

## 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

Date of meeting: 2 August 2022

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

#### **Summary**

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

#### **Recommendations:**

That the:

- Local Plan Sub Committee 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
- 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
- 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.

#### **Reason for Decision**

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 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	

