

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

LOCAL PLAN TASK GROUP

Minutes from the Meeting of the Local Plan Task Group held on Monday, 8th January, 2024 at 9.30 am in the Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

PRESENT: Councillor J Moriarty (Chair)
Councillors R Blunt, M de Whalley, S Everett, B Jones, T Parish, A Ryves, Mrs V Spikings and D Tyler (substitute for Councillor S Sandell)

Under Standing Order 34:
Councillor P Devulapalli (Zoom)

Officers:

Stuart Ashworth	-	Assistant Director, Environment and Planning
Alexa Baker	-	Monitoring Officer (Zoom)
Luke Brown	-	Interim Senior Planning Officer
Michael Burton	-	Principal Planner (Policy)
Sandra Homcenko	-	Assistant Planner (Planning Policy)
Wendy Vincent	-	Democratic Services Officer

1 NOTES OF THE PREVIOUS MEETING

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The notes of the meeting held on 22 November 2023 were agreed as a correct record, subject to the following amendment:

Page 4 – Councillor de Whalley asked that when the Local Plan is adopted, if there are any discrepancies between the Local Plan, the National Planning Policy Framework and Neighbourhood Plans, whether it is still policy that the most recently adopted plan takes precedence. In response, the Principal Planner (Policy) advised that this remains the case.

2 APOLOGIES

An apology for absence was received from Councillor S Sandell.

3 MATTERS ARISING

There were no matters arising.

4 DECLARATIONS OF INTEREST

There were no declarations of interest.

5 **URGENT BUSINESS**

There was no urgent business.

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

Councillor P Devulapalli was present under Standing Order 34 (Zoom).

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

The Chair advised he had received 1 letter and over 50 emails, all of which he had responded to explaining the purpose of today's Task Group meeting, next steps and including the link to the meeting.

8 **CABINET REPORT: LOCAL PLAN REVIEW – GYPSY AND TRAVELLER POTENTIAL SITES AND POLICY CONSULTATION**

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The Assistant Director, Planning and Environment reminded the Task Group that the purpose of the meeting was not to discuss the merits of individual cases. It was noted there a planning application had been submitted for a site in West Dereham which would be considered by the Planning Committee in the relatively near future when the individual merits of the case will be discussed. The Assistant Director added that the Gypsy and Traveller Potential Sites and Policy Consultation is entirely separate to the live West Dereham planning application, with the decision on whether to go forward with the consultation to be determined by Cabinet on 15 January 2024. Therefore, Planning Committee Members should bear that in mind and not pre-determine themselves for the future Planning Committee likely to be February/March 2024.

The Assistant Director, Environment and Planning presented the draft Cabinet report of 15 January 2024 and explained that as part of the Local Plan process, the council had produced a draft consultation document on proposed locations to meet the accommodation needs of Gypsies, Travellers and Travelling Showpeople in the borough. It incorporated the list of existing sites across the borough, the methodology used for assessment, those sites that were preferred to accommodate the identified needs and planning policies to manage such developments over the plan period to 2039. This was an essential part of the Local Plan process, and this work must be carried out to the satisfaction of the Planning Inspectors before the Local Plan can be adopted.

The Task Group was advised that the report to Cabinet sought authority to proceed with a consultation on potential sites. The

consultation would run for 6 weeks, and would help to inform proposed Gypsy, Traveller and Travelling Showpeople policies and site allocations, which will be submitted to Cabinet for approval in April 2024, to be submitted for formal Examination in July 2024.

The Task Group received a presentation from the Interim Senior Planning Officer.

The Interim Senior Planning Officer reiterated that all the documents were in draft and would form part of the consultation and the relevant information would feed into the assessment. A decision on the sites would be made in April 2024.

The Chair thanked the Assistant Director for the report and the Interim Senior Planning Officer for the presentation and invited questions and comments from the Task Group, a summary of which is set out below.

In response to a question from the Chair regarding consultation, the Interim Senior Planning Officer confirmed the report was seeking Cabinet approval to take the draft Gypsy, Travellers and Travelling Showpeople Potential Sites and Policy document, the Gypsy and Traveller Site Assessment Document, the associated Strategic Flood Risk Assessment and the Sustainability Appraisal for consultation, for a period of 6 weeks from the 26 January and 8 March 2024.

The Task Group was advised that following the consultation exercise the Council would provide a Consultation Statement which would set out a summary of the comments/responses received which would be submitted to the Inspector for consideration.

In response to a question from Councillor Jones the Assistant Director, Environment and Planning explained that it was normal for an application for a Gypsy and Traveller site to be outside the development boundary.

Following questions from Councillor de Whalley on the majority of sites in the south part of the Borough being in Flood Risk 1 or greater and that the situation is likely to get worse, the Interim Senior Planner explained that the sequential test was a requirement of the NPPF, considering how the sites were assessed and looking at all existing and potential Gypsy and Traveller sites. It was highlighted that suitable sites were located in Flood Zones 1 – 3 and all sites had been assessed for drainage, risk of flooding, etc. It was reiterated that each site was assessed against the specific criteria and if identified to be a suitable site then any mitigation required would be addressed to ensure the site was safe and risk mitigated.

There were questions and comments from Councillor de Whalley on whether an application was determined before the Local Plan was adopted, and seeking assurance that work would be required on sites going forward. In response, the Interim Senior Planning Officer

explained that the sites were potential sites and would be looked at and assessed, and if there were any objections steps would be looked at to see if the issues raised could be mitigated. The Task Group was advised that the feedback from the consultation would help gauge the suitability of a site. A decision on sites would be presented to the Council in April 2024.

Councillor Ryves asked how many sites came forward following the call for sites. In response, the Interim Senior Planning Officer explained that 6 potential sites were put forward by the public, 3 by the Borough Council and 1 from the Norfolk County Council.

Following further comments from Councillor Ryves, the Interim Senior Planning Officer confirmed that all comments/responses received from the Consultation exercise would be published on the Council's website and forwarded to the Inspector for consideration.

Following questions from Councillor Everett on the Saddlebow site, the Interim Senior Planning Officer explained that the existing public site was authorised and contact had been made with the landowner to ascertain if there was any available capacity or for an extension of the site. The landowner had confirmed that there was no desire to consider the proposal to extend the site. The Task Group was advised that there was a second public site put forward, and the landowner had been contacted to discuss whether that would be feasible.

The Interim Senior Planning Officer responded to questions from Councillor Mrs Spikings regarding potential new sites being solely for caravans or include normal housing units.

Under Standing Order 34, Councillor Devulapalli (Zoom) addressed the Panel.

The Assistant Director, Environment and Planning provided Councillor Devulapalli with the advice given to Planning Committee Members at the beginning of this item.

In response to questions from the 9 sites put forward from the call for sites, the Interim Senior Planning Officer explained that a call for sites was part of the process, with existing sites also taken into account. It was highlighted that all sites including potential sites went through the same methodology to determine if a site was suitable. The Task Group was informed that the of potential sites put forward, most were considered to be potentially suitable at this stage to meet the Gypsy and Traveller need.

The Assistant Director, Environment and Planning explained that the draft consultation document identified up to 114 pitches put forward as potential sites. Some of those sites would be suitable and some would not and a range of options would be considered before a final selection process was undertaken.

The Chair referred to the consultation exercise and added that members of the public, etc would not be aware of the new sites and asked at what stage the public could contribute/comment on the new sites put forward. In response, the Interim Planning Officer explained that the Council would publish a list of sites after the consultation exercise.

The Interim Senior Planning Officer responded to questions from Councillor Jones in relation to GT42.

Following further questions from the Task Group, the Interim Senior Planning Officer explained that ideally people would like to live in or near to facilities but in rural areas this was not always possible. The facilities on the site would depend on the size and not just be caravans but could include a dayroom, open space, etc.

Following a further question from Councillor Jones, the Interim Senior Planning Officer advised that there was no set list of facilities required but gave an example of a school.

Councillor Blunt commented that this was a subset of the total housing need required in the Borough and had followed the process set out. An assessment would be undertaken of the site options as an initial stage in the process. Post consultation, a list of proposed site-specific allocations would be presented to the Council for approval. These would then be considered by the Inspector. The Interim Senior Planning Officer confirmed this was correct and was a sub-set of the Local Plan, the Inspector could ask for amendments after the submission of the Local Plan at a later stage.

The Assistant Director, Environment and Planning outlined the timetable as set out below:

- Consultation period 6 weeks – 26 January 2024 to 8 March 2024.
- Local Plan Examining Hearings to commence March/April 2024 (details to be circulated).
- Gypsy and Traveller work to be undertaken to identified proposed site-specific allocations following the consultation period.
- Proposed site-specific allocations to be agreed by the Council at the end of April 2024.
- Separate Examination to be scheduled for Gypsy and Traveller element in June/July 2024.
- At the conclusion of the Local Plan Examination Hearing, there would be a consultation on Proposed Main Modifications to the Local Plan, after which the Inspectors would issue a report incorporating modifications identified.
- Local Plan to be adopted in early-2025.

Following a question from the Chair, the Assistant Director, Environment and Planning explained that it was not yet known when the Gypsy and Traveller Hearing would be held. The Principal Planner (Policy) explained that it was envisaged that the Gypsy and Traveller Hearing would take place in the summer and would all roll into one list of Proposed Main Modifications, with the Inspectors' report expected in December 2024, including any required modifications. The Task Group was advised that the Local Plan Hearings were open to the public and the Inspectors would determine who would be invited to attend and speak at the Hearings.

In response to questions from Councillor Ryves as to how the Council could proactively inform Borough Councillors and Parish Councils of the new sites put forward, the Interim Senior Planning Officer explained that a list of new sites would be published on the website as part of the consultation and be available for people to comment on.

The Interim Senior Planning Officer responded to questions from Councillor Ryves on the provision of electrical charging points. This matter would be addressed through other relevant policies in the Plan.

The Chair asked how Parish Councils would be alerted when new sites were put forward. The Interim Senior Planning Officer added that officers would look at the best way to publicise the information following the consultation exercise.

Councillor Mrs Spikings stated that some Parish Council might not be aware of the consultation exercise, etc.

In response to questions regarding the impact of Neighbourhood Plans, the Principal Planner (Policy) explained that neighbourhood plans could put forward sites to meet the strategic need for gypsies and travellers. The Task Group was informed that if a neighbourhood plan recognised a need then specific policies could be included.

The Interim Senior Planning Officer added that usually neighbourhood plans would be aware of existing sites or any planning applications on an existing site.

Councillor Blunt commented that a potential new site was highly significant and could be a condition of a neighbourhood plan which could affect the area. In response, the Interim senior Planning Officer sites were a localised issue and provision could be included in a neighbourhood plan when a review was undertaken.

The Chair explained that he would be discussing with officers a way to alert both Borough Councillors and Parish Councils when a new site had been put forward in order that all relevant parties would be aware.

Councillor Ryves asked if any current neighbourhood plans had included provision for gypsy and traveller sites. In response, the Interim Senior Planning Officer advised there were none.

In response to a question from Councillor Devulapalli, the Interim Senior Planning Officer confirmed that there was no incentive for sites to come forward. The Chair added that that the call for sites was no different than the call for sites for the Local Plan in order to meet Government targets.

Following further questions from Devulapalli regarding land coming forward, the Senior Interim Planning Officer explained that some sites were existing sites with potential to expand.

The Assistant Director, Environment and Planning advised that the Council needed to show that the site was deliverable and the landowner was willing to sell the land to meet a specific need.

Following comments made by Councillor Mrs Spikings regarding caravans, Councillor Parish explained that sites were deemed for caravans as they could be moved, the same as holiday accommodation sites. If the sites were in flood zone 2 and there was a flood risk then caravans could be moved.

Councillor Parish made the following observations and commented that there was a process to meet the need for Gypsy and Traveller accommodation which was set out in legislation and national requirements which the Council had to do and demonstrate all it could to provide the number of sites required. If the Council did not follow the legislative requirements then the Local Plan could be failed.

In conclusion, Councillor Parish added that the Inspector would look at the process the Borough Council had followed and take into consideration the feedback from the consultation exercise and form a decision. The Borough Council stated that the Council had little influence on the Inspector's decision. Councillor Parish explained that he had raised the issue of the provision of Gypsy and Traveller accommodation with the local MP and Government.

Councillor Parish thanked the officers for the significant amount of work undertaken to date.

The Chair proposed the following additional Recommendation 3, which was seconded by Councillor Blunt and after being put to the vote was carried:

Delegated authority be granted to the Portfolio Holder, Development and Regeneration to ensure new sites which come forward from the consultation exercise be communicated in a timely manner to Borough Councillors and where possible Parish Councils. During this discussion Councillor Spikings questioned if parish councils were

aware of the consultation process. The Assistant Director, Environment and Planning confirmed they were informed as part of the consultation exercise.

RESOLVED: The Local Plan Task Group supported the recommendations to Cabinet as set out below with the addition of Recommendation 3 (in bold):

- 1) Cabinet endorses the draft Gypsy, Travellers and Travelling Showpeople Potential Sites and Policy document, the Gypsy and Traveller Site Assessment Document, the associated Strategic Flood Risk Assessment and the Sustainability Appraisal, for consultation, for a period of 6 weeks from the 26 January until the 8 March 2024.
- 2) That delegated authority be granted to the Portfolio Holder for Development and Regeneration, and the Assistant Director – Environment and Planning, to include minor amendments as required to the consultation document prior to consultation starting at the end of January.
- 3) **Delegated authority be granted to the Portfolio Holder, Development and Regeneration to ensure new sites which come forward from the consultation exercise be communicated in a timely manner to Borough Councillors and where possible Parish Councils.**

9 **DATE OF NEXT MEETING**

To be advised.

The meeting closed at 10.35 am