Council's proposed change to the provision for Gypsies, Travellers and Travelling Showpeople in Policy LP28 of the submitted Plan?
419. The revised Tables following paragraph 7.3 of the supporting text to the New Policy indicates that 98 pitches are required for Gypsies and Travellers and 5 plots are required for Travelling Showpeople. However, paragraph 7.3 itself refers to 102 permanent pitches and an additional 5 plots for Travelling Showpeople. In the light of the Council's response to question 416d) above, please could the Council confirm which figure is correct or why these numbers differ?
420. Would these New Tables be clearer if combined into a single table? If not, should the title of the second table be amended to reflect that it only relates to the requirements for Travelling Showpeople?
421. Paragraph 7.4, as amended, comments on changes to Government legislation, planning decisions and the 'proposed' extension of the Plan period by a year to 2040, which, it states, have all been reflected in the supply. It goes on to say that the overall net remaining need identified in the GTAA has reduced. Please could the Council explain how this has been calculated, taking account of any additional requirement for the extra year of the Plan period to 2040?
422. Are the criteria in the proposed New Policy for determining proposals for Gypsy, Traveller and Travelling Showpeople sites consistent with national policy in the PPTS, in particular paragraph 13?
423. In respect of the amended Criterion 2.b) what is meant by the phrase 'a well-managed site'? Is this requirement justified?
424. Is the amended Criterion 2.c) necessary and justified given that Criterion 2.b) requires proposals to be of a scale that is appropriate to local character in line with Policy LP18? If required could it be more positively worded and reference made to Policy LP21, as follows: 'd) safeguard the amenity of neighbouring residents in line with Policy LP21'?

425. Are the changes proposed to amended Criterion 2.f) necessary for effectiveness in respect of biodiversity and heritage assets? If so, how?
426. The New Policy lists the number of permanent pitches and plots to meet the needs of Gypsies and Travellers and Travelling Showpeople to 2027/28 in Part 1 – is this sufficiently clear as set out in the Policy? In order for it to be clear and effective, should it say, 'The following allocated sites will meet the needs of Gypsies, Travellers and Travelling Showpeople up to 2027/28, as follows:'?
427. Is it clear how the Council will 'support' the extension, intensification and formalisation of the 72 permanent pitches and 'support' the provision of 4 plots for Travelling Showpeople up to 2027/28? What evidence is there to support these pitches and plots coming forward as anticipated?
428. Is it justified to rely on the criteria-based approach in parts 2 and 3 of the New Policy to provide the remaining 26 permanent pitches and 1 plot for Travelling Showpeople over the rest of the Plan period from 2027/28? What evidence does the Council have to demonstrate that a reliance on windfall provision via this approach would be effective and positively prepared in meeting the remaining need, such as a recent track record of granting permissions for new sites?

Proposed New Policy: Caravans, Park Homes and Houseboats

429. Would the proposed New Policy: Caravans, Park Homes and Houseboats meet the accommodation needs of Gypsy and Traveller households who do not meet the planning definition or are classified as undetermined in the GTAA. Would this be justified and consistent with national policy?
430. Is it clear in Criterion 1 of this New Policy what is meant by the phrase 'where they are located on sites which would be acceptable for permanent dwellings'? Should this criterion include reference to the relevant policies in the Plan, in order to be clear and effective?
431. Is Criterion 2 of this New Policy clear and effective in terms of what is meant by being 'situated where local services and facilities are accessible by active travel means'?

Proposed Sites for Gypsies, Travellers and Travelling Showpeople

Site Assessment and Selection Process

432. Was the process for the selection of sites for Gypsy and Traveller accommodation, as set out in the Gypsy and Traveller Site Assessments report [F94], thorough and robust, and consistent with national policy? In particular, are the sites that have been selected for allocation justified as appropriate, taking into account the reasonable alternatives?

433. Where sites have been assessed as potentially suitable for additional accommodation for Gypsies, Travellers and Travelling Showpeople, but not allocated, have the reasons for their non-selection been clearly explained and justified in the Gypsy and Traveller Site Assessments report [F94]?

Sustainability Appraisal

434. Has the selection of sites for additional accommodation for Gypsies, Travellers and Travelling Showpeople been based on a sound process of sustainability appraisal (SA), as set out in the Gypsy and Traveller and Travelling Showpeople Sites and Policies Sustainability Appraisal Addendum, dated May 2024 [B11]? Have the requirements for Strategic Environmental Assessment been met, including in respect of the cumulative impacts of the Plan, with the proposed Sites for Gypsies, Travellers and Travelling Showpeople?

Flood Risk Assessment

435. The Gypsy and Traveller Site Allocation Sequential and Exception Test Document [F95] finds that all of the proposed sites in part 1 of the New Policy pass the Sequential Test in respect of flood risk and are capable of meeting the Exception Test, even though residential caravans are classified as 'highly vulnerable' in the Planning Practice Guidance (PPG) and 11 out of 20 of the proposed sites are located partially or entirely within the areas at highest risk of flooding in Flood Zones 2 or 3. How is this justified as an appropriate strategy?

Habitats Regulations Assessment

436. In the light of the recommendation in paragraph 7.7 of the Habitats Regulations Assessment (HRA) of Gypsy and Traveller and Travelling Showpeople Sites [F97], should the proposed New Policy: Sites for Gypsies, Travellers and Travelling Showpeople require bespoke HRAs to be submitted with planning applications for those Gypsy and Traveller sites within the Impact Risk Zones of designated international Habitats sites?

Deliverability of Sites

437. Are the proposed sites for Gypsy, Traveller and Travelling Showpeople's accommodation deliverable, as identified in part 1 of the New Policy? In particular, are they:

- a). confirmed by the landowner as being available for the use proposed?
- b). supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
- c). deliverable, having regard to the provision of any necessary infrastructure and services, and any environmental or other constraints?

Extensions to existing authorised Gypsy and Traveller Sites (Part 1.a)

GT14 – Land at Blunts Drove

438. Is the Council now proposing 12 pitches on an extension to the Blunts Drove site, as set out in the suggested changes to the New Policy?

439. Would the provision of an additional 10 or 12 pitches, as an extension to the existing site at Blunts Drove, have a detrimental impact upon local services, infrastructure and facilities, including road capacity, surface water and flooding?

440. Is the site in a sustainable location, in respect of its access to key services and facilities?

441. Would the scale of the resulting development be appropriate having regard to the character and appearance of the local area?

GT17 – Land at The Lodge, Small Lode, Upwell/Outwell

442. Would the provision of an additional 9 pitches, as an extension to the existing site at The Lodge, Small Lode, have a detrimental impact upon local services, infrastructure and facilities, including road capacity?

443. Should the extension to this site be reserved for family members?

GT18 – Land at 2 Primrose Farm, Small Lode, Upwell/Outwell

444. Would the provision of an additional 13 or 14 pitches, as an extension to the existing site at 2 Primrose Farm, Small Lode, have a detrimental impact upon local services, infrastructure and facilities, including road capacity?

445. Should the extension to this site be reserved for family members?

GT21 – Land at Four Acres, Upwell/Outwell

446. Would the provision of an additional 5 pitches, as an extension to the existing site at Four Acres, have a detrimental impact upon local services, infrastructure and facilities, including road capacity?

447. Would the provision of an additional 5 pitches, as an extension to the existing site at Four Acres, be detrimental to the significance of nearby heritage assets, including their settings? Does the site assessment for GT21, in the Gypsy and Traveller Full Site Assessment report [F94], accurately reflect the potential heritage impacts?

Intensification of existing authorised Gypsy and Traveller Sites (Part 1.b)

GT05 – 19 – 121 Magdalen Road, Tilney St Lawrence

No further questions.

GT09 – Land at the Stables, Walpole St Andrews

448. Would the provision of an additional pitch on land at the Stables be detrimental to the significance of nearby heritage assets, including their settings? Does the site assessment for GT09, in document F94, accurately reflect the potential heritage impacts?

GT11 – Homefields, (Western Side, Goose Lane), Marshland St James

No further questions.

GT15 – Land SW Common Road (The Bungalow) Walton Highway

449. Site GT15 has been identified in the Full Site Assessment document F94 as unauthorised, but is included in the New Policy as both authorised with 1 pitch under 1.b), and unauthorised with 1 pitch under 1.c). Is this the same pitch, or two separate pitches, one authorised and one unauthorised. If the site allocation is duplicated in error, what are the implications of this for the delivery of a 5 year supply of deliverable pitch sites?

450. Would the provision of an additional pitch on this site have a detrimental impact upon local services, infrastructure and facilities, including road capacity and flooding?

451. Is the site in a sustainable location, in respect of its access to key services and facilities?

GT20 – Land at Botany Bay, Upwell

452. Would the provision of an additional pitch on land at Botany Bay be detrimental to nearby heritage assets and their settings? Does the site assessment for GT20, in document F94, accurately reflect the potential heritage impacts?

453. Would the provision of an additional pitch on this site have a detrimental impact upon local services, infrastructure and facilities, including road capacity and flooding?

GT28 – Many Acres (Smithy's Field), Small Lode, Upwell

454. Would the provision of 2 additional pitches on this site have a detrimental impact upon local services, infrastructure and facilities, including road capacity?

GT29 – No 2 The Stables, (Rear of stables), Lynn Road, Wiggshall St Germans

No further questions.

GT34 – Land at Creaksville, South Creake

No further questions.

GT54 – Land at the Pines, Whittington

No further questions.

GT55 – Land at Victoria Barns, Basin Road, Outwell

455. Would the provision of an additional pitch on land at Victoria Barns be detrimental to nearby heritage assets and their settings? Does the site assessment for GT55, in document F94, accurately reflect the potential heritage impacts?

GT56 – Wheatley Bank, Walsoken (South of Worzals parallel to A47)

No further questions.

GT59 – Land at Spriggs Hollow, Wiggenhall St Mary Magdalen

456. Should the boundary of this existing site be extended to ensure that there is sufficient space for the 4 additional pitches proposed?

GT66 – Land at Brandon Road, Methwold

No further questions.

Formalisation of long term unauthorised pitches (Part 1.c)

GT15 – Land SW Common Road (The Bungalow) Walton Highway

457. Would the formalisation of the unauthorised pitch on this site, which has previously been refused planning permission and the subject of enforcement action, have a detrimental impact upon local services, infrastructure and facilities, including road capacity and flooding?

458. Is the site in a sustainable location, in respect of its access to key services and facilities??

GT59 – Land at Spriggs Hollow, Wiggenhall St Mary Magdalen

No further questions.

GT65 – Tall Trees, Downham Road, Salters Lode Downham Market

No further questions.

Additional plots for Travelling Showpeople (Part 1.d)

GT25 – Land at the Oaks, Northwold

459. Would the provision of 2 additional plots for Travelling Showpeople on land at The Oaks have a detrimental impact upon local services, infrastructure and facilities, including road capacity?

GT62 – Land at Redgate Farm, Magdelan Road, Tilney St Lawrence

460. Would the provision of 2 additional plots for Travelling Showpeople on land at Redgate Farm have a detrimental impact upon local services, infrastructure and facilities, including flooding?

Gypsy, Traveller and Travelling Showpeople Accommodation Supply

461. Would the overall supply of Gypsy, Traveller and Travelling Showpeople sites be sufficient to meet the identified needs over the Plan period?

462. Would there be a 5 year supply of deliverable sites for Gypsy, Traveller and Travelling Showpeople's accommodation on the adoption of the Plan?