



Local Development Framework Task Group

Agenda

Wednesday, 6th April, 2016
at 10.00 am

in the

**Meeting Rooms 2 and 3
Ground Floor
King's Court
Chapel Street
King's Lynn**



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**LOCAL DEVELOPMENT
FRAMEWORK TASK GROUP
AGENDA**

**DATE: LOCAL DEVELOPMENT FRAMEWORK TASK
GROUP - WEDNESDAY, 6TH APRIL, 2016**

**VENUE: MEETING ROOMS 2 AND 3, KING'S COURT,
CHAPEL STREET, KING'S LYNN**

TIME: 10.00 am

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. NOTES OF PREVIOUS MEETING (Pages 5 - 11)

To agree the notes of the previous meeting held on 10 February 2016

3. MATTERS ARISING

To consider any matters arising.

4. DECLARATIONS OF INTEREST

Please indicate if there are any interests which should be declared. A declaration of 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 Member 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.

5. MEMBERS ATTENDING UNDER STANDING ORDER 34

Members wishing to speak pursuant to Standing Order 34 should inform the Chairman of their intention to do so and what items they wish to be heard before the meeting commences. Any Member attending the meeting under Standing Order 34 will only be permitted to speak on those items which have been previously notified to the Chairman.

6. **DRAFT STATEMENT OF COMMUNITY INVOLVEMENT** (Pages 12 - 33)
7. **EAST CAMBS LOCAL PLAN CONSULTATION RESPONSE** (Pages 34 - 36)
8. **UPDATE ON CONSULTATION ON THE 'MAJOR MODIFICATIONS' - DRAFT STATEMENT OF REPRESENTATIONS** (Pages 37 - 39)
9. **NEIGHBOURHOOD PLANS - VERBAL UPDATE**
10. **DATE OF NEXT MEETING**

To note that the next scheduled meeting of the LDF Task Group will be held on Wednesday 11 May 2016 at 10.00 am in the Miles Room, Town Hall, Saturday Market Place.

To: Members of the Local Development Framework Task Group

Councillors B Ayres, R Blunt (Chairman), Mrs S Buck, P Colvin, C Crofts, J Moriarty, M Peake (Vice-Chairman), D Tyler and Mrs E Watson

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BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**LOCAL DEVELOPMENT FRAMEWORK TASK GROUP**

**Minutes from the Meeting of the Local Development Framework Task Group
held on Wednesday, 10th February, 2016 at 10.00 am in the Miles Room,
Town Hall, Saturday Market Place, King's Lynn**

PRESENT: Councillors R Blunt (Chairman), B Ayres, R Blunt, Mrs S Buck,
P Colvin, C Crofts, J Moriarty, D Tyler and Mrs E Watson

1 APPOINTMENT OF VICE CHAIRMAN

RESOLVED: Councillor Crofts was appointed Vice-Chairman for the Meeting.

2 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Peake.

3 NOTES OF PREVIOUS MEETING

RESOLVED: The notes of the meeting held on 13 January 2016 were agreed as a correct record.

4 MATTERS ARISING

There was none.

5 DECLARATIONS OF INTEREST

There was none.

6 MEMBERS ATTENDING UNDER STANDING ORDER 34

There was none.

7 HELAA REVIEW

The LDF Manager explained that the HELAA review was conducted on a regular basis and was important because the land identified through the HELAA was land that could potentially be available for development. It was a technical assessment and if land could be developed it could be counted as background numbers for the land supply and local plan. The process for HELAA was similar to the local plan process in that land owners were invited to put forward sites for development.

Local Authorities across Norfolk were currently engaging to prepare a Strategic Planning Framework which would assist in understanding the develop need across the County and it used HELAA as its evidence base. HELAA was overseen by the Duty to Cooperate Group.

The LDF Manager explained that Government methodology was used to determine which sites were included. A consultation exercise was to be also carried out on the soundness of the methodology used; this would be followed by communication with land owners and developers to ask for sites to be brought forward. Sites included in the HELAA were not guaranteed to be taken forward for development.

Councillor Crofts referred to the consultation period which was only four weeks and the LDF Manager explained that he hoped that responses about the methodology would be forthcoming. The subsequent 'call for sites' would be longer.

The LDF Manager explained that if a site had been allocated, but was yet to be developed or put in Planning Application, the allocation could be suggested for an increase if the developers felt that it would be appropriate.

RESOLVED: The Chairman requested that the LDF Task Group be presented with the consultation response, the list of the sites to be included in the Plan and officers analysis of the sites put forward.

8

NEIGHBOURING AUTHORITIES - PLAN CONSULTATIONS

The LDF Manager informed the Task Group that the Borough Council had been invited to make representations on two neighbouring Local Authorities Local Plans under the Duty to Cooperate.

The LDF Manager presented a summary of Breckland and South East Lincolnshire's Local Plans as included within the agenda. The Task Group was provided with a summary of the policy, the potential impact for the Borough and the Borough's suggested response to the consultation.

The LDF Manager referred to proposals for Wisbech Garden Town, which would have a cross boundary impact with West Norfolk. He explained that officers were now looking at bringing the allocation forward in conjunction with Fenland District Council.

Councillor Crofts asked what procedures and policies were in place for dealing with cross boundary Planning Applications and the Principal Planner agreed to report back to the Task Group.

Councillor Mrs Buck asked if there was a national policy for dealing with development on flood zones. The Principal Planner referred to

South East Lincolnshire Local Plan, Policy 4 which referred to the Strategic approach to flood risk in that locality.

The Task Group discussed other cross boundary issues such as the provision of services to development sites and education impact. The LDF Manager explained that Norfolk County Council as the Education lead would be offered the opportunity to comment on the Local Plans.

The LDF Manager informed the Task Group that every year a pupil forecast was carried out by Norfolk County Council and was based on the amount of new housing units and allocations up to 2026 to determine potential pupil numbers.

RESOLVED: (i) The Task Group supported the suggested response to the Local Plan consultations for Breckland and South East Lincolnshire.

(ii) The Principal Planner to report back to the Task Group on policies and procedures for dealing with cross boundary Planning Applications.

9

NEIGHBOURHOOD PLANS

The Principal Planner provided an update on Neighbourhood Plans. She explained that Downham Market's Neighbourhood area had now been designated and work would commence on their plan.

Representatives from the LDF Team had met with, or were to meet with, several Parish Councils including Castle Acre, Holme, Thornham, Tilney All Saints, Tilney St Lawrence and Upwell.

A Gaywood Valley Neighbourhood Plan was being investigated. A designated area would be required along with a Forum of representatives to take the Plan forward as the area was unparished.

The Task Group discussed the possibility of some Parishes joining together to create a plan. Councillor Ayres commented that Tilney St Lawrence and Terrington St John were investigating the possibility.

Councillor Mrs Watson asked if small hamlets and villages which did not have a Parish Council could take forward a Neighbourhood Plan. The Principal Planner explained that if they did want to they would need a designated area and a forum to take forward the plan, or they could look at linking with neighbouring Parish Councils. She explained that development would be limited in small villages and hamlets, therefore the benefits of a Neighbourhood plan such as CIL would be less.

Councillor Moriarty commented that officers had attended a meeting at Castle Acre and that they did an excellent presentation. He asked that officers ensure communication is maintained with the Planning Committee and officers attending Parish Council meetings and referred

to a recent application considered by the Planning Committee for Brancaster. The LDF Manager explained that officers did engage with Parish Councils, some relied on officers for support whereas other Parish Councils were confident to take forward their own plan with little assistance from the Borough Council officers. Officers were available to assist with terminology and the wording of policies. The LDF Manager explained that there was a revision process in place should Neighbourhood Plans require amendments.

RESOLVED: The Principal Planner to keep the Task Group updated on progress.

10

HRA GROUP NOTE

The LDF Manager informed the Task Group that he had recently attended a meeting of the HRA Monitoring and Mitigation and Green Infrastructure Coordinating Panel and referred to the minutes of the meeting which had been included with the agenda.

The LDF Manager reminded the Task Group that the Inspectorate had asked for further work to be carried out to Habitat Regulations and protection of European Designated Sites. Cabinet and Council had subsequently agreed, following comments made by the Inspector, to set up a group to draw together organisations concerned with the protection of European Designated Sites and look at the impact of new development.

The HRA Group were looking at the existing pressures on European Designated Sites and how they coped with visitor pressure. The group needed to identify what additional pressure would be as a result of additional development. Through the Duty to Cooperate Forum a study was being carried out on the implications of new growth on European Designated Sites across the County and was likely to report in June. The study would assist in how contributions were spent and the results would be presented to the LDF Task Group.

In response to a question, the LDF Manager explained that it was unlikely that this work would have been required and the £50 charge added, had the issue not been raised by the Inspector during the examination. The LDF Manager explained that the process would be monitored and a report would be brought back to Cabinet should amendments to the process be required.

RESOLVED: The next meeting of the Panel would take place in April and the LDF Manager agreed to keep the Task Group updated on progress.

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SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT - DRAFT MODIFICATIONS

The Chairman reminded those present that they had looked at draft modifications at the previous meeting, the document included with the agenda now provided more detail on the Main and Minor modifications.

The Principal Planner explained that the Inspector had sent his preliminary findings though and a list of things he expected to be amended in the plan, which formed the modification schedule. The Inspector's results had been made available on the Borough Council's website.

A table of the Main and Minor modifications was set out in the agenda. The Principal Planner informed the Task Group that the Modifications would be presented to a joint meeting of the Regeneration & Development and Environment & Community Panel on 24th February, Cabinet on 1st March and Council on 24th March 2016.

The Task Group was informed that the Main Modifications typically referred to changes in policies and policy wording, and the Minor Modifications more likely referred to typos and explanations.

The LDF Manager explained that the Main Modifications would be advertised and members of the public would be invited to comment. The Inspector would then consider all comments received.

The Principal Planner explained that Planning Control would have regard to the Modifications once they had been agreed by Council. She referred to one of the Main changes requested by the Inspector in that all allocations should have 'at least' in front of the number of dwellings in the allocation. Councillor Crofts highlighted that page 82 had not had 'at least' added. The Principal Planner agreed to double check the plan and amend as required. She explained that the only exception to 'at least' was Hunstanton Policy F2.3 because of the different nature of the site, which was housing with care.

Councillor Crofts referred to a previous Government consultation relating to affordable housing contributions and that small developers did not have to make a financial contribution until after development had finished. The LDF Manager explained that this had been proposed to assist small developers who often could not afford to make the contribution upfront. The LDF Manager reminded the Task Group that the Government had introduced new rules relating to affordable housing and then subsequently withdrawn them. He agreed to check the current arrangements for small developer contributions and report back to the Task Group.

Councillor Moriarty referred to page 44 of the agenda which related to development in smaller villages and hamlets in exceptional circumstances. The LDF Manager explained that exceptional circumstances could include a change of use of land, or taking away

land from employment use. The LDF Manager clarified that the changes to the policy were the underlined or strikethrough sections. In response to a further question from Councillor Moriarty, the LDF Manager explained that an application for development in small villages and hamlets would be assessed on its own merit and infill development would depend on the scale and character and would be a matter for consideration when determining planning applications.

Councillor Moriarty referred to page 133 of the agenda, Minor Modification G.22.6 and asked if it meant that 15 were being added to the amount of available properties. The Chairman explained that the modification was to between 11 and 15 dwellings. The LDF Manager agreed to look at the wording and if it was unclear he would amend.

Councillor Mrs Buck referred to page 59. She explained that 'National' had been crossed out from National Planning Policy Framework. The LDF Manager agreed to check that the reference was correct.

Councillor Crofts referred to page 60 which stated that advice would be sought from the lead local flood authorities; Norfolk County Council and the Environment Agency. He asked why the Internal Drainage Boards had not been included. The LDF Manager explained that this had not been suggested by the Inspector. He reminded the Task Group that the Modification Schedule would go out for public consultation and Members of the Task Group could also make comments through this route.

The Principal Planner explained that the public consultation exercise was likely to commence at the beginning of April for a period of six weeks.

Councillor Crofts asked if any allocations had been made in Ashwicken and Flitcham. The Principal Planner explained that no allocation had been made in Ashwicken as Highways had raised access issues on the potential site. The Principal Planner confirmed there was no allocation for Flitcham and agreed to report back to the Task Group on the reasons for this.

RESOLVED: (i) The Principal Planner to check that 'at least' appeared before the allocations in the wording of the plan.

(ii) The LDF Manager to check the current arrangements for small developer contributions and report back to the Task Group.

(iii) The LDF Manager and Principal Planner to consider the comments made by the Task Group where appropriate.

(iv) The Principal Planner to feedback on Flitcham.

(v) The Principal Planner to feedback to the Task Group on the availability of Flood Risk Maps.

The next meeting of the Task Group would take place on Wednesday 9 March 2016 at 10.00 am in the Miles Room, Town Hall, Saturday Market Place.

The meeting closed at 11.30 am

King's Lynn and West Norfolk Borough Council

Statement of
Community Involvement

Local Plan and
Planning Applications

April 2016

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Introduction

The Statement of Community Involvement (SCI) is a 'code of practice' describing how and when the Council intends to involve local communities in planning for the future of the borough through:

- The preparation of the Local Plan and other planning policy documents; and
- The determination of planning applications.

The Council adopted a Statement of Community Involvement (SCI) in 2006. This review of the Council's Statement of Community Involvement takes account of the recent changes in legislation and policy. Planning legislation sets out a number of statutory requirements with respect to consultation on planning policy documents and planning applications. The Statement of Community Involvement sets out how the Council will meet these requirements along with the additional activities the Council will undertake to involve people in the planning system.

The Localism Act 2011 also sets out a 'duty to co-operate'. It is a requirement that the Council engage with neighbouring Councils and other statutory bodies to consider joint approaches to plan-making. The Council is committed to meeting this duty and intends to work closely with neighbouring authorities, other partner organisations and stakeholders.

What is planning?

The planning system affects everybody who lives in, works in or visits a place. It has to balance competing land uses, shaping places by setting out the vision for how communities will change. By achieving greater levels of community engagement in the planning process, local communities, stakeholders and other organisations can contribute more to the shaping of their local environment.

Most new buildings, major changes to existing buildings (including their use) or significant changes to the local environment need consent – known as planning permission. Without a planning system anyone could construct buildings or use land in any way they wanted, no matter what effect this would have on other people in the area.

King's Lynn and West Norfolk Borough Council, as your local planning authority, is responsible for deciding whether a development – anything from an extension on a house to a new shopping centre – should go ahead. In determining planning applications, the Government requires local planning authorities to have regard to the Local Plan. This is a collection of documents which set out the planning policies that will shape the future of King's Lynn and West Norfolk.

The King's Lynn and West Norfolk Local Plan is made up of the Core Strategy (adopted 2009), and the Site Allocations and Development Management Policies Plan (anticipated adoption Sept 2016). The subsequent review of the Local Plan will commence in late 2016.

The role of the Council

Planning Policy Team

This team is responsible for producing the documents, evidence base and studies that make up the Local Plan. They organise and lead consultation exercises on draft planning documents, consider responses and propose any subsequent amendments to the final documents. They also lead on Neighbourhood Plans, supporting the local communities in the production and adoption of their Plans.

Planning Control

This team assesses planning applications in accordance with the adopted development plan, and other relevant material considerations such as the National Planning Policy Framework. This includes consultation responses and comments from the public. The Conservation Team are part of the Planning Control Team and are responsible for the protection and management of historic assets within the District, such as listed buildings. They are responsible for assessing listed building applications.

The role of Councillors

Elected local Councillors have a key role to play in the planning process:

- Councillors attend committees and working groups to help review which planning policies the Council should pursue, ensure that they are carried out and monitor services provided to ensure that they are delivered in the most efficient and effective way.
- Planning Control Committee and Sub-Committees, made up of a number of Councillors, who make decisions on individual planning applications.
- Voicing support, commenting on, or raising objection to, planning applications in writing, or by speaking on the behalf of residents, at Planning Committees.
- Members will work together with officers in the preparation and development of any documents produced by the Council.

The role of local Councillors in representing the views and concerns of residents is very important in the planning process.

Our approach to community involvement

When the Council involve you in preparing the Local Plan or consult you on a planning application the Council will:

- Ensure the process is simple by writing in plain English and explaining any planning terms that are used.
- Communicate clearly by explaining the reasons why the Council want to involve you and gather your comments.
- Make it easy for you to get involved by explaining when and where you can provide your views.
- The Council will make public events as accessible as possible for all

groups, taking into account the time and potential cost of attending, and making use of existing community involvement networks and groups.

- Share information with you on the Council's website, at Council offices and in local libraries.
- Use a range of cost effective delivery methods to ensure all individuals and groups have the opportunity to be involved.
- Be clear about the results by summarising the responses received and provide feedback on how these have been considered ensuring transparency and consistency.

General principles of planning consultation

We will apply some general principles to our planning consultations:

- Involvement will be open to all regardless of gender, faith, race, disability, sexuality, age, rural isolation and social deprivation.
- Comments may be rejected where they are defamatory, obscene, racist or otherwise likely to cause offence.
- We will seek views of interested and affected parties as early as possible.
- We will select consultation processes by balancing cost and time constraints, community impact and our level of discretion on the outcome.
- Consultation publications will be clear and concise and avoid unnecessary jargon, without understating the complexities of any decision.

How can I be involved in the planning process?

You can get involved in planning decisions affecting you and your community by:

- Having your say during public consultation periods for the Local Plan.
- Having your say on planning applications affecting your community.
- Reporting planning control breaches (such as a neighbour building a large extension to their home without planning consent).
- Taking part in any neighbourhood planning initiatives proposed by your Parish or Town Council.

Benefits of community involvement



2. Local Plan

This section outlines how the Council will involve you in the preparation of planning policy documents such as the Local Plan.

The Local Plan forms the statutory development plan for the Borough and sets out the strategy and policies that guide development in the area. Planning applications for development must be in conformity with the Local Plan unless material considerations indicate otherwise. The Local Plan may consist of one document or a number of documents.

It is periodically reviewed or added to, in order to keep it up-to-date. The Council maintains a database of residents and other stakeholders who have asked to be kept informed on the Local Plan. From time-to-time we will contact you to see if you still wish to be involved. If we ask if you want to be kept on the database but receive no reply, then your details will be removed from the database. This is to make sure that we only consult interested parties.

Local Plans must be supported by evidence and generally accord with national policies. Current planning legislation sets out minimum requirements for a formal consultation process but does allow some flexibility for each Local Authority to decide how best to engage stakeholders. The Council is committed to wide community engagement, including working in close partnership with Parish Councils.

During the final stage of production, the documents are submitted to the Government and an independent Planning Inspector then carries out an Examination into the document, considering the views of interested people. The Inspector will produce a report making recommendations to the local authority.

Who we will consult

- Statutory organisations including the County Council, neighbouring councils, infrastructure providers and government bodies as legally required or otherwise appropriate
- Organisations representing local geographical, economic, social and other communities or other relevant interests
- Local businesses, voluntary and other organisations
- Others who have expressed an interest in the subject matter
- The general public, via the Council's website

How we will consult

The Council want to give everyone the chance to have their say on emerging Local Plan documents and other planning policy documents. A variety of consultation methods will be used during consultations, taking into consideration the issues being consulted on and the needs of the audience.

It is important that barriers which prevent people from taking part in public consultation are overcome, as some sections of the community may be difficult to reach using standard consultation techniques. The Council will continue to develop its understanding of different consultation techniques over time and learn from what works, and what doesn't. A variety of methods has and will be used during consultations, taking into consideration the issues being consulted on and the needs of the audience. The Council will endeavour in future consultations to increase the use of social media (e.g. Twitter) where possible to help access "hard to reach" groups, especially the younger population. The Council will also continue to use more traditional methods of consultation to include those without access to the internet.

The Council acknowledge the importance of making public consultation arrangements as extensive as possible to make sure the public can get their voice heard. However, it is not always possible or appropriate to undertake consultations using all the methods listed. The Council will endeavour to carry out consultation as appropriate to the nature of the plan/policy or proposal. Involvement will be open to all those who wish to be involved regardless of gender, race, disability, sexual orientation, age, rural isolation, social deprivation and social background. At any consultation stage the Council will comply with the minimum legal requirements for consultation but will seek to go beyond these requirements where time and resources allow. Consultation exercises need to gather the views of a cross-section of the local population so as many people as possible are encouraged to get involved. Local residents can offer unique knowledge and understanding of an area, including historic information for towns and villages and can be aware of important local issues.

The Council will make use of existing partnerships that already operate and engage effectively with important groups in the local area. This includes the valuable work of community and voluntary groups. Government Regulations also require that certain groups are consulted at key stages in the production of Local Plan documents; these include groups such as English Heritage and the Environment Agency. These are known as statutory consultees. In addition, the Council is required to invite comments from other general consultation bodies it considers appropriate. A list of the existing organisations the Council contacts at key consultation stages can be found in the Appendix 1.

Town and Parish Councils are key partners in the planning application and plan making process. Cooperation with these bodies represents an important element in the Council's approach to community involvement. The role of Town and Parish Council has become increasingly important through the introduction of Neighbourhood Planning. More details of Neighbourhood Planning can be found

on page 17 of this document and on the Council's website. We will endeavour to use a range of approaches as necessary. These are set out in the following list:

- Public exhibitions in accessible, community locations give the public the chance to look at plans and proposals and talk to planning officers in an informal environment.
- Emails and letters - If your details are held on our consultation database, we will inform you by e-mail or letter of upcoming consultations.
- Social media - Opportunities to use these methods will be explored further.
- Public notices and press releases.
- Public exhibitions
- Workshops - Workshops can provide an inclusive, interactive approach to gathering the views of a local community, helping to provide an opportunity to participate for those who prefer to discuss issues. Workshops can also be used to target specific groups such as young people or other hard-to-reach groups.

The Council will also endeavour to ensure that events such as workshops and public exhibitions will be held in accessible locations and at appropriate times.

- We will contact appropriate organisations and individuals directly
- All consultation documents will be made available for download on the Council's website: www.west-norfolk.gov.uk
- We will publicise consultations using a range of methods which may include: local press advertisements, existing community groups, community events and joining with other consultations
- We will leave consultation documents on display at locations open to the public like council offices and libraries
- Copies of some consultation documents may be subject to a small charge, reflecting publication costs
- If asked we will provide copies of consultation documents to community groups, councils and other statutory bodies
- Where invited, we will seek to attend relevant meetings, e.g. Parish Council meetings and Neighbourhood Panel meetings
- We will publish comments received or a summary as soon as feasible and explain how comments have been taken into account when decisions are taken. A summary of comments will also be reported to Cabinet/ Council meetings.

When we will consult

The preparation of planning policy documents is strictly regulated by planning law. The regulations require minimum levels of consultation at given stages of a document's preparation.

The regulations, however, do give flexibility on how to consult in the early stages of a documents preparation. Consultation events will normally take place in defined time periods. This will usually involve consultation on a written document

accompanied by a series of events such as workshops/exhibitions. Consultations on planning policy documents will usually last for 6 weeks. However, in the following circumstances the Council will aim to increase this period where it is not fixed by the regulations:

- a) Where the consultation period overlaps with either the Christmas, Easter, or August holidays. In such circumstances the consultation period will usually be extended to 8 weeks.
- b) Where there has been significant additional material included within the document between first publication of draft papers and formal consultation commencing. Again in such circumstances the consultation period will usually be extended to 8 weeks.

Key stages required in the preparation of Local Plan documents (and other planning policy documents) and when you will be involved.

A Local Plan has to be prepared in accordance with formal requirements set out in legislation. The following diagrams set out the key stages of preparation and when and how the Council will involve you-

- First, if appropriate, we will ask for ideas, views and information from appropriate organisations, individuals and local communities.
- We will then prepare and consult on a draft version of the SPD.
- After considering the responses to the draft, we will consider the need for further consultation and report to committee.
- Once we consider that there has been enough community involvement we will adopt the SPD.

The Council may also prepare a number of other Planning Policy documents which you can get involved in. These include:

Supplementary Planning Documents (SPDs)	Supplementary Planning Documents provide further advice on how Local Plan policies should be implemented. E.g. a development brief for a particular site, or practical guidance on how a policy should be interpreted and implemented in practice.
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Community Infrastructure Levy (CIL)	The Community Infrastructure Levy is a charge that local authorities can choose to collect on new development in their area. The money collected is used to fund infrastructure that has been identified as necessary, both by the Council and the local community, to support new development.
Evidence Base	The evidence base comprises a number of studies, reports and assessments that support the Council's emerging policies. This helps to ensure all future planning policies and decisions are based on robust, relevant and up-to-date information.
Local Development Orders	A Local Development Order allows certain developments to go forward in a specific area without the need for planning permission, as long as the type of development is covered by the order.
Neighbourhood Plans and Neighbourhood Development Orders are prepared by Parish and Town Councils and/or by Neighbourhood Forums.	
Neighbourhood Plans	Neighbourhood Plans form part of the statutory development plan for the district and are used to determine planning applications in the area the plan covers. Whilst the Council does not produce the Neighbourhood Plan there is a duty for it to provide advice and technical assistance to communities as work progresses.

	This includes having a specific role to play at certain statutory stages in the process.
Neighbourhood Development Orders	Similar to a Neighbourhood Plan, Neighbourhood Development Orders are prepared by Parish and Town Councils and Neighbourhood Forums. They have the same effect as a Local Development Order and can grant planning permission for specific types of development for a specific site or type of development in the neighbourhood area.
Community Right to Build Order	A Community Right to Build Order is a form of Neighbourhood Development Order that can be used to grant planning permission for small scale development for community benefit on a specific site. These are prepared by constituted community groups rather than a Neighbourhood Forum or a Parish/Town Council.

Register your details

If you would like your contact details to be added to our mailing list, please e-mail: ldf@west-norfolk.gov.uk.

If you do not have internet access you can contact the Planning Team via the details provided in this document. Likewise, if you wish to remove your details from the list and not receive future notifications you can do this online or by contacting the team.

This database of individuals, groups and stakeholders has been developed, which the Council will continue to use to ensure the public is informed of the preparation of new planning documents. This database is continually updated and reviewed.

3. Community involvement in planning application decisions

The Town and Country Planning (Development Management Procedure) 2010 sets out the minimum requirements for publicising planning applications. This Authority exceeds these requirements and this section sets out our current practice. The Council encourages meaningful community involvement in all planning applications.

Types of planning applications

Planning applications are classified as¹:

Householder: extensions to dwellings, garages, etc.

Minor: Including development up to 10 dwellings, changes of use, commercial development up to 999m² floorspace.

Major: 10+ dwellings, sites of 0.5ha or more, or other uses where floorspace is more than 1000m².

The extent of community involvement that we seek and/or undertake will depend upon the type of application that is being considered and more extensive consultation may be required for major applications or applications with a significant interest (e.g. likely to be controversial or have significant impacts).

The role of the Council

The Council operates a chargeable Pre-Application Advice Service. This scheme encourages developers to involve the community at the earliest stage of the planning application process, especially in the case of major/significant applications. Details of the service can be viewed at:

www.west-norfolk.gov.uk/Default.aspx?page=26213#PreApplicationAdvice.

Planning applications are public documents and can be viewed on the Council website through the 'Public Access' system. Public Access allows the public to view plans and documents, monitor the progress of an application, submit comments about the application, search a list of applications received and decided each week and view details of historic applications. Public Access is available at: <http://online.west-norfolk.gov.uk/online-applications/>. They can also be viewed at the Council offices.

The Council publishes a weekly list of all planning applications on its website - <http://online.west-norfolk.gov.uk/online-applications/search.do;jsessionid=E4E75FBD747211B30CDB79ED297764C?action=weeklyList> and details of all applications are sent to Parish/Town/City Councils for their views.

¹ The Council is required to give 'Prior Notification' of certain developments (e.g. agricultural buildings within size limits) and sometimes to make Non Material Amendments to previously approved planning applications. Neither procedure falls under the normal consultation procedures for planning applications.

An application maybe advertised in a local newspaper if:

- It is in a Conservation Area or for a Listed Building;
- It is a departure from the Local Plan;
- It affects a footpath or right of way;
- It requires an EIA (Environmental Impact Assessment);
- It is considered to be a major or significant application; or,
- It is of wider public interest.

The law requires that Council must either post a site notice, or consult all neighbours sharing a common boundary with an application site.

Therefore for planning applications (as defined above) a site notice, with a site map, will be erected close to the development site so that interested parties can comment. All site notices, newspapers advertisements and neighbour notifications will specify that all consultees with an interest in an application have 21 days to make written comments.

The Council's may also notify neighbouring properties of the submission of an application.

If amended plans are required/received depending on the extent and nature of the changes, a further written consultation may be carried out with the Parish Council/other consultees, although it should be noted that there is no legal requirements to do this.

Various statutory and non-statutory bodies (e.g. Highways, Natural England, the Environment Agency) may also be consulted in writing depending on the type of development proposed. References to written consultation include electronic consultations, which are the most efficient way of consulting on an application.

The Council encourages public participation in Planning Committee meetings and the right to speak is extended to supporters, objectors, the Parish Council and the Ward Councillors. The speaker list however, is limited and operates on a first come, first served basis. There are also restrictions on the time allowed to speak. Further details on speaking at Committee meetings can be viewed at: <http://www.west-norfolk.gov.uk/default.aspx?page=21859>.

The role of the applicant/agent

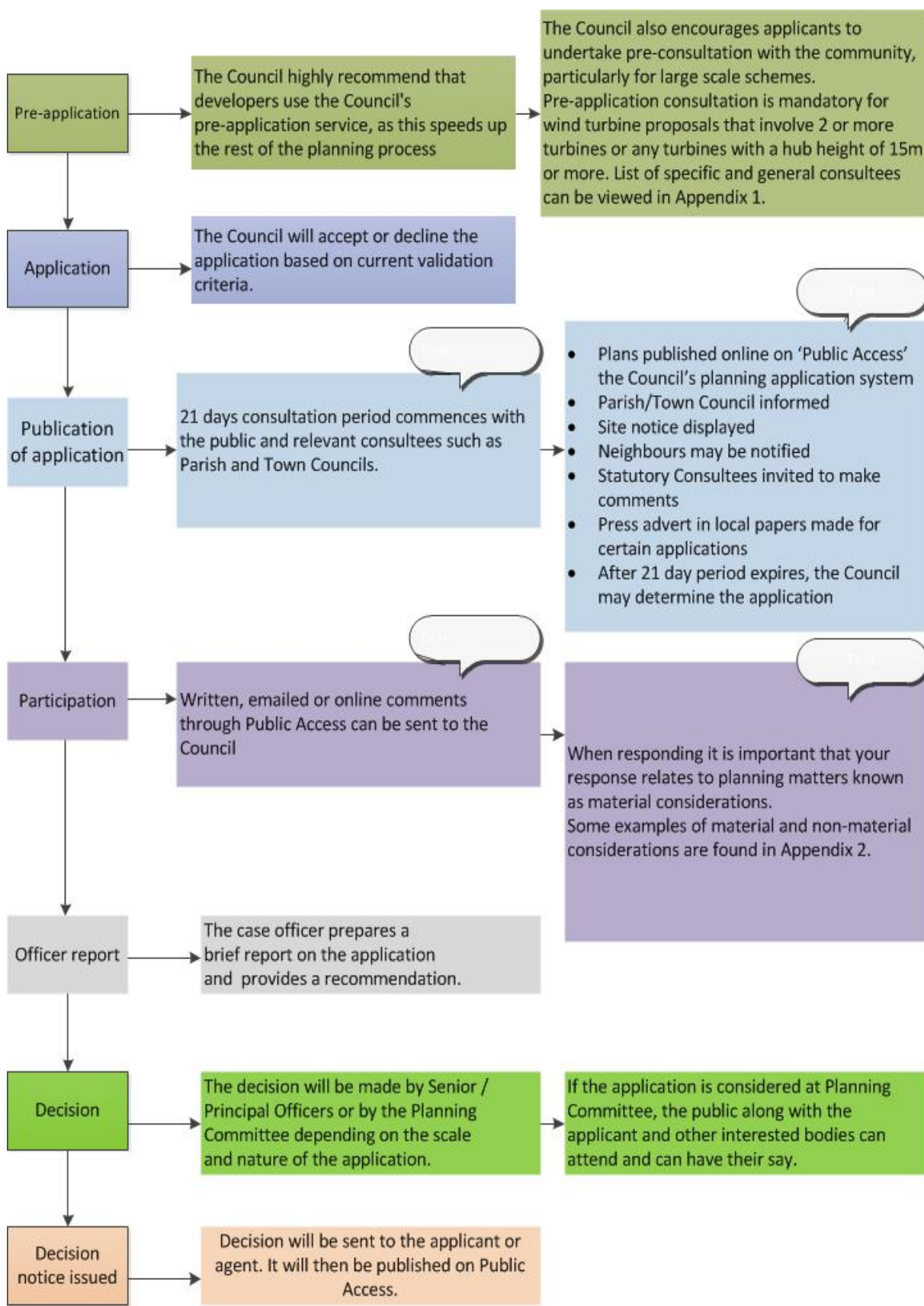
The role of the applicant is becoming increasingly more important in community involvement, and there are examples of good practice in the Borough where developers have undertaken a large amount of community involvement before and during, submission of an application. The Council would like to see this good practice become more widespread.

For major applications or applications with a significant interest, it would be helpful if developers carry out consultation before submitting a planning application, and failure to do this may slow the decision-making process down. Failure to consult may also lead to objections being made which could be important in the determination of an application. The format of this consultation may vary, but should look to include the following aspects:

- Discuss proposals with Parish/Town Councils and other local groups (e.g. Neighbourhood Forums)
- Working closely with the local community (particularly any directly affected parties) to evolve designs that take account of their views. Examples of how to do this could include:
 - Public exhibitions
 - Workshops
 - Preparation of a development brief
- Consider the consultation responses received, and take them into account before making their planning application.

Before making other types of planning application prospective applicants should consider people that are likely to be affected by their proposal. This might be as simple as talking over plans with a neighbour. Whilst the vast majority of pre-application publicity is voluntary, at present, it is mandatory for certain types of development, ie. wind turbines over a specified height.

Planning application process



Decision making process

Before a decision is made, the case officer will briefly explain the reasons for the decision, along with a recommendation. The report will consider the relevant planning issues and any representations made. The case officer will negotiate with applicants where appropriate in order to arrive at a balanced decision in the public interest.

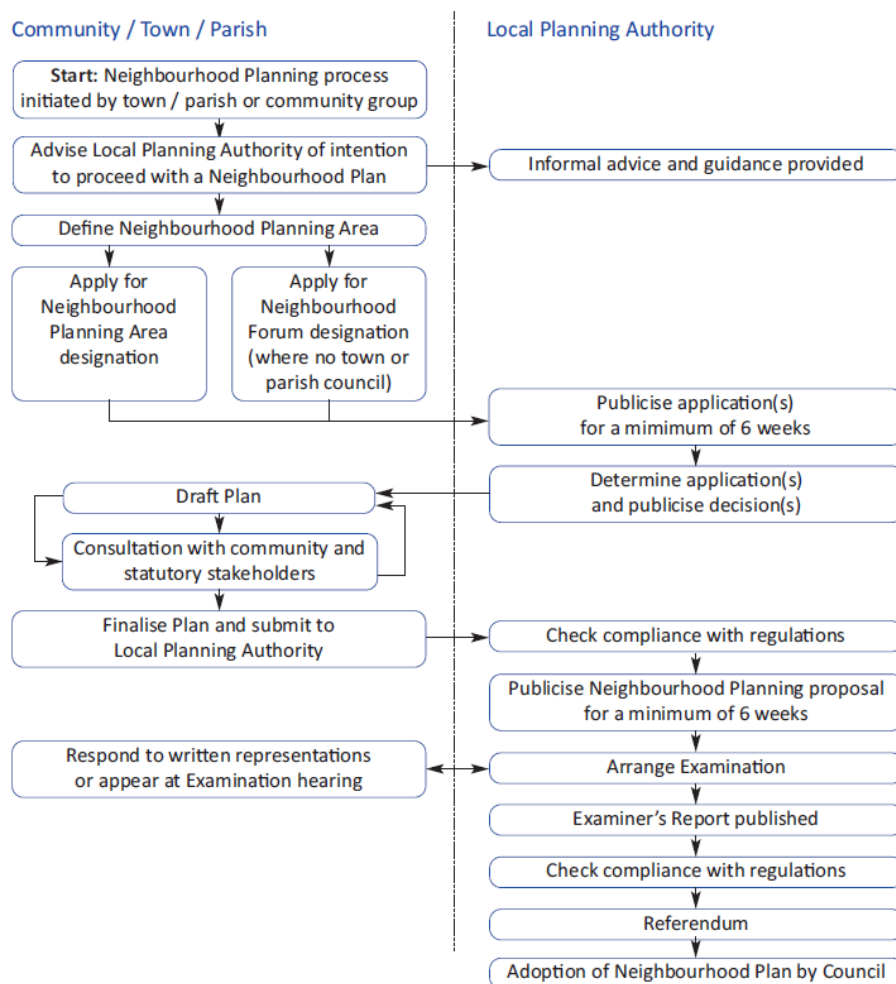
Delegated decisions	The Council enables the majority of planning applications to be determined by the Executive Director of Environment and Planning under delegated powers.
Committee decisions	If the application is to be determined by Planning Committee, the Planning Officer will write a report and make a recommendation covering all the relevant planning issues. The Council welcomes public speaking at the meeting in accordance with adopted protocol. Please see our website for further information:
Notification	Applicants (or their agents) will be sent a copy of the decision. Decision notices can be viewed on the Council's website. The reason for refusal will be given or the full text of conditions imposed where permission is granted.
Appeals	If the person who applied for planning permission does not agree with the decision that the Council has made to refuse their application, they may lodge an appeal with the Planning Inspectorate within a set timescale. No one else has the right to appeal the decision. However, when an application has been appealed, the Council does inform all parties that objected during the application stage. The Council advises of this as soon as it receives notification from the Inspectorate. All copies of letters and comments received during the application stage are also forwarded to the Planning Inspectorate.
Planning enforcement	The role of the Planning Enforcement Team is to investigate complaints into alleged breaches of planning control. You can report an alleged breach of planning control by: <ul style="list-style-type: none"> • Completing and submitting our online

	<p>Planning Enforcement Complaint Form which is available at: http://www.west-norfolk.gov.uk/Default.aspx?page=24451</p> <ul style="list-style-type: none">• Writing and posting your complaint to: Planning Control, Borough Council of King's Lynn & West Norfolk, Kings Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
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4. Neighbourhood Planning

The Localism Act introduced new rights and powers to allow local communities to shape new development by coming together to prepare neighbourhood plans.

Parish and Town Council's and Neighbourhood Forums are responsible for preparing Neighbourhood Plans and Neighbourhood Development Orders including carrying out continued engagement throughout the process with the local community. The Council has a duty to advise and support the preparation of these plans but also has some statutory responsibilities in their preparation. In particular, the Council is responsible for carrying out the formal stages of consultation, arranging the examination and referendum. The following diagram shows the process for preparing a Neighbourhood Plan or Development Order and where the District Council is required to get involved.



Parish / Town Councils who are interested in exploring neighbourhood planning are advised to contact Forward Planning at the Borough Council at an early stage in the process, for general advice and guidance.

Appendix 1 Consultation Bodies

Specific consultation bodies

In accordance with government regulations the following specific consultation bodies must be consulted where the Council considers that they may have an interest in the subject of the proposed planning document:

- The Coal Authority
- Environment Agency
- English Heritage
- Marine Management Organisation
- Natural England
- Network Rail
- Highways Agency
- Norfolk County Council
- Parish and Town Councils within and adjoining the borough
- Norfolk Constabulary
- Adjoining local planning authorities
- Anglian Water
- Essex and Suffolk Water
- Homes and Communities Agency
- Electronic communication companies who own or control apparatus in the Borough
- Relevant gas and electricity companies (UK Power Networks and Transco, National Grid)
- NHS England
- West Norfolk Clinical Commissioning Group

General consultation bodies

In accordance with government regulations the following general consultation bodies must be consulted where the Council consider it appropriate:

- Voluntary bodies some or all of whose activities benefit any part of the Borough
- Bodies which represent the interests of different racial, ethnic or national groups in the Borough
- Bodies which represent the interests of different religious groups in the Borough
- Bodies which represent the interests of disabled persons in the Borough
- Bodies which represent the interests of persons carrying on business in the Borough
- Bodies which represent the interests of environmental groups in the Borough

Duty to co-operate

The Localism Act 2011 introduced a Duty to Co-operate, which is designed to ensure that all the organisations involved in planning work together on issues that are of bigger than local significance.

The authorities and agencies that the District Council will co-operate with is specified in Regulation 4 of the Town and Country Planning (Local Development) (England) Regulations 2012. The following bodies are designated as Duty to Co-operate stakeholders (*please note this list is not exhaustive*):

Neighbouring Local Authorities and County Councils e.g those relevant to Kings Lynn & West Norfolk include:

- Breckland Council
- North Norfolk Borough Council
- Fenland District Council
- South Holland District Council
- Forest Heath District Council
- Suffolk County Council
- Cambridgeshire County Council

Other public bodies and infrastructure providers

- Environment Agency
- English Heritage
- Natural England
- Civil Aviation Authority
- Homes and Communities Agency
- The Office of Rail Regulation
- Integrated Transport Authorities
- Highways Agency
- Anglian Water
- Essex and Suffolk Water
- Marine Management Organisation
- New Anglia Local Enterprise Partnership
- West Norfolk Clinical Commissioning Group
- NHS England
- Local Nature Partnership

Appendix 2 Material and non-material considerations

Material Considerations

Can be taken into account

- ✓ National and local policies
- ✓ Planning history and previous appeal decisions
- ✓ Case law
- ✓ Impact on privacy and amenity
- ✓ Highways safety/issues e.g. increased traffic movement
- ✓ Noise, smell or other disturbances
- ✓ Affordable housing
- ✓ Fear of crime
- ✓ Local economy
- ✓ Layout, density, design./appearance, character
- ✓ Effect on a listed building or conservation area
- ✓ Cumulative impact

Non-material Considerations

Cannot be taken into account

- × Issues considered under Building Regulations
- × Land/boundary disputes, including rights of access
- × Loss of property value
- × Loss of private view
- × Moral objections
- × Change from previous scheme
- × History of the applicant
- × Matters covered by other legislation
- × Restrictive covenants
- × Opposition to the principle of a development if permission has been granted by an outline application or appeal decision
- × Work already done
- × Factual misrepresentation of the proposal

Local Planning Authority Consultations

The Borough Council of King's Lynn and West Norfolk from time to time are consulted by neighbouring Local Planning Authorities and those that share strategic issues, and invited to make representations/comments on their Local Plans and policy documents that they are formulating. In the same way that we consult other Local Planning Authorities.

As part of the duty to cooperate, created in the 2011 Localism Act, there is a duty on Local Planning Authorities to engage constructively and actively on an ongoing basis to maximise the effectiveness of Local Plan perpetration in the context of strategic cross boundary matters.

A Local Planning Authority must notify specific bodies and persons, as detailed by regulation 18 of the Town and County Planning (Local Planning) (England) Regulations 2012, and invite representations from these in developing their Local Plan. Representations received must be taken into account, and the Local Planning Authority needs to set out how the main issues raised have been taken into account.

Previously we have invited to submit comments by Breckland Council and South East Lincolnshire (South Holland and Boston Borough) emerging Local Plans. Currently we are being consulted on East Cambridgeshire Preliminary Draft Local Plan which can be viewed from the link below:

East Cambridgeshire: <http://www.eastcambs.gov.uk/local-development-framework/local-plan-review>

Summary of content of East Cambridgeshire consultation document and implications for the Borough Council of West Norfolk

The document subject to consultation represents the first version of East Cambridgeshire's Local Plan and is likely to have similarities to the boroughs own emerging Local Plan Review.

Headline figures

Plan period 2014 to 2036

Housing	Objectively assessed housing need: 14,300 homes, of which 4,500 are to be provided on new sites as housing allocations
Economy	Planning for 7,100 jobs (total jobs, including part time) for the period 2014 to 2036. They are yet to calculate a precise figure as to how much new land will be required for employment purposes
Retail	The Retail Study concluded that there will be a need over period between 2012 and 2031 for 3,000m2 (net) of new Convenience (food) retail and 10,000m2 (net) of new Comparison (non-food retail).

Implications of headline figures

The housing figures have been derived through collaborative working on SHMAs within the Cambridgeshire and Peterborough sub region and have been endorsed in other Local Plan documents. The economic figures have been determined by the 2014-based forecasts by the East of England

Forecast Model. Every authority must share a proportion of growth and these figures are well evidenced. They are considered not to have any specific implications for BCKLWN.

Potential Growth Scenarios

4 different scenarios for distributing growth are presented as options in the plan:

Option 1 - Proportionate settlement growth: Distributes new development across all settlements on a broadly "pro-rata basis", based on a settlements' population.

Option 2 - Infrastructure and accessibility led growth: Concentrate development in parishes with best access to Ely, the market towns and other major destinations such as Cambridge and Newmarket.

Option 3 - Prioritise larger settlements: Focus the majority of new development in Ely, Littleport, Soham and Burwell.

Option 4 - Prioritise growth in and close to Ely (within 3 miles): Deliver already identified development (mainly in North Ely) and significant growth in one or more surrounding villages, located within a 3-mile radius of Ely.

Implications of growth scenarios

The settlements of Welney and Southery are closest to the boundary shared with East Cambridgeshire and Littleport is the closest settlement to the boundary of BCKLWN. There is a significant physical separation between all settlements and therefore any proposed growth scenario is unlikely to adversely impact residents within the borough, or to require the need for extensive collaboration on proposals unlike, for example, growth in Wisbech Fringe where the border shared is within an urban area. It is considered that no one particular growth scenario is more or less favourable from the perspective of BCKLWN and therefore there is no need to provide a specific comment.

The Plan contains the following proposed policies:

Policy LP1: A Presumption in Favour of Sustainable Development

Policy LP2: Level and Distribution of Growth

Policy LP3: The Settlement Hierarchy and the Countryside

Policy LP4: Green Belt

Policy LP5: Community-led development

Policy LP6: Meeting Local Housing Needs

Policy LP7: Gypsies, Travellers and Travelling Showpeople sites

Policy LP8: Delivering Prosperity and Jobs

Policy LP9: Equine development

Policy LP10: Development affecting the horse racing industry

Policy LP11: Tourist facilities and visitor attractions

Policy LP12: Tourist Accommodation (excluding holiday cottages)

Policy LP13: Holiday Cottage Accommodation

Policy LP14: Location of retail and town centre uses

Policy LP15: Retail uses in town centres

Policy LP16: Infrastructure to Support Growth

Policy LP17: Creating a sustainable, efficient and resilient transport network

Policy LP18: Improving cycle provision

Policy LP19: Maintaining and improving community facilities

Policy LP20: Delivering Green Infrastructure

Policy LP21: New Open Space

Policy LP22: Achieving Design Excellence

Policy LP23: Water Efficiency

Policy LP24: Renewable and low carbon energy development
Policy LP25: Managing Water Resources and Flood Risk
Policy LP26: Pollution and land contamination
Policy LP27: Conserving and enhancing heritage assets
Policy LP28: Landscape and townscape character, including Cathedral Views
Policy LP29: Conserving Local Green Spaces
Policy LP30: Conserving and enhancing Biodiversity and Geodiversity
Policy LP31: Development in the countryside

Implications of proposed policies

These policies present a comprehensive range of more strategic policies and more detailed 'development management' style policies. Some of the more detailed policies, such as affordable housing and provision of open space are left with deliberate blanks at this stage in order to encourage discussion about different options and to allow for further evidence gathering. Policies have been formulated to reflect recent guidance and upcoming changes to planning legislation such as 'self-build plots' and 'community led development'. Such policies are not considered to have any specific implication for BCKLWN, although the range of policies is of interest when considering the potential content of the boroughs own emerging Local Plan review.

Recommended BCKLWN Response - East Cambridgeshire Consultation

Officers request that members of the LDF Task Group approve the following response to the consultation:

Thank you for the opportunity to provide comments relating to the above consultation. The Borough Council of King's Lynn and West Norfolk shares an administrative boundary with East Cambridgeshire District Council, hence welcomes the opportunity to contribute to the development of the District. The Borough Council of King's Lynn and West Norfolk raises no objections to the documents, and requests that due consideration is given to cross-border impacts on West Norfolk (if any) at the planning application stage.

The Borough Council of King's Lynn & West Norfolk believes that the level of cooperation has been proportionate to the significance of the cross-border issues, and has met the requirements of the Duty to Cooperate.

The Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulations 18, 19 & 20)

Borough Council of King's Lynn and West Norfolk

Proposed major modifications for the Site Allocations and Development Management Policies document (SADMP)

Statement of Representation Procedure

Why is the Council proposing modifications?

The Site Allocations and Development Management Policies document will form a key part of the Council's Local Plan, if adopted, and it is currently undergoing independent examination to determine whether the plan is justified, effective and legally compliant. The document was submitted to examination in April 2015 and the Inspector David Hogger BA MSc MRTPI MCIHT was appointed to conduct the examination. The Examination hearings were held from 7 July 2015 to 19 November 2015. During the examination the Inspector raised a number of issues with the plan which the Council would like to address through a number of main modifications to the submitted plan. These modifications are put forward without prejudice to the Inspector's final conclusions on the Plan but aim to address any parts of the plan which may lead to it being found unsound or not legally compliant. Proposing modifications is the final opportunity for the Council to rectify issues identified with the plan.

What is the consultation about?

The Council has proposed changes to the submission version of the SADMP plan listed as 'main modifications' and wants to know what you think of these proposed main modifications to the plan. This consultation only relates to the main modifications and not to the content of the whole document. Opportunities to comment on the whole document has now passed but regardless of whether or not you commented on the plan at an earlier stage of the process, we would like to hear what you think of the proposed main modifications. Your comments should relate to the tests of soundness in the National Planning Policy Framework.

The Council has also produced a sustainability appraisal of the main modifications to demonstrate that the changes to the plan will still contribute to the key sustainability objectives for the borough. You are also welcome to comment on the sustainability appraisal of the proposed main modifications, but not the original sustainability appraisal for the submission version of the plan.

How will the comments be used?

All representations made will be taken into account by the inspector, helping him to determine whether the plan, once modified, is sound and legally compliant. The inspector may consider scheduling further hearing sessions regarding the proposed main modifications following the consultation, but in most cases, written representations are sufficient to inform the inspector of the issues. The comments will help inform his written report.

Data protection

The comments will be published online in full although any signatures and contact information will be redacted. Information you submit will only be used in reference to the Local Plan. You can also

request to be notified in future in relation to the Local Plan such as when the Inspectors report is available.

Why can't I comment on the whole plan?

The Inspector already has copies of all the comments made about the plan at the previous submission stage (held in January 2015) and has issue statements from selected consultees which informed the hearing sessions. He will consider these comments when writing his report. Therefore, there is not a need to repeat a consultation on the whole plan again, only the changes proposed to it.

What are main modifications?

Main modifications are those that materially affect the policies in the submitted Local Plan, which are required to ensure that the plans are 'sound' and 'legally compliant'.

What are minor modifications? Can I comment on those?

Modifications are considered to be minor where they will not impact upon the intent or interpretation of the plans, or go to the heart of whether the plan is 'sound' or not. The minor modifications include changes such as typographical errors and factual updates. The Council is not conducting a full consultation on the minor modifications, however if you have a specific comment to make, you may do so in your representation regarding the main modifications or by email to the address provided below.

Where can I view the proposed modifications?

The Council has produced 3 documents for you to view:

- List of the proposed main modifications
- Version of the SADMP with the main modifications added (shown in bold)
- Sustainability Appraisal of the proposed main modifications to the SADMP

The documents are available to view

Online at www.west-norfolk.gov.uk

Hard copies of the Modifications will be made available for inspection upon request at the following locations:

- Council offices during normal opening times: King's Court at King's Lynn, Valentine Road at Hunstanton and The Priory Centre at Downham Market. Please see <http://www.west-norfolk.gov.uk/default.aspx?page=16823>
- Norfolk County Council Public Libraries at King's Lynn, Gaywood, Hunstanton, Dersingham and Downham Market – for locations and opening times please see: http://www.norfolk.gov.uk/Leisure_and_culture/Libraries/Your_local_library/Opening_times_and_location/index.htm

When is the consultation?

The consultation is open for a period of 6 weeks from Monday 4 April 2016 to Monday 16 May 2016.

Comments must be received by 5pm on Monday 16th May. Comments after the deadline will not be accepted.

How can I make a comment?

You can comment:

- Online via the Council's website at www.west-norfolk.gov.uk
- Via email to ldf@west-norfolk.gov.uk
- In writing to – LDF Team – Planning, c/o BCKLWN, King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX

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