



Local Plan Task Group
Wednesday, 13th January, 2021 at 10.00 am
in the Remote Meeting on Zoom and available for the
public to view on WestNorfolkBC on You Tube - Zoom
and You Tube

Reports marked to follow on the Agenda and/or Supplementary Documents

1. **Local Development Scheme: Update to include above and incorporate South East King's Lynn Growth Area SPD - A Gomm, A Fradley - REPORT TO FOLLOW (Pages 2 - 15)**

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



King's Lynn & West Norfolk
Local Plan review 2016 - 2036

Local Development Scheme
2021 - 2023

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 publically 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, the latest, version of the Borough Council of King's Lynn and West Norfolk's LDS 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 review (2016 - 2036) through to adoption.

1.3 The start of the year provides an opportune time to provide an up-to-date LDS. Especially given the advance stage of plan preparation, and with previous year being interrupted by a global pandemic.

1.4 This Local Development Scheme sets out the following:

- Information on the Development Plan
- Timetables Local Plan review
- Details of what policies currently apply in the borough
- 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 is made up of 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 a 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 Information relating the minerals and waste development plan documents is available Norfolk County Council Website, link below:

<https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/minerals-and-waste-planning-policies>

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 into objections.
- 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 are non-statutory documents which will supplement policies and proposals in the Local Plan. They will need to be in conformity with the Local Plan.
- **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).
- There will of course be a whole host of supporting documents for the Local plan review.
- There may be a need for additional documents to be produced, and any new planning documents or amendments to the current programme will require a change to the LDS.

2.8 Sustainability Appraisal and Habitats Regulations Assessments - In preparing the Local Plan review 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. A final Sustainability Report will be prepared and published alongside the submitted Local Plan review.

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, will be undertaken prior to submission of the Local Plan review.

3. The King's Lynn & West Norfolk Local Plan review (2016 -2036)

- 3.1 The Borough Council, as part of the Site Allocations and Development Management Policies Plan (SADMP) examination and adoption process, has committed to an early review of the Local Plan. This means reviewing both the Core Strategy (CS) and the SADMP to create a single Local Plan document.
- 3.2 This commitment forms Policy 'DM2A – Early Review of Local Plan of the SADMP. An early review will ensure a set of deliverable and achievable housing sites for the duration of the Plan period (2016 -2036), with the most up to date policy framework to secure continuity for the longer term. The review will identify the full, objectively assessed housing needs for the borough and proposals to ensure that this is met in a consistent manner with national policy.
- 3.3 Elements of this review 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, 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.
- 3.4 In Mar / April 2019 the Borough Council published a draft version of the Local Plan review for consultation for a period of 8 weeks (Regulation 18). This was supported by a suite of documents including a Sustainability Appraisal, and an interactive online policies map.
- 3.5 The timetable for the production of the Local Plan review is set out overleaf. This outlines the process and the timetable of the Local Plan review and the role and content of each element.

4. South East King's Lynn Supplementary Planning Document (SPD)

4.1 Policy E2.1 of the SADMP allocates some 192ha of land at West Winch / North Runcton for residential and other uses. It is the largest single potential development location in the Borough. Part B – Process, in clauses a), b) and c) of Policy E2.1 makes various requirements for what can loosely be called 'co-ordination' of infrastructure, with phasing / timetabling etc. It highlights the need for a clear statement bringing these aspects together. The Borough Council proposes to address this 'co-ordination' requirement in a Masterplan.

4.2 It is apparent that there are different types and levels of documents giving types of 'advice' to developers. The Borough Council considers that it would aid the clarity and effectiveness if there was one source for: viability; infrastructure requirements (importantly including the West Winch Housing Access Road) and; planning policy requirements. We will be able to have clear references to it in the various Section 106 agreements and landowner agreements. This Masterplan is intended to fulfil that function. It also has the advantage of being able to provide updated information, and a more detailed focus on practical implementation and a design framework, all of which is informed by public consultation.

Local Plan review Programme 2021-2023

	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	D	E	F	G	G	G	G	H	I/J			
South East King's Lynn SPD	1/2	3	4									

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	Key Stages of Local Plan Preparation	Regulation
A	Sustainability Appraisal Scoping Report Consultation (2016)	
B	Development of options – on-going engagement on issues and emerging options	
C	Publish and Consult on draft Local Plan	Regulation 18
D	Pre-Submission plan development	
E	Pre-Submission publication	Regulation 19 & 20
F	Submission of document to Secretary of State	Regulation 22
G	Examination (Including Hearing Sessions)	Regulation 24
H	Receipt of Inspectors Fact Check Report	
I	Receipt of final Inspector's Report	Regulation 25
J	Adoption	Regulation 26

	Key Stages of the South East Kings Lynn SPD	Anticipated time
1	Preparation of initial draft	Oct 2020 – Feb 2021
2	Agreement by BC to consultation	March 2021
3	Consultation process	March – May 2021
4	Redrafting and Agreement by the BC	May – June 20201

Indicative Schedule of Proposed Local Plan review

Development Plan Documents (Title)	Role and Content	Chain of conformity	Geographical coverage	Timetable Milestones				
				Consult on Sustainability Appraisal Scoping Report	Publication of DPD	Submission of DPD	Hearing Sessions (indicative estimate)	Adoption
Core Strategy	Sets out the vision, objectives and spatial strategy for development up to 2026, and the framework for the control of development		Whole authority area	2005	2010 Schedule of Changes 2010	2010	2011	2011
Site Allocations and Development Management Policies)	Complements the Core Strategy by providing the detailed policies and guidance. Includes development boundaries, site allocations and area wide development management policies	To conform with National Planning Policy Framework	Whole authority area	-	2014	2015	2015 / 2016	2016
Local Plan Review	review of the Local Plan (CS & SADMP) to cover the plan period from 2016 - 2036	To conform with National Planning Policy Framework	Whole authority area	2016	2021	2021	2021	2022/ 23

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5. Risk Management and Resources

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

- Planning Policy Manager (4 days a week)
- Principal Planner (Part time in planning policy)
- Principal Planner (Full Time)
- Assistant Planner (Full Time, although study 1 day a week)

Assistance is also provided by a number of teams elsewhere in the Borough Council including, Housing Strategy, Planning Technical Support/ Administration, and Environmental Health for example. 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.

5.2 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 Assessment Matrix

Risk	Likelihood	Impact	Contingency	Mitigation
A team member may leave / Long term sickness absence	<i>Medium</i>	<i>High</i>	Spread knowledge throughout the team to minimise impact.	Re-appoint as soon as possible if budget restrictions permit. Alternatively, seek to re-deploy staff from within the Planning department or use consultants / agency staff if necessary.
New national legislation	<i>High</i>	<i>High</i>	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.
Change in Political composition of the Borough Council	<i>High</i>	<i>High</i>	This has already taken place through the 2019 Local elections. This could impact upon both the timescale and direction of the Local Plan review	Revise LDS where necessary.
Slippage due to Global Pandemic	<i>High</i>	<i>High</i>	This has had an impact throughout 2019 and may well continue to do so	Remote working making the best use of technology available
Legal challenge	<i>Medium</i>	<i>High</i>	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.

Risk	Likelihood	Impact	Contingency	Mitigation
Problems arising from joint working; compliance with the duty to co-operate.	<i>Medium</i>	<i>High</i>	Close working with other authorities and Council Members to detect issues early in the process. Including through the Norfolk Strategic Planning Framework.	Some flexibility is included in the Local Plan timescales. Continuing discussions with neighboring authorities.
Programme slippage	<i>Medium</i>	<i>Medium</i>	Contingency time is built into the LDS program, 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'	<i>Low</i>	<i>High</i>	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	<i>High</i>	<i>High</i>	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	<i>Low</i>	<i>High</i>	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.

Risk	Likelihood	Impact	Contingency	Mitigation
Inspector's report includes recommendations that the Council finds difficult to accept	<i>Medium</i>	<i>Medium</i>	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.

6. Monitoring and Review

6.1 The Local Development Scheme will be monitored on an ongoing basis through the Authority Monitoring Report and the Local Plan Task Group.