

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

**Minutes from the Meeting of the Local Plan Task Group held on
Wednesday, 30th August, 2023 at 9.30 am in the Council Chamber, Town
Hall, Saturday Market Place, King's Lynn PE30 5DQ**

PRESENT:

Councillors M Bartrum (substitute for Councillor B Jones), R Blunt, M de Whalley,
S Everett, J Moriarty, T Parish, A Ryves and S Sandell

Officers:

Luke Brown, Temporary Senior Planning Officer
Claire May, Planning Policy Manager
Wendy Vincent, Democratic Services Officer

1 **APPOINTMENT OF THE CHAIR FOR THE MUNICIPAL YEAR 2023
TO 2024**

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RESOLVED: Councillor J Moriarty be appointed Chair for the
Municipal Year 2023/2024.

2 **APPOINTMENT OF VICE CHAIR FOR THE MUNICIPAL YEAR
2023/2024**

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RESOLVED: Councillor R Blunt be appointed Vice Chair for the
Municipal Year 2023/2024.

3 **APOLOGIES**

Apologies for absence was received from Councillors B Jones and Mrs
V Spikings.

4 **NOTES OF THE PREVIOUS MEETING**

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The notes of the meeting held on 28 February 2023 were agreed as a
correct record, subject to Councillor Moriarty being in attendance.

5 **MATTERS ARISING**

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There were no matters arising.

6 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

7 **URGENT BUSINESS**

There was no urgent business.

8 **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Councillors A Kemp (in person) and C Morley (Zoom) were present under Standing Order 34.

9 **CHAIR'S CORRESPONDENCE (IF ANY)**

There was no Chair's correspondence.

10 **UPDATE ON THE LOCAL PLAN EXAMINATION (VERBAL UPDATE)**

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

In January 2023, the Examination of the Local Plan was adjourned by the Planning Inspectors in order for the Council to undertake some additional work on some evidence based studies to support the Local Plan. This work has now been completed and the list of documents prepared is now subject to a statutory 6 week consultation period commencing on 8 September 2023. Only those documents published for consultation will be subject to the consultation.

The Task Group was informed that this consultation period was a targeted consultation that people could respond to. The representations received would then be forwarded to the Planning Inspectors for their consideration and would form the basis of the Examination Hearings which would resume early in 2024.

The Planning Policy Manager explained that in January 2023, the Planning Inspectorate issued a letter and action note which had been available on the Council's website since that time setting out around 50 or so pieces of work which were required to be completed which had now been done. It was noted that the main pieces of evidence based documents the consultation would be centred around would be on the topic papers:

- Surrounding the changes to the spatial strategy and settlement hierarchy considered by the previous Local Plan Task Group, Cabinet and Council.
- An update on the technical note on the transport evidence of the local plan essentially a technical paper.
- More detailed Transport Assessments had been undertaken by the County Council looking at the impacts on the road network, etc with regard to the site allocations within the Local Plan over the whole Plan period.
- Retail impact threshold for the Hardwick Road area, the Inspector asked the Council to justify where the threshold would be when planning applications for retail applications would have to submit a retail impact assessment, a document had been prepared for consultation.
- The Inspector asked the Borough Council to have a look in more detail on all sites included in the submission plan to see whether they were deliverable, developable, etc over the Plan period. This was a major piece of work undertaken to show which sites were deliverable, the amount of housing likely to be delivered and when those houses would be delivered, informing the housing land supply and housing trajectory over the plan period.
- West Winch Topic Paper. The Inspector asked the Council to undertake some additional work to support the proposal for the growth area. The document prepared was a lengthy one and a great number of studies had been undertaken to support the topic paper which included detailed transport assessments looking at the effect of what 4,000 homes would do the road network, the effect of the West Winch Housing Access Road which would help to mitigate it. There were also studies undertaken on ecology, landscape, heritage, noise and air quality . There were 11 appendices to the topic paper.
- Wisbech Fringe allocation just outside of Walsoken adjacent to Wisbech for 550 dwellings. It was explained that there was a stage when the Council submitted the plan last year that Fenland District Council considered whether or not they would take their part of the allocation forward and provided the Inspector with a position statement where the Council thought the allocation would go. The Inspector had asked the Council to update the position on the Wisbech Fringe allocation.
- A response to the critique on the viability study. During the examination hearings there was a representator who objected and queried the viability study which was done to support the Local Plan. The Inspector asked the Council to respond which had been completed and was available on the website and be included in the consultation.

The Task Group was informed that the above documents would be available on the website on 8 September 2023 and the Council would email everyone on the database, write to statutory consultees, details published on the website and a Press Release issued. The Planning

Policy Manager explained that there was a standard representation form which people would be asked to use where possible to ensure that the Council knew which document and section they wished to comment on and any changes or modifications and proposed changes in the document. Alternatively, if a person wrote or emailed the Council they would need to write the title of the document and which part.

The Planning Policy Manager highlighted that representations made on anything other than that contained in the above documents would not be considered as part of the consultation exercise as it was purely targeted consultation.

The Chair, Councillor Moriarty thanked the Planning Policy Manager for the update report and invited the Task Group to ask questions/comments, a summary of which is set out below.

In response to a question from Councillor Blunt on the role of the Local Plan Task Group in the consultation process, the Planning Policy Manager explained that the role of the Task Group was to agree the content of the Local Plan and its submission and advised this was purely an update in response to the work set by the Inspectors. The Planning Policy Manager explained that individual members of the Task Group could comment like anyone else on the documents. The Planning Policy Manager stressed the point that these documents are purely supporting documents to assist with the Local Plan examination and the submitted Plan which was agreed by the Task Group previously.

Following further questions from Councillor Blunt on whether the Task Group collectively could comment on the documents, the Planning Policy Manager explained that the Task Group could do as part of the consultation process but there was no requirement and that there was nothing to be agreed. The Planning Policy Manager advised that once the consultation period had concluded, the Council would summarise the representations received, and these could be brought back to the Task Group for information purposes only. However, it was not for the Local Plan Task Group to make any formal decisions as it was part of the Examination process.

Councillor Blunt asked if the Task Group could comment on the documents. In response, the Planning Policy Manager explained that this could be done. Councillor Blunt added if that was the case then the Task Group needed to discuss the documents within the next few weeks and looked for advice. The Planning Policy Manager asked Councillor Blunt if he was asking whether the Local Plan Task Group should make comments on the evidence based studies and ask for amendments before they went out to consultation or to have a response to the evidence base comments as a Task Group. Councillor Blunt commented that the Council was required to undertake what was requested by the Inspector which had been done but as a Task Group had never debated or discussed the documents and ask if the

Task Group should do this. In response the Planning Policy Manager explained that there was no requirement for the Task Group to debate or discuss the documents.

Councillor Parish referred to the comments made by Councillor Blunt and that the Task Group was aggrieved that they were unable to comment at the previous Examination Hearings and it would be nice if the Task Group was able to comment on documents/recommendations made through the process and had a say when the examination hearings reconvened.

Councillor Blunt added that at the previous Examination Hearing the Task Group's hands had been tied and there was no opportunity to comment and asked again if there was an opportunity for the Task Group to review the documents. Councillor Blunt explained that the general public would have the opportunity to go through the documents and make comments and that the Task Group could make comments as individuals but added that the Council should be doing something as the Task Group.

Councillor de Whalley concurred with the comments made by Councillor Blunt and added that he would have liked the documents to have been seen by the Task Group in order that Councillors could scrutinise the work and thanked the officers for the work undertaken but commented that it would be helpful to know when examination was likely to resume and the advisability of the Task Group submitting its own response to try and get a seat at the examination and what was the scope of the representation and was it based on the additional evidence that was being submitted to the Inspector.

In response, the Planning Policy Manager explained that the consultation was purely on the evidence being consulted on and was targeted, everyone could respond individually and on the representation form there was a box to tick if you wished to take part in the Examination Hearings but it was up to the Planning Inspector to decide whether or not people were invited to take part in the hearings. The Planning Inspectorate issue guidance on examination hearings and how these are conducted. With regard to the Local Plan Task Group, the Policy Planning Manager explained that there was no need for the Task Group to respond to their own (the Council) documents and added that it was anticipated that the Examination Hearings would resume in early 2024 but the exact dates had not yet been confirmed.

The Chair, Councillor Moriarty advised that he would call a meeting of the Local Plan Task Group towards the end of the consultation period and added that if it was the view of the Task Group they wished to respond to the Council's documents there was the opportunity to do so and to gain a sense on how the consultation was progressing. A further meeting would be convened when officers had a chance to forward responses to the Inspector, judge the content and report back on what had actually been said.

Under Standing Order 34, Councillor Kemp addressed the Task Group and thanked Councillor de Whalley for clarifying that the documents were not yet in the public domain and not sent to Councillors.

Councillor Kemp commented that there was a wealth of evidence regarding for example, the viability special distribution and transport impact and added that she would like to know had anything changed in the Borough Council's view as to how the Local Plan should look and did the evidence tend to any particular direction and if so should not Councillors be made aware and be putting forward recommendations to assist the public to understand the documents and added that she felt there should be more clarification on whether sites were deliverable/sustainable or removed.

The Chair, Councillor Moriarty commented that his understanding was that the reason that the documents were not available to Councillors and not in the public domain was at the Inspector's request.

In response, the Planning Policy Manager explained that the evidence base documents would be going out to consultation on 8 September for a 6-week period and highlighted that a significant amount of the appendices were technical, for example, the transport assessments. She also explained that the topic papers summarised the results of technical assessments and therefore this should be easier for the public to digest. However, if people wished to go into further detail on particular issues, then the technical reports will also be subject to the consultation. In conclusion, the Planning Policy Manager explained that the purpose of these new evidence based documents was to clarify particular issues raised by the Inspectors and helped to support the submitted content of the Local Plan.

The Task Group was informed that there were minor changes to the Spatial Strategy and Settlement Hierarchy which had been discussed publicly during the examination hearings and at the previous Local Plan Task Group meeting. These changes were agreed by Cabinet and Full Council.

The Chair, Councillor Moriarty added that his understanding was that the Council had been set various tasks by the Inspector, the work undertaken had now been seen by the Inspector and they confirmed that the Council may now progress with the consultation.. The Planning Policy Manager confirmed that this was correct.

Under Standing Order 34, Councillor Morley commented on the process and explained that he found it strange and added that he anticipated the Parish Council in his ward would wish to look at the housing supply, transport analysis and the settlement hierarchy to travel from the village to King's Lynn and may wish to comment on those elements and added that if he was a Councillor of the Task Group that there would be no opportunity to comment or back to

officers before the consultation exercise and in his opinion there appeared to be a gap in the process with regard to consultation with Councillors.

Councillor Parish provided background to the work previously undertaken by the Task Group and highlighted that the Local Plan had been agreed a while ago by the Task Group and Full Council. It was explained that when the Local Plan was considered at the Examination Hearing, the Inspector had a number of specific questions and officers were asked to undertake further work and provide responses. Councillor Parish added that this did not change the nature of the Local Plan which was why there had not been full consultation with Borough Councillors, Parish Councils and others and were specific questions by the Inspector and Councillors would have the opportunity to view the responses once the documents were in the public domain. In conclusion, Councillor Parish commented that the Task Group would have an opportunity to view the responses once the consultation exercise had ended.

Councillor Parish concurred with the comments made by Councillor Blunt in that the Local Plan Task Group had some representation at the Examination Hearings and outlined the frustrations experienced by Members of the Local Plan Task Group not being able to speak at the previous Examination Hearing.

In response to comments from Councillor de Whalley, the Chair, Councillor Moriarty advised that the Task Group would look at the six topic papers and appendices at the next meeting.

Following comments from Councillor de Whalley on whether it was a realistic expectation that a new Local Plan could be produced within the term of the current Administration. In response, Councillor Parish explained that at a previous meeting there were a number of points raised which were not in the current Local Plan and would wish to be included in a new Local Plan and the way forward was once the Local Plan had been adopted then there was an opportunity to propose amendments to the Local Plan within the 12 to 18 months to move the Plan forward.

In response to a question from Councillor Blunt on the consultation exercise, the Planning Policy Manager reiterated that the consultation exercise was only on the evidence documents in response to the questions raised by the Inspector and not the body of the submitted Local Plan.

Following a question from Councillor Ryves in relation to the consultation documents had been viewed and approved by the Inspector, the Planning Policy Manager explained that the Inspector had viewed the work to ensure that the Council had addressed the issues raised but it was not to say that the Inspector was in agreement with everything and that was a matter for the examination process.

The Inspector would look at the representations received and were likely to issue another set of matter issues and questions for the Council to consider and those who made representations to may be answer which would form the basis of the discussion of the hearing sessions going forward.

The Chair, Councillor Moriarty referred to the responses and views to be submitted to the Inspector and asked if they would they be viewable on the website. In response, the Planning Policy Manager explained that they would be summarised and be made available on the website as part of the Examination process in the same as representations to the Local Plan which were published the website.

Following a further question from the Chair, Councillor Moriarty commented that the summary would be published on the website but the full set of representations would be forwarded to the Inspector. The Planning Policy Manager confirmed this to be correct.

In response to a question from Councillor Kemp, the Planning Policy Manager explained that the documents and appendices would be published on 8 September 2023 for a 6 week period.

Councillor Blunt reiterated that the lessons learned from the previous Examination and highlighted the importance of the Task Group commenting on the consultation exercise in order to seek an invitation to seek at the Examination Hearing.

Following a question from the Chair, Councillor Moriarty, the Planning Policy Manager provided an overview on the process on how the Inspector identified speakers to attend the Examination Hearings. The Task Group was advised that guidance had been published on the website and added that usually only those who objected to the Local Plan were invited to attend and speak at the Examination hearings and emphasised that the Council would not want be in a position in that the Local Plan Task Group was objecting to its own Plan.

In response to a question on the Examination Hearings, the Planning Policy Manager confirmed that officers were invited to speak.

Councillor Blunt added a point of explanation and stated that the officers did not have as much knowledge of the questions being asked relating to the role of the Task Group previous to some of those officers working on the project. Councillor Blunt added it was difficult for the Task Group to speak and advise the answers were incorrect of the discussions which had actually happened and emphasised the importance of the Task Group being able to speak at the Examination Hearings. In response, the Chair, Councillor Moriarty explained he would give it his best endeavours and work with officers to seek to “get a seat at the table” without objecting to the Council’s own plan but added that if the rules were adhered to this may not be successful.

Following a further comment from Councillor Blunt, the Planning Policy Manager advised that it was normal practice at an Examination Hearing that only those people who had objected to the Plan were invited to speak by the Inspector.

Councillor Blunt stated that he spoke from experience as he had attended a hearing several times and added that the majority of people who attended Examination Hearings went to object and they got representation but the Task Group did not appear to have an opportunity to actually correct their comments. The Planning Policy Manager explained that there was an opportunity to do so and that it had been unfortunate at the previous hearing that the settlement hierarchy was not included in the discussion which took place, the Inspector was interested in the evidence to support the discussions at the Task Group but this evidence was not available. Councillor Blunt added that the minutes were not comprehensive enough to support the decision and unfortunately this occurred before the recording of meetings commenced.

Councillor Kemp advised she had spoken at the Examination Hearings because she had submitted a lengthy submission regarding issues that had not been addressed in the Local Plan, for example, highways issues in West Winch, etc and had suggested modifications.

The Planning Policy Manager explained that all representations whether in person or writing would be considered by the Inspector on the same basis.

In response to questions from Councillor de Whalley, the Planning Policy Manager explained that it was likely the Examination Hearing would resume in early 2024 and adoption of the Local Plan autumn 2024.

The Chair, Councillor Moriarty thanked the Planning Policy Manager for the update report.

RESOLVED: That the Task Group noted the update

11

PLANNING FOR GYPSY AND TRAVELLER ACCOMMODATION BRIEFING

[Click here to view a recording of this item on You Tube](#)

The Task Group received a presentation from the Planning Policy Manager and the Temporary Senior Planning Officer (copy attached to the Agenda).

The Task Group's attention was drawn to the following areas:

- Legal requirements.

- Policy requirements.
- Gypsy and Traveller Accommodation Assessment (2023).
- Accommodate Needs.
- Options to meet the Accommodation Needs.
- Work being undertaken.
- Timeline for work to be undertaken.

The Chair thanked officers for the presentation.

In response to a question from Councillor Sandell, the Planning Policy Manager providing an explanation of the definition “unauthorised sites” and added that it was land that did not have planning permission.

Following a question from Councillor Blunt on flood risk assessments and the impact on existing sites, the Planning Policy Manager explained that those sites located in the flood risk zone 2 and 3 would have had assessments undertaken as part of the planning permission process and highlighted that there was no concern.

Following further questions from Councillor Blunt in relation to flood risk and private sites, the Planning Policy Manager explained that authorised sites would have had to undertake a flood risk assessment as part of the planning process. The Planning Policy Manager added that as part of this process the Council was considering all sites, particularly those where there is an identified need. Work is being undertaken to identify the level of flood risk for each site by consultants. This will help to finalise the site assessment work that is currently being prepared.

Councillor de Whalley commented that it was his understanding that with the expedience of speed of the process it was best to identify existing sites, regularise or extend them and that this was a challenging process. Councillor de Whalley added that if the Council was unable to satisfy the need then it would be necessary to undertake a call for sites and asked how such a delay would impact upon the timetable. In response, the Planning Policy Manager advised there were a number of options that could be looked at before undertaking a call for sites, including Council owned land or to approach Norfolk County Council to see if there was any land available. The Task Group was advised that if the Council needed to do a call for sites then it would be very targeted and could add around six weeks to the process but highlighted that the current initial feeling was that the Council was not going to be in that position.

Councillor Parish commented that he could accept the Inspector’s ruling on this matter but the fact that a Local Plan could fall on the basis that the Plan was unable to find sites required was nonsense and would be more sensible to allow more time to move forward with the Local Plan. Councillor Parish further commented that if on some of the sites, caravans/mobile homes then the flood risk assessments was the same that applied to holiday parks and explained that most of the

caravans in Heacham were flood zone 3 because they were designated as mobile homes and which could be moved if necessary.

Councillor Parish added that when the documents went to public consultation, this was the most controversial part of the Local Plan and did not sit well with all local residents for obvious reasons in some cases. During the consultation and sites had been allocated that did not have planning permission or in the consultation the view was put forward to extend sites, the people that lived in those areas did not support the proposal, Councillor Parish asked if this would delay the timetable. In response, the Planning Policy Manager explained that the process was that that Members would be presented with an objective assessment looking at current planning policy and whether sites suitable or not to be intensified or extended and it would be up to the Council to decide which sites to take forward. The Task Group was advised that all consultation representations would be taken into account and officers would be forward recommendations to be determined by the Council.

The Temporary Senior Planning Officer advised that in terms of site assessments this was why the statutory consultees were being consulted on the technical issues such as highways, the Environment Agency, etc. Members were informed that these were the type of issues raised by residents living in the area. It was reported that all the desk base work which could be done internally had been carried out and explained that the technical work from the statutory consultees was being received identify issues and this would enable the Council to work with the statutory consultee to overcome the constraint or it became a constraint on the site which was taken forward. The Temporary Senior Planning Officer provided an overview of the detailed process and added that the comments received from comments would be taken on board following the consultation exercise.

The Chair, Councillor Moriarty referred to the timetable and commented that if post consultation, Council felt a call for sites was required following the receipt of responses then that six weeks process would happen later than would have liked and asked how in danger was the Local Plan with the new timetable. In response, the Planning Policy Manager explained that it would extend the Local Plan timetable significantly and the whole process would have to be undertaken again.

The Planning Policy Manager responded to questions from Councillor Sandell on the Borough Council provided assistance to unauthorised sites to obtain planning permission.

The Temporary Senior Planning Officer advised Members that the Gypsy and Traveller Needs Assessment was available on the Borough Council's website.

Councillor Kemp commented on the importance of space being available on sites for community facilities and play areas.

The Temporary Senior Planning Officer explained that following the consultation on the documents, it was possible that the Council could receive sites for Gypsies and Travellers which the Council would look at.

The Chair, Councillor Moriarty thanked officers for responding to questions and Councillors for their input.

RESOLVED: The Task Group noted the content of the presentation.

12 **DATE OF NEXT MEETING**

To be advised.

The meeting closed at 10.53 am