

Local Plan 2021-2040 – Main Modifications (Part 1) consultation including new policies

1. The Borough Council formally submitted its Local Plan in March 2022 for independent examination. This has been through a rigorous independent examination by the appointed Planning Inspectors, including examination hearings that took place in December 2022, January 2023, March 2024 and April 2024.
2. The examination hearings (except for matters relating to Gypsies, Travellers and Travelling Showpeople, which were subject to separate hearings, on 3 and 4 September 2024) concluded in April 2024. The hearings were followed by agreement by the Planning Inspectors for the Council to publish the Main Modifications and supporting documents for consultation; the penultimate stage of the process.
3. The consultation (ongoing) runs for 8 weeks, 7 August – 2 October 2024 (inclusive). Full details are set out on the [Local Plan examination](#) web page. This report provides a summary of the Main Modifications, focusing on the most substantive changes proposed to the Local Plan.

Local Plan introductory sections 2-3 (MM1-MM3)

4. The Local Plan period is proposed to be changed from 2016-2036 (submission Plan) to 2021-2040, to ensure a minimum 15-year Plan period from the anticipated date for adoption (March 2025). During the examination hearings, some third parties proposed extending the Plan period to 2041, to provide additional contingency in the event of further delays before the end of the examination.

Local Plan section 4: Spatial Strategy (MM4-MM15)

5. Sections 4.1-4.2 of the submission Plan (policies LP01 and LP02) are proposed for deletion, in their entirety. These are replaced by the following new policies:
 - **New Policy – Spatial Strategy and Settlement Hierarchy (to replace LP01)** – Changes include deletion of the A10/ Main Rail Line Growth Corridor (with the consequent deletion of the “Growth Key Rural Service Centres” tier in the settlement hierarchy), amendments to housing requirements (to reflect 2024 local housing need calculation and the amended Local Plan period) and a small number of changes to the status of individual settlements in the settlement hierarchy.
 - **New Policy – Residential development on windfall sites (to replace LP02, LP04, LP31 and LP41)** – This new policy sets out detailed criteria regarding the circumstances where windfall development will be

appropriate, within and adjacent to the current built-up areas of settlements, as defined by the development boundaries. It defines an appropriate scale of development for defined settlements, based upon their status within the settlement hierarchy. The new policy is essential, to ensure the Council can fully meet its local housing need (554 dwellings per year), as required by national policy.

- **New Policy – Neighbourhood Plans** – This entirely new Policy is a requirement of the National Planning Policy Framework, for local planning authorities to provide a housing requirement for designated Neighbourhood Plan areas. As of August 2024, 39 parishes within the Borough are designated Neighbourhood Areas and these are listed within the policy itself.
6. Section 4.3 includes the policy for the Presumption in favour of sustainable development (LP03). Changes to policy criteria are proposed, to ensure consistency with the current (December 2023) NPPF.
 7. Section 4.4 (including LP04) is deleted, with the relevant content incorporated into New Policy – Residential development on windfall sites.
 8. Section 4.6 (Climate Change – including LP06) is scaled back, to remove repetition of similar policy criteria from other sections of the Plan. However, policy criteria within LP06 that are not covered elsewhere in the Plan are retained, to ensure that climate change as a theme is comprehensively considered in the Local Plan.

Local Plan section 5: Economy and Transport (MM16-MM36)

9. A range of detailed changes are proposed to policies LP07-LP14 of the submission Plan (sections 5.1-5.8), to ensure these are effective and consistent with national policy. The most significant proposed changes are as follows:
 - **LP07 – The Economy** – Changes to employment land areas to reflect changes to site allocations
 - **LP08 – Retail Development** – Changes to thresholds for retail impact assessments (500m² for Hardwick Retail Area) and the definition for “small scale” (280m²) retailing, to reflect national policy and the 2020 Use Classes Order; also addition of spatial designation for Hardwick Retail Area onto Policies Map
 - **LP11/ LP13 – Strategic Road Network/ Transport** – Significant changes to policy wordings, to ensure consistency with national policy, current transport policies, relevant strategic transport interventions and sustainable transport measures to address capacity issues

10. Smaller scale/ detailed changes are proposed to other policies within section 5 (LP09, LP10, LP12 and LP14), in the interests of ensuring these economic and/ or transport policies are effective and robust.

Local Plan section 6: Environment (MM37-MM58)

11. The Environment policies include the suite of development management policies that are routinely utilised in decision making. A range of detailed changes are proposed to policies LP15-LP27 of the submission Plan (sections 6.1-6.13), to ensure these are effective and consistent with national policy. The most significant proposed changes are as follows:

- **LP17 – Management of development within the Coastal Area –** Additional policy criteria regarding replacement dwellings/ caravans to ensure these do not result in encroachment upon flood defences, to ensure consistency with national policy
- **LP18 – Design and Sustainable Development –** Revised development management criteria, to ensure effectiveness; e.g. National Described Space Standards, making provision for wildlife
- **LP19 – Green Infrastructure, Landscape Character, Biodiversity and Geodiversity –** Amended policy criteria, to take account of legal obligations (10% Biodiversity Net Gain requirements, introduced through the 2021 Environment Act and associated secondary legislation)
- **LP20 – Historic Environment –** LP20 and supporting text replaced in their entirety by a new policy agreed with Historic England, to ensure consistency with national policy
- **LP27 – Habitat Regulations Assessment –** Amendments to and addition of policy criteria regarding the introduction of GI-RAMS (from 1 April 2022), European sites (Dersingham Bog and Breckland), and Nutrient Neutrality (River Wensum Catchment), to ensure consistency with legal obligations.

12. Smaller scale/ detailed changes are proposed to other policies within section 6 (LP15, LP16 and LP21-LP26), in the interests of ensuring these environmental/ development management policies are effective and robust.

Local Plan section 7: Social and Community (MM59-MM75)

13. Section 7 contains policies regarding the delivery of affordable and specialist housing, and the protection and delivery of community facilities. A range of detailed changes are proposed to policies LP28-LP37 of the submission Plan

(sections 7.1-7.11), to ensure these are effective and consistent with national policy. The most significant proposed changes are as follows:

- **LP28 – Affordable Housing** – Various changes to policy criteria are proposed, including (most significantly) with reference to securing affordable housing in line with defined standards (criterion 14) and updating of terminology (revised references, to Registered Providers of Social Housing), to ensure the policy is suitably effective and robust
- **LP30 – Adaptable and Accessible Homes** – Reduction of Category 2 accessible standard housing requirement from 50% down to 40% (in accordance with the published evidence base), to ensure the policy is robust and justified
- **LP31 – Residential Development Reasonably Related to Existing Settlements** – Policy and supporting text (section 7.5) deleted and incorporated into New Policy – Residential development on windfall sites (section 4)
- **New Policy – Custom and Self-Build Housing** – New policy (replacing LP31 in sequence) to support delivery of Custom and Self Build Housing, to ensure consistency with legislation and national policy
- **LP32 – Houses in Multiple Occupation** – Amendments to policy criteria, to ensure effectiveness and consistency with national policy

14. Smaller scale/ detailed changes are proposed to other policies within section 7 (LP29, LP33, LP34, LP36 and LP37), in the interests of ensuring these policies for housing delivery and protection/ enhancement of community policies are effective and robust.

Local Plan section 9: King's Lynn & Surrounding Area (MM77-MM129)

15. The King's Lynn section of the Plan includes overall policies for the promotion of regeneration of the town, in view of its status in the spatial strategy as the focus for major growth (LP38 and E1.KLR). This is supported by a range of site-specific policies regarding the town centre (E1.1), port (E1.2), Gaywood (E1.3), development land allocations (E1.5-E1.12) and Green Infrastructure (E1.13).

16. Separate sections (9.2-9.5) relate to adjacent settlements (West Lynn, West Winch, South Wootton and North Wootton respectively). Individual criteria within site-specific policies are subject to small amendments, to ensure effectiveness (in terms of successful delivery) and consistency with national policy. Where planning permission has already been granted on site allocations, the requirements (No of houses/ capacity) have been amended throughout to reflect these.

17. Deletion of site-specific allocations where these are complete or undeliverable and/ or sections of text that do not include site allocations are proposed, as follows:

- **Section 9.1.12/ Policy E1.11 – Southgates**
- **Section 9.2.2/ Policy E1.15 – West Lynn – Land at Bankside**
- **Section 9.5 – North Wootton**

18. The West Winch Growth Area (WWGA), as the principal/ largest development land allocation in the Borough (4,000 dwellings plus associated infrastructure) has been subject to significant amendments through the Local Plan examination. Key changes to Policy E1.2 are summarised as follows:

- **Section 9.3** – Additional explanatory text, explaining the background to the WWGA site allocation
- **E2.1 (Part A)** – Additional criteria re key infrastructure trigger points (e.g. West Winch Housing Access Road; development of east-west A10-A47 link road; green infrastructure; education; utilities; sustainable transport)
- **E2.1 (Part B)** – Additional criteria re air quality; Biodiversity Net Gain; key green infrastructure/ biodiversity assets; requirements for a Heritage Impact Assessment; flood risk mitigation
- **Section 9.3.1** – Introduction of heritage buffer zone for Parish Church, as agreed with Historic England.

Local Plan section 10: Main Towns (MM130-MM156)

19. The Main Towns is the second tier in the settlement hierarchy; Downham Market, Hunstanton and Wisbech Fringe (Walsoken Parish). This includes site specific policies. The most significant changes are as follows.

- **LP39, F1.3, F1.4 – Downham Market** – Increased housing site allocation capacity figures from 390 to 600 dwellings, to reflect revised capacity for site allocations (now commitments)
- **F1.2 – Land off St John’s Way** – Development site area reduced from 16.5ha to 11ha (residual undeveloped area), to reflect delivery on parts of the site
- **New Policy – Downham Market, Bexwell Business Park (BEX)** – Allocation of committed employment site (20ha) at Bexwell Business Park, east of the A10

- **F2.4 – Land north of Hunstanton Road** – Deletion of site allocation to reflect completion of this previous Local Plan allocation to the south of Hunstanton.

20. Several minor amendments are proposed to remaining site allocations and/ or their supporting text, in the interests of clarity, effectiveness or consistency with national policy.

Local Plan section 11: Growth Key Rural Service Centres (MM157-MM165) and section 12: Key Rural Service Centres (MM166-273)

21. Sections 11 and 12 will be merged in the adopted Plan, to reflect the removal of the Growth Key Rural Service Centre Tier from the settlement hierarchy. The affected settlements (Marham/ Upper (RAF) Marham and Watlington) will be redesignated Key Rural Service Centres (KRSCs).

22. Most KRSCs have housing land allocations. In nearly all cases these are subject to minor changes to policy criteria and/ or supporting text, in the interests of clarity, effectiveness and/ or consistency with national policy. In cases where no housing land allocations are proposed (e.g. where Local Plan site allocations are already completed/ substantially complete), the entire sub-section will be deleted. Also, housing figures for site allocations have been amended (where applicable) to reflect current consents (commitments).

23. Significant changes are as follows:

- **Sections** 12.1 (Brancaster with Brancaster Staithe/Burnham Deepdale); 12.2 (Burnham Market); 12.3 (Castle Acre); 12.6 (Docking); 12.8 (Emneth); 12.14 (Methwold with Northwold); 12.15 (Middleton); 12.16 (Snettisham); 12.17 (Southery); 12.23 (West Walton) – Settlement and/ or site-specific sub-sections to be deleted, where housing sites are no longer allocated
- **Sections** 12.7 (East Rudham) and 12.13 (Marshland St. James/St. John's Fen End with Tilney Fen End) to be moved into the Rural Villages section, to reflect their revised status in the Settlement Hierarchy.

Local Plan section 13: Rural West Norfolk (MM274), section 14: Rural Villages (MM275-365) and section 15 (MM366-MM367)

24. Some Rural Villages have retained housing land allocations from the previous Local Plan. These sub-sections will be retained within the Plan accordingly. In nearly all cases, housing land allocations are subject to minor changes to policy criteria and/ or supporting text, in the interests of clarity, effectiveness and/ or consistency with national policy.

25. Otherwise, where no housing land allocations are proposed (e.g. where Local Plan site allocations are already completed/ substantially complete), the entire sub-section will be deleted. Also, housing figures for site allocations have been amended (where applicable) to reflect current consents (commitments).

26. Significant changes are as follows:

- **Section 13/ LP41 – Development in Rural Areas** – Policy and supporting text (section 13) deleted and incorporated into New Policy – Residential development on windfall sites (section 4)
- **Sections** 14.1 (Burnham Overy Staithe); 14.2 (Castle Rising); 14.4 (East Winch); 14.6 (Flitcham); 14.8 (Harpley); 14.10 (Hillington); 14.11 (Ingoldisthorpe); 14.12 (Old Hunstanton); 14.13 (Runcton Holme); 14.15 (Shouldham); 14.16 (Stow Bridge); 14.17 (Syderstone); 14.18 (Ten Mile Bank); 14.19 (Thornham); 14.20 (Three Holes); 14.21 (Tilney All Saints); 14.22 (Walpole Cross Keys); 14.24 (Walton Highway); 14.26 (Wereham); 14.27 (West Newton); 14.29 Wiggshall St. Mary Magdalen; 14.30 Wimbotsham; 14.31 Wormegay
- **Section 15 – Smaller Villages and Hamlets** – Entire section of the Plan to be deleted, as no housing land allocations are proposed within the 6th tier of the settlement hierarchy.

Local Plan section 16: Monitoring and Delivery Framework (MM368-MM369) and appendices (MM370-MM376)

27. The Monitoring and Delivery Framework (section 16) has been comprehensively revised, to include the new Local Plan policies (those developed through the examination). This also includes additional guidance about how information should be sourced and collated.

28. Various consequential changes to the Local Plan appendices are proposed, arising from Main Modifications to the main body of the Plan. The most significant changes are proposed as follows:

- **Appendix D – List of Superseded Policies** – Update, to reflect the new policies developed through the Local Plan examination and site allocations from the 2016 Site Allocations and Development Management Policies Plan that are to be deleted.
- **Appendix I – Neighbourhood Plans** – Appendix from submission Plan to be deleted and replaced by a **New Appendix – Neighbourhood Plan Housing Requirement Methodology**. The New Appendix provides the detailed explanation and background to the New Policy – Neighbourhood Plans (section 4).

Conclusions

29. A significant number of Main Modifications to the Plan (376) are proposed and are the subject of consultation. Most changes are detailed, to ensure the Plan is robust, effective and consistent with current national policy (National Planning Policy Framework).

30. Members attention is drawn to the following proposed Main Modifications, highlighted above:

- **MM4-MM5** – Replacement of section 4.1 of the submission Plan with a new Spatial Strategy and Settlement Hierarchy Policy, which includes updated housing figures and a small number of changes to the status of individual settlements within the hierarchy
- **MM6** – New Policy – Residential development on windfall sites – Necessary, to ensure local housing need (554 dwellings per year) can be achieved; incorporating retained parts of policies LP02, LP04, LP31 and LP41 from submission Plan
- **MM7** – New Policy – Neighbourhood Plans – Necessary, to define housing requirements for designated Neighbourhood Areas, as required by national policy
- **MM11-MM15** – Removal of duplicate elements of Policy LP06 and supporting text (Climate Change)
- **MM29-MM34** – Significant changes to transport policies LP11 and LP13, to ensure consistency with national policy and reflect the updated Norfolk Local Transport Plan (2021-2036) and King's Lynn Transport Strategy
- **MM45-MM60** – Significant changes to Environmental policies (re Green Infrastructure, the Historic Environment and Habitats Regulations Assessment – LP19-LP27), to reflect national policy and legislation changes (e.g. Nutrient Neutrality, 2021 Environment Act requirement for 10% Biodiversity Net Gain)
- **MM68-MM69** – New Policy – Custom and Self-Build Housing policy – To support delivery of Custom and Self Build Housing and ensure consistency with legislation and national policy
- **MM115-MM122** – Policy E2.1 West Winch Growth Area Strategic Policy – Additional policy criteria, including infrastructure trigger points and requirements; to ensure sustainable development
- **MM139-MM140** – New Policy – Downham Market, Bexwell Business Park (BEX) – 20ha employment land allocation.

31. Members are asked to note the proposed Main Modifications, with particular reference to the most significant and substantive changes specified above. It is emphasised that these Main Modifications are proposed with the agreement of the Planning Inspectors, as being necessary to make the Plan “sound” (i.e. fit for purpose) and allow the Plan to be passed and adopted.