

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



# **Local Plan Task Group**

## **Agenda**

**Thursday, 14th July, 2022**  
at 10.00 am

in the

**Council Chamber  
Town Hall  
Saturday Market Place  
King's Lynn**





King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX  
Telephone: 01553 616200

6 July 2022

Dear Member

**Local Plan Task Group**

You are invited to attend a meeting of the above-mentioned Panel which will be held on **Thursday, 14th July, 2022 at 10.00 am** in the **Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ** to discuss the business shown below.

Yours sincerely

Chief Executive

**AGENDA**

1. **Appointment of Chair for the Municipal Year 2022/23**
2. **Appointment of Vice-Chair for the Municipal Year 2022/23**
3. **Apologies**
4. **Notes of the Previous Meeting** (Pages 5 - 9)
5. **Matters Arising**
6. **Declarations of Interest**

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the Members should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part

of the meeting, attending to speak as a local Member on an item or simply observing the meeting.

**7. Urgent Business**

To consider any business which, by reason of special circumstances, the Chairman proposes to accept as urgent under Section 100(b)(4)(b) of the Local Government Act, 1972.

**8. Members Present Pursuant to Standing Order 34**

Members wishing to speak pursuant to Standing Order 34 should inform the Chairman of their intention to do so and on what items they wish to be heard before a decision on that item is taken.

**9. Chair's Correspondence (if any)**

**10. The Draft South East King's Lynn Growth Area Framework Masterplan Supplementary Planning Document (SPD) (Pages 10 - 15)**

**11. Date of Next Meeting**

The next meeting of the Task Group will take place on Thursday 15 September 2022 at 2 pm in the Assembly Room, Town Hall, Saturday Market Place, King's Lynn.

To:

**Local Plan Task Group:** R Blunt, A Bubb, C J Crofts, M de Whalley, C Hudson, A Kemp, J Moriarty, T Parish, S Sandell and D Tyler

**Officers**

Alexa Baker, Monitoring Officer  
Claire May, Planning Policy Manager

**BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**

**LOCAL PLAN TASK GROUP**

**Minutes from the Meeting of the Local Plan Task Group held on  
Wednesday, 11th May, 2022 at 10.00 am in the Assembly Room, Town Hall,  
Saturday Market Place, King's Lynn PE30 5DQ**

**PRESENT:**

Councillors R Blunt (Chair), A Bubb, C J Crofts, M de Whalley, C Hudson (Zoom),  
A Kemp, J Moriarty, T Parish, S Sandell and D Tyler

**Officers:**

Claire May, Planning Policy Manager  
Wendy Vincent, Democratic Services Officer

The Chair welcomed Claire May, new Planning Policy Manager to her first meeting of the Task Group.

**1 APOLOGIES**

There were no apologies for absence.

**2 NOTES OF THE PREVIOUS MEETING**

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The notes of the meeting held on 16 March 2022 were agreed as a correct record.

**3 MATTERS ARISING**

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Councillor Moriarty asked what was the point of the Local Plan Task Group (LPTG) working on plans when they seemed to be ignored by the Borough Council's Planning Committee. In response, the Chair explained that it was a democratic process the Council had a policy for the Borough in association with Neighbourhood Plans and the NPPF and commented that the Planning Committee determined the application. The Chair commented that it was law that the Borough Council had a Local Plan and that document carried a significant amount of weight but the LPTG could not enforce it and advise the Planning Committee that it must adhere to the Local Plan.

Councillor Moriarty asked under what circumstances planning decisions could be taken away from a Council and handled by an

external authority or other organisations. In response, the Chair there was a process that if the Borough Council had so many major applications refused then approved by the Inspector, there was a point when the Council would lose the right to make decisions.

Councillor de Whalley provided an overview as to why he thought the appeals process was unbalanced.

#### 4 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### 5 **URGENT BUSINESS**

There was no urgent business.

#### 6 **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

There were no Members present under Standing Order 34.

#### 7 **CHAIR'S CORRESPONDENCE**

There was no Chair's correspondence.

#### 8 **LOCAL PLAN REVIEW AND NEIGHBOURING PLANNING - VERBAL UPDATE**

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##### Local Plan Review

The Planning Policy Manager provided a verbal update, a summary of the key points are set out below.

- Local Plan was submitted on 29 March 2022 and was now under Examination.
- Correspondence between the Inspector and Borough Council to resolve any administrative issues in order to progress the Examination.
- First official Letter received from Inspector week commencing 9 May 2022 setting out initial questions regarding the Plan and which had been published on the Council's website on the Examination Page
- Timeline set out to response to initial questions set out in the letter.
- Second official letter setting out a list of questions expected end May 2022.

- Official letters would continue to be sent to the Council until the Inspector had an idea of matters and issues to be discussed at the Examination hearing.
- No exact dates yet confirmed for hearings which will be held in public over a two to three week period on Tuesdays, Wednesdays and Thursdays. Suitable venue being sought.
- Early indication that the Examination will be scheduled for October/November 2022.
- Borough Council continue to work with the Programme Officer who was the intermediary between the Council and the Inspectors.
- One of the questions asked by the Inspector related to the Local Development Scheme (LDS) was approved in 2021 was out of date and did not truly reflect the publication and submission of the Local Plan. The Inspectorate had asked the Borough Council to update the LDS, a report would be presented to Cabinet in June 2022 to set out a new LDS to reflect the timeline taken place which was one of the legal requirements.

The Chair/Planning Policy Manager responded to questions in relation to:

- Local Development Scheme/timeline through to adoption.
- Official letters from the Inspector – seeking clarifying and justification in relation to the Local Plan and officer's responses.
- Duty to co-operate between local planning authorities.
- Queen's speech and any likely changes brought about levelling up and any potential impact on the Council's Local Plan.
- Any potential impact relating to nutrient neutrality.

**AGREED:** The Planning Policy Manager would email the Task Group when the second official letter was received from the Inspector and available to view on the Council's website.

### Neighbourhood Plans

The Chair provided a verbal update and explained that Referendums would take place in June 2022 for Heacham and Hunstanton Neighbourhood Plans. The Chair added that whole resource profile was being looked at for the whole planning department including recognition of need for neighbourhood planning in the process and to find resources to undertake the work going forward which was a key role.

9

### **HOUSING LAND TRAJECTORY AND FIVE YEAR HOUSING LAND SUPPLY (2020/21)**

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Housing Delivery Test HDT)

In presenting the report, the Planning Policy Manager explained that the report provided details of the Housing Delivery Test (HDT) results for 2021 that were published on 14 January 2022 by the Department for Levelling Up, Housing and Communities (DLUHC) and provided an update to the five-year housing land supply position for the period 2021 – 2026. Members were informed that it had been confirmed that the Borough Council had achieved 96% and therefore no further action was required or penalties incurred.

The Planning Policy Manager explained that the result of the HDT were used to determine the 'buffer' to apply in housing land supply position statements and whether the presumption in favour of sustainable development should apply.

The Task Group was advised that to reflect the disturbances to planning services during the national lockdown the Government reduced the 'homes required' within the 2019/20 year by a month and within the 2020/21 year by four months. It was explained that going forward it was not known which figures the Government would use next year and whether a concession would be applied.

The Planning Policy Manager responded to questions and comments in relation to:

- HDT for forthcoming years and projected results to keep above the 75%.
- Impact of nutrient neutrality on development in the Borough – it was confirmed that this would not affect the Local Plan.
- Building out houses and impact of increase in house prices and building materials.
- Complete site of affordable homes for people in West Norfolk including build to rent, first home policy.
- Reduced target during the Pandemic and given West Norfolk being at a high risk of flooding, flood zone 3 and the effect of climate change and rising sea level and being more vulnerable it was assumed there was no provision to reduce the Council's target because of vulnerabilities. It was noted that lobbying had been undertaken with the local MP.
- Need for housing for older people, particularly social housing and plans to provide this type of housing.
- Potential impact of major housing schemes such as West Winch being delayed/housing numbers required on an annual basis.
- When a house was counted within the Council's target - it was confirmed this was when the house was completed.
- Second Homes/Lodges – potential to lobby MP to change the current rules - lodges to be recognised as second homes and council tax being applied to them, this would add to the number of completed properties in the Borough and bring revenue to the Council.

### 5 Year Housing Land Supply

The Planning Policy Manager explained the Council had to calculate the local housing need for the Borough based on standard method set out in the Government guidelines with a 5% buffer that the HDT required the Council to have. It was explained that the Housing Land Supply Statement and Housing Trajectory confirmed that there was an identified supply of 3,595 dwellings for the 5-year period from 2020/21 to 2025/26 and the Council could show 6.24 years supply of deliverable housing against a local housing need of 576 dwellings per annum.

The Chair/Planning Policy Manager responded to questions in relation to:

- Calculation of housing need set out in report in HDT and was standard calculation set by the Government
- Local Housing need would have been undertaken as part of the evidence base study of local plan looked at types of housing.
- HDT and 5 year land supply were published on an annual basis.
- Higher building quality design/standard and demand.
- Viability test.

The Chair thanked the Planning Policy Manager for the update report.

**AGREED:** The Local Plan Group noted the result of the HDT and the Housing Land Supply Statement for the period March 2021 to April 2026.

### 10 DATE OF NEXT MEETING

The next meeting of the Local Plan Task Group would be held on 14 July 2022 at 10 am in the Assembly Room, Town Hall, Saturday Market Place, King's Lynn.

**The meeting closed at 11.11 am**

**REPORT TO CABINET**

<b>Open</b>		Would any decisions proposed :			
<b>Any especially affected Wards</b>	Mandatory/	Be entirely within Cabinet's powers to decide		Yes	
	Discretionary /	Need to be recommendations to Council		No	
	Operational	Is it a Key Decision		NO	
Lead Member: Cllr Richard Blunt E-mail: cllr.Richard.Blunt@West-Norfolk.gov.uk		Other Cabinet Members consulted:			
		Other Members consulted:			
Lead Officer: Claire May E-mail: Claire.may@west-norfolk.gov.uk Direct Dial:		Other Officers consulted: Stuart Ashworth Nikki Patton, Karl Patterson			
Financial Implications NO	Policy/ Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment YES If YES: Pre-screening	Risk Management Implications Yes	Environmental Considerations Yes
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					

Date of meeting: 2 August 2022

**CONSULTATION ON DRAFT SOUTH EAST KING'S LYNN GROWTH AREA FRAMEWORK MASTERPLAN SUPPLEMENTARY PLANNING DOCUMENT (SPD)**

<p><b>Summary</b></p> <p>This report seeks authorisation to undertake a statutory 6 week consultation on the Draft South East King's Lynn Growth Area Framework Masterplan Supplementary Planning Document</p> <p><b>Recommendations:</b></p> <p>That the:</p> <ul style="list-style-type: none"> <li>Local Plan Task Group note the contents of this report and recommends to Cabinet that the Draft South East King's Lynn Growth Area Framework Masterplan SPD (Appendix 1 to this report) be approved for a statutory 6 week consultation</li> <li>Cabinet note the contents of this report and approve the Draft South East King's Lynn Growth Area Framework Masterplan SPD (Appendix 1 to this report) for a statutory 6 week consultation, and</li> <li>To delegate authority to the Planning Policy Manager in consultation with Cabinet Member for Development and Regeneration to consider and agree any minor amendments and consultation arrangements required to finalise the document for consultation.</li> </ul> <p><b>Reason for Decision</b></p> <p>Preparation and adoption of the South East King's Lynn Growth Area Framework Masterplan SPD will provide guidance to assist in the determination of planning applications that fall within the West Winch Growth Area. The production of an SPD will ensure general conformity with the</p>
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policies contained in the Council's Core Strategy (2011), the Site Allocations and Development Management Policies (2016) which are being carried forward into the Local Plan Review.

## **Background**

- 1.1 Supplementary Planning Documents (SPDs) do not form part of the development plan for the area so they cannot introduce new planning policies into the development plan. However, an adopted SPD is a material consideration in decision making.
- 1.2 The Draft South East King's Lynn Growth Area Framework Masterplan Supplementary Planning Document (SPD) builds upon and provides more detailed advice and guidance on policies in the adopted Core Strategy (2011), the Site Allocations and Development Management Policies (2016) relating to the West Winch Growth Area which are being carried forward into the Local Plan Review.
- 1.3 The Draft SPD sets out the expectations on design, house mix, sustainability and green credentials, as well as the need to consider the impact on heritage assets and biodiversity. The Draft SPD sets out at a very high level, the location of the new housing access road, where development is considered suitable, ensuring that there is a degree of separation from the development and the village of North Runcton, while integrating with existing development and facilities in West Winch.
- 1.4 At this stage the only authority sought is to go out for consultation on the Draft SPD. The results and feedback on that consultation will be taken to Cabinet in the future.

## **2.0 Consultation**

- 2.1 Consultation on the Draft SPD will need to follow the statutory process for the preparation and adoption of SPDs, including consultation in accordance with the Council's adopted Statement of Community Involvement (SCI). Accordingly, the following is proposed to form the basis of the consultation strategy for the Draft SPD:

- Published on the Council's web site
- Press notice
- Council's social media
- Emails sent to consultees on the Local Plan database, who have indicated they are interested in Planning Policy consultations
- Consultation Events
- Parish Council's web sites

- 2.2 The consultation will be open for a statutory period of six weeks and will commence on the 5 August 2022 following the approval by Cabinet and conclude on the 15 September 22.
- 2.3 Officers will liaise with the Communications Team to ensure the consultation is publicised as widely as possible. The outcome of the consultation, and any resulting amendments to the SPD, will be reported back to the Cabinet and then Council as part of the adoption process. In accordance with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Council must publish a consultation statement explaining how any issues raised in representations have been addressed in the SPD.

### **3 Options Considered**

- 3.1 One alternative option would be to do adopt the Draft South East King's Lynn Growth Area Framework Masterplan without consultation. Such an option would lessen the weight that can be given to the document when assessing planning applications as without consultation, it cannot be adopted as an SPD.
- 3.2 Another alternative option would be to not progress the Draft SPD at all. Such an approach without this overall framework for future development in the West Winch Growth Area may give rise to greater uncertainty for both developers and the public and longer decision making.

### **4 Policy Implications**

- 4.1 Although the proposed SPD is not a development plan document it will, on adoption, be a material consideration in the determination of planning applications.

### **5 Financial Implications**

- 5.1 The cost of the preparation and consultation on the Draft SPD is within the Planning Policy budget and the West Winch Growth Area Revenue Budget.

### **6. Personnel Implications**

- 6.1 The consultation on the Draft SPD will be undertaken by officers from the Strategic Housing Team, Planning Policy Team and Development Control Team.

### **7 Environmental Considerations**

- 7.1 Sustainability appraisals for supplementary planning documents are only required in exceptional circumstances, but the Council must still consider whether there is a requirement for strategic environmental assessment (SEA).

- 7.2 In this case, the policies within the Core Strategy (2011), the Site Allocations & Development Management Policies (2016) and the Local Plan Review related to the Growth Area were subject to a Sustainability Appraisal. It is therefore considered that a new and separate SEA is required.

## **8 Statutory Considerations**

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 8.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 provide guidance on the preparation and adoption of supplementary planning documents.
- 8.3 The Council is required by law to consult on the SPD and to take into account all consultation responses received before adopting the SPD. As soon as reasonably practicable after adopting an SPD, the Council must (i) make available the SPD and an adoption statement and (ii) send a copy of the adoption statement to any person who asked to be notified of the adoption of the SPD.

## **9 Equality Impact Assessment (EIA)**

- 9.1 Pre-screening EIA is attached.

## **10 Risk Management Implications**

- 10.1 Non-compliance with regulatory requirements of the preparation of the SPD could leave it open to challenge, or lessen the weight attributed to it.

## **11 Declarations of Interest / Dispensations Granted**

None

## **12 Background Papers**

### **APPENDICES**

**APPENDIX 1** The Draft South East King's Lynn Growth Area Framework Masterplan Supplementary Planning Document (SPD)

**Pre-Screening Equality Impact Assessment**

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



Name of policy/service/function	The Draft South East King's Lynn Growth Area Framework Masterplan Supplementary Planning Document (SPD)				
Is this a new or existing policy/service/function?	Existing				
<p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>	<p>The Draft South East King's Lynn Growth Area Framework Masterplan Supplementary Planning Document (SPD) builds upon and provides more detailed advice and guidance on policies in the adopted Core Strategy (2011), the Site Allocations and Development Management Policies (2016) relating to the West Winch Growth Area which are being carried forward into the Local Plan Review.</p>				
<b>Question</b>	<b>Answer</b>				
<p><b>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</b></p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			x	
	Disability			x	
	Gender			x	
	Gender Re-assignment			x	
	Marriage/civil partnership			x	
	Pregnancy & maternity			x	
	Race			x	
	Religion or belief			x	
	Sexual orientation			x	
	Other (eg low income)			x	

