

REPORT TO CABINET

Open		Would any decisions proposed:			
Any especially affected Wards	Mandatory	Be entirely within Cabinet's powers to decide:		NO	
		Need to be recommendations to Council:		YES	
ALL		Is it a Key Decision?		YES	
Lead Member: Cllr Richard Blunt E-mail: <i>cllr.richard.blunt@west-norfolk.gov.uk</i>			Other Cabinet Members consulted: All		
			Other Members consulted: Local Plan Task Group		
Lead Officer: Alan Gomm E-mail: <i>alan.gomm@west-norfolk.gov.uk</i> Direct Dial:01553 616237			Other Officers consulted: Management Team		
Financial Implications	Policy/ Personnel Implications	Statutory Implications	Equality Impact Assessment	Risk Management Implications	Environmental Considerations
NO	NO	YES	NO	YES	YES

Date of meeting: 15 June 2021

LOCAL PLAN REVIEW DRAFT FOR PRE-SUBMISSION CONSULTATION

Summary

A draft Local Plan has been prepared by a review of the adopted Core Strategy and Site Allocations and Development Management Policies documents. It incorporates the latest housing requirements and other research.

Recommendations that:

1. The Council approves the draft Local Plan Review for pre-submission consultation.
2. Following that consultation the Council agrees to submit the Local Plan Review.
3. The final pre-submission version of the document and methods of public consultation be agreed by the Executive Director Planning and Environment in consultation with the Portfolio Holder for Planning and Development.
4. The Council notes the updated Local Development Scheme timetable.

Reason for Decision

To consult on a draft Local Plan Review, and ensure an efficient process is used to gauge public opinion.

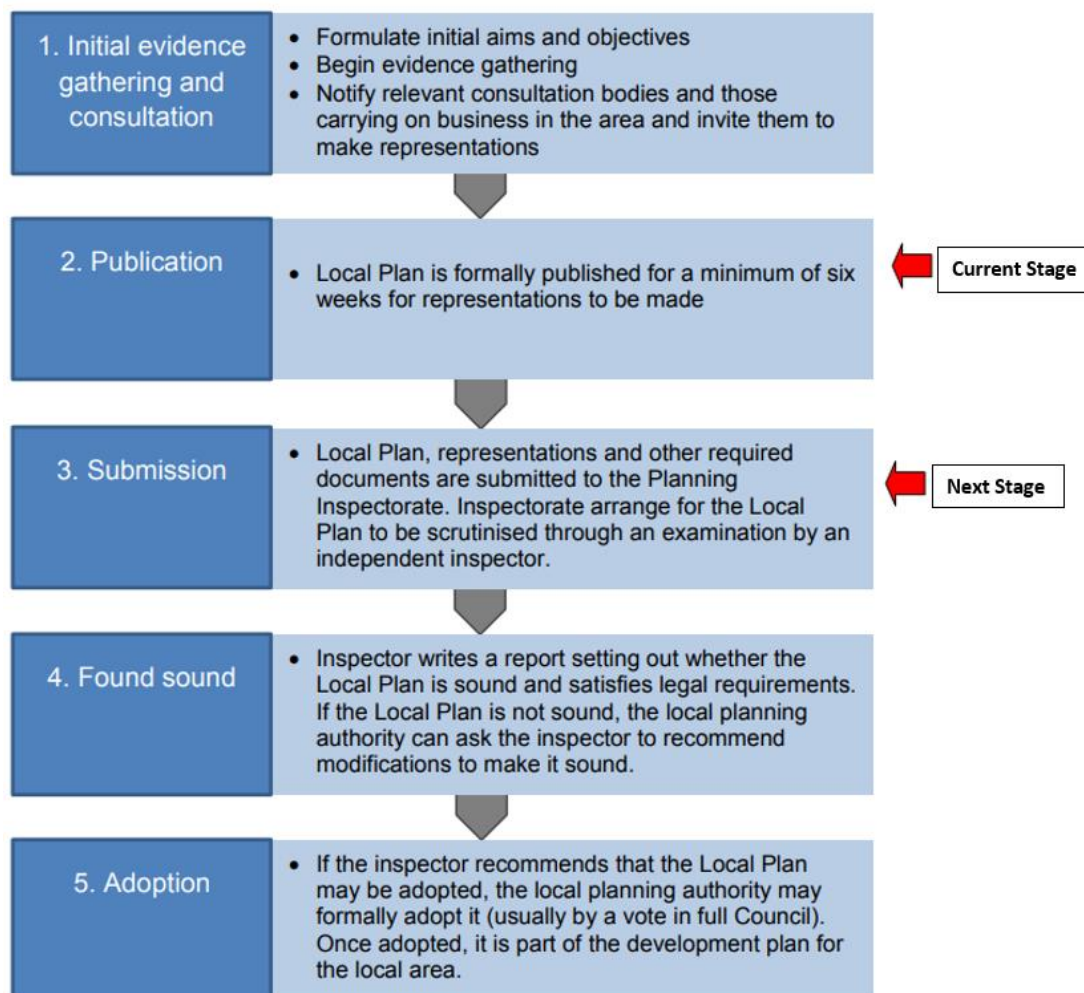
1. Background

1.1 Our current Local Plan consists of two separate documents, the Core Strategy (adopted in 2011) and the Site Allocations and Development Management Policies plan ('SADMP' adopted in 2016). When the Inspector agreed the SADMP document and modifications he added a policy which proposed an early review of the Plan. The document presented to this

meeting is a draft plan which combines and updates the Core Strategy and SADMP taking the end date to 2036.

1.2 This is the second stage in the preparation of a new plan, producing a plan for publication that the Council wishes to adopt and against which representations can be made.

1.3 A simplified flow chart shows the broad stages:



Our formal Local Development Scheme (the proposed timetable for preparing the document) sets out the more detailed stages and dates. It can be found via the following link:

https://www.west-norfolk.gov.uk/info/20214/emerging_local_plan/500/local_development_scheme

The programme has changed since this was last updated so an amended table is attached to bring this up to date (Appendix).

2. Background work so far

2.1 Following consultation on the initial draft local plan review document in 2019 the Local Plan Task Group has considered large amounts of material as part of the review of the two current local plan documents. This has included:

- Comments made and suggested responses
- Sustainability Appraisal (SA) of sites and policies

- Housing Land supply material (including a Housing and Economic Land Availability Assessment, trajectory, Housing Delivery Action Plan and progress on site completions)
- Brownfield Register content
- Revised National Planning Policy Framework (NPPF) and associated Government advice including housing requirements (various iterations and consultations)
- Annual monitoring material and reports
- Strategic Flood Risk Assessments (SFRA) (Level 1 and Level 2)
- Norfolk Strategic Planning Framework (NSPF) and other duty to co-operate/statement of common ground items across the county (including county wide assessment of recreational pressures on Natura 2000 conservation sites).
- Work by Neighbourhood Plan groups.

2.3 All of this material has been reviewed and informed the Task Group's proposals for the content of the Publication Pre-Submission Review document.

2.4 Regulations 19 and 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012 cover this next stage in plan preparation as noted in the schematic above. Having had the Task Group consider the material noted above and through them formulated a revised document it is now appropriate to publish it and seek formal representations from the public, businesses and other interested parties. Cabinet is being asked to make this decision having regard to the consultation responses to the SA/Strategic Environmental Assessment (SEA) and with reference to the Habitat Regulations Assessment (HRA).

2.5 The Background Papers section lists the individual documents which will be available as part of the consultation process.

3. Main changes from consultation version

3.1 The Review document builds on policies in the Core Strategy and SADMP and the following are the main or most significant changes made from the consultation version of the LPR/current plans (references are given to chapter/policy numbers as appropriate).

Change from consultation draft policy/clarification or updating for Review	Reference in document
Incorporating the latest local housing need figure into the Plan.	Section 4.1.2 - 4.1.11, and Policy LP01
A new climate change policy	Section 4.6, Policy LP06
A new policy for the AONB	Section 6.2, Policy LP16
Splitting the environmental assets policy into 2 policies for natural	Section 6.5 and 6.6, policies LP19 and 20

environment and historic environment	
New housing policies for elderly people and specialist care accommodation and adaptable and accessible homes	Section 7.3 and 7.4, policies LP29 and 30
Deleting the King's Lynn Town Centre Retail Expansion Area policy	Section 9.1.2
Proposing the allocation of an additional site at Estuary Road for employment use	Section 5.1, Policy LP07, Section 9.1, Policy LP38 and Section 9.1.13, Policy E1.12
Removing sites previously allocated in the Adopted SADMP at Knights Hill and proposed for allocation in the draft LPR document at Watlington, Burnham Market, Clenchwarton, Docking, East Rudham, Emneth, Marshland St James, Middleton, Southery, Stoke Ferry, Tilney St Lawrence (2 sites), Walpole St Andrew and West Walton.	Sections 11.2 and 12
Moving Ashwicken from the Rural Village to the Smaller Villages and Hamlets category	Section 15 and individual maps

3.2 However, whilst these are the more significant changes there are other changes which people may consider significant in a local context, and several policy wordings differ from the earlier version of the document, although the thrust of policy is largely unaltered.

3.3 The full document is available (together with the supporting material) via the following link and a summary is attached as an Appendix:

[Emerging Local Plan review 2016-2036 | Emerging Local Plan review 2016-2036 | Borough Council of King's Lynn & West Norfolk \(west-norfolk.gov.uk\)](#)

4. Consultation process

4.1 A report on the communication strategy for this stage of the plan process was considered by the Corporate Performance Panel on 6 January 2021 (Minutes CP199). The Panel endorsed the report and the suite of measures proposed to maximise exposure of the Local Plan review with members, town/parish councils, local communities and others. The main elements of the consultation process are intended to be:

Web version of the Local Plan Review document with ability to make	Using our 'Objective' consultation system to enable easy entry of
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representations against particular paragraphs, policies or proposals	representations and later analysis
Updated online interactive map	Easy access, map-based version of the plan
E-mail notification of consultees; parish and town councils; other interested parties	Wide notification of the fact that the LPR is at pre-submission stage and response/clarification opportunities
Virtual briefings for parish and town councils and the KLACC	To enable targeted questioning/explanation on significant subjects.
Media/Press event via Zoom/Teams to be hosted by the Portfolio Holder and Planning Policy Manager and Team Members	To ensure wider awareness in the local area

4.2 In view of the current circumstances relating to the Pandemic briefings will have to be virtual conducted over Zoom. In terms of timescale, we would aim to start the consultation as soon as practical after Council (8 July) to finish by mid-late September (minimum 6 weeks required by the regulations). Given the current context of a Global Pandemic, it is proposed to have a longer period than the minimum for representations to be made and it is felt that 8 weeks would be appropriate. Statutory consultees will be informed of the publication in advance, as will non-statutory consultees. This will include town/parish councils, agents, developers, and those who have indicated they wish to be notified, such as people who have commented at earlier stages or proposed a site for allocation. The Council will also publish a statement of representations, as required by the regulations, which sets out how representations can be made, where documents can be viewed, and what period of time representations will be accepted.

Beyond Council agreement to ‘Publish’

4.3 Unlike earlier stages in plan preparation such as the draft consultation on the Local Plan review in 2019, or the issues and options and preferred options consultations for the SADMP, this is not a consultation. As such the Borough Council are not looking to gain as many views as possible which would inform the next stage of plan preparation. This is a publication of the Local Plan review which the Borough Council wishes to adopt.

4.4 Those making a representation will be asked if they consider the Local Plan review is ‘Sound’ or not. The test of soundness for a Local Plan are:

- Is it positively prepared? Meets the local housing need as a minimum, informed by agreements with other authorities, and achieves sustainable development
- Is it justified? Is it an appropriate strategy, which is based upon proportionate evidence?
- Is it effective? Is it deliverable and is there evidence of effective joint working on cross boundary strategic matters?
- Is it consistent with national policy? Does it enable the delivery of sustainable development in accordance with the NPPF?

4.5 Representations are collected by the Borough Council and then alongside the Local Plan review, and the suite of supporting documents, submitted to the Secretary of State (SoS) for examination.

4.6 The SoS will appoint an Independent Inspector from the Planning Inspectorate. From this point onwards we will be in their hands, as they will conduct the formal examination, choose what questions to ask of the Borough Council, holding hearing sessions in public and invite those who made representations to appear, should they wish and at the Inspector's discretion.

4.7 The conclusion of the examination will hopefully be that the Borough Council can adopt the Local Plan review as submitted, albeit it is likely with some recommended modifications from the Inspector arising from the examination process.

5. Options Considered

5.1 The SA considers a series of potential alternative approaches and shows the advantages and disadvantages of these.

6. Policy Implications

6.1 In broad terms the Local Plan Review keeps most of the existing planning policy from the Core Strategy and SADMP. The main changes are outlined above in paragraph 3.1. In summary the more significant changes to policy are around:

- An explicit 'Growth Corridor' is proposed south from (but including) King's Lynn along the A10.
- The overall rate of growth in housing is less than that previously.
- More scope is provided for potential small-scale housing development beyond development boundaries.

These changes are considered to be in line with the revised NPPF and reflect Borough Council aspirations.

7. Financial Implications

7.1 None specifically.

8. Policy/Personnel Implications

8.1 None specifically.

9. Statutory Considerations

9.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 Regulations 19 and 20 outline the requirements for the consultation, etc. The wider plan preparation process is covered in the Regulations and in practice guidance from Government.

10. Equality Impact Assessment (EIA)

10.1 Attached.

11. Risk Management Implications

11.1 There are two particular issues that result in risks:

1. The Government has significantly increased the potential penalties for not delivering housing growth to the required scale. We have previously been tested against 5-year housing supply targets and the Government has added a test of Housing Delivery.
2. We must keep our Local Plan up to date. There are potential interventions if an authority is looking to rely on older policies and allocations.

12. Environmental Considerations

12.1 The plan review is a statement of the Council's planning policies relating to environmental matters (also economic and social) and is subject to a strategic environmental assessment and sustainability appraisal process.

13. Declarations of Interest/Dispensations Granted

13.1 None.

14. Background Papers

(Definition: Unpublished work relied on to a material extent in preparing the report that disclose facts or matters on which the report or an important part of the report is based. A copy of all background papers must be supplied to Democratic Services with the report for publishing with the agenda)

The Town and Country Planning (Local Planning) (England) Regulations 2012	https://www.legislation.gov.uk/uksi/2012/767/contents/made
Housing and Economic Land Availability Assessment (2019) & Update/appendices (2020)	Proposed pre-submission Local Plan Review documents Proposed pre-submission Local Plan Review documents Borough Council of King's Lynn & West Norfolk (west-norfolk.gov.uk)
Habitat Regulations Assessment (2021)	
Local Plan Review Viability Study (2021)	
Housing Needs Study (HNA) (2020)	
Report for Norfolk Councils - Study of Retirement Housing: Demand and Planning Issues (2020)	
Gypsy & Traveller Needs Assessment (2016) & (2020)	
Green Infrastructure (GI) and Recreational impact Avoidance & Mitigation Strategy (RAMS) (2021)	
Norfolk Strategic Planning Framework Health Protocol - Planning in Health (2019)	
Norfolk and Suffolk Coastal Authorities Statement of Common Ground Coastal Zone Planning	
Strategic Infrastructure Delivery Plan	
Custom and Self-Build Action Plan and Custom and Self-Build Demand Assessment Framework (2018)	

Sustainability Appraisal (SA) (inc. SEA) Scoping Report (2019); SA (inc. SEA) 2020 Scoping Report; local plan review SA (inc. SEA); statutory responses to SA scoping report update 2020; SA/SEA responses to 2019 Draft SA/SEA documents	
Housing Trajectory 2019/20 & 5-Year Housing Land Supply; Housing Delivery Test Action Plan (August 2019 and April 2020)	
Authority Monitoring Reports (AMR) published annually.	
Reviews of employment and retail research – 2017	
Strategic Flood Risk Assessments (Level 1 and Level 2)	
Norfolk Strategic Planning Framework and other duty to co-operate/statement of common ground items across the county.	
Countywide assessment of recreational pressures on Natura 2000 conservation sites	
Statement of Community Involvement (SCI)	
Duty to Cooperate (DTC) document (2021)	
Statement of Community Engagement (2021)	<i>Document can only be concluded at submission</i>
Natura 2000 (Habitat) Sites Monitoring & Mitigation Strategy	Developer contributions documents Borough Council of King's Lynn & West Norfolk (west-norfolk.gov.uk)
Work by Neighbourhood Plan groups (draft and 'made' neighbourhood plans).	https://www.west-norfolk.gov.uk/info/20127/neighbourhood_plans
Local Development Scheme (LDS) (2021)	Local Development Scheme Local Development Scheme Borough Council of King's Lynn & West Norfolk (west-norfolk.gov.uk)
Brownfield Register	https://www.west-norfolk.gov.uk/info/20079/planning_policy/617/brownfield_register
NPPF and associated Government advice including housing requirements (various iterations and consultations)	https://www.gov.uk/government/publications/national-planning-policy-framework--2

Pre-Screening Equality Impact Assessment		Borough Council King's Lynn & West Norfolk			
Name of policy/service/function	Local Plan Review				
Is this a new or existing policy/ service/function?	Existing				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	Policies to deal with new development in the Borough to 2036. Housing; employment; heritage; environment and infrastructure are covered.				
Question	Answer				
<p>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?</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 (e.g., low income)			x	
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	Yes / No	Policies relate to efficient land use and not specific policies about different communities. For example, housing deals with scale and location, but does supply facility for affordable housing.			
3. Could this policy/service be perceived as impacting on communities differently?	Yes / No	As above			
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes / No	Although within the limits of legislation and practice certain aspects such as affordable housing are covered.			
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	Yes / No	Actions: None			
		Actions agreed by EWG member: Claire Dorgan			
Assessment completed by: Name: Alan Gomm					
Job title: Planning Policy Manager	Date 20 May 2021				

Please Note: If there are any positive or negative impacts identified in question 1, or there any 'yes' responses to questions 2 – 4 a full impact assessment will be required.