

## Home Builders Federation

### Matter 2

## KINGS LYNN AND WEST NORFOLK LOCAL PLAN EXAMINATION

### Matter 2 – Spatial Strategy

**Issue 2: Is the spatial strategy of the Plan positively prepared, justified, effective and consistent national policy in enabling the delivery of sustainable development, including in respect of the proposed housing requirement?**

#### Plan Period

*16. Is the Council's proposal to modify the Plan period from 2016-2036 to 2021-2038 justified in order to comply with national policy? If so, should the revised plan period end in 2038 or 2039, as indicated in the Revised Housing Trajectory?*

The plan period should be modified to ensure consistency with paragraph 22 of the NPPF. The intention of the policy is to ensure that the Council provides a long-term strategy for meeting housing needs that provides the certainty to both residents and the house building industry as to what will be delivered and where. The revised plan period also takes account of the fact that the standard method is based on the year in which it is calculated and as such it is justified for the Council to rebase the plan period to 2021.

Regarding the second question the HBF considers it necessary for the plan period to end in 2039. The plan is likely to be adopted in 2023/24, therefore in order to have the full fifteen years post adoption then the end date will need to be 2038/39 rather than 2037/38.

*17. Given that the Revised Housing Trajectory anticipates the majority of development from larger scale developments being delivered by 2036, is the Plan positively prepared and consistent with national policy in not setting a spatial strategy to look at least 30 years ahead?*

The HBF would agree that on the basis the majority of development from larger scale developments will be delivered by 2036 the local plan does not need to set out a 30-year vision, subject to these being considered deliverable within the timeframes being proposed.



### **Housing Need and Requirement (Policy LP01)**

*18. In the light of the most up to date calculation of local housing need (LHN) for Kings Lynn and West Norfolk set out in the Council's response to Initial Questions, and the proposed change to the Plan period, what should the housing requirement in Policy LP01 of the Plan be?*

Planning Practice Guidance The LHN is set at the point of submission for a period of 2 years and should be based on the most up to date evidence. The HBF would agree with the Council's application of the standard method as set out in their response to the Inspector's Initial Questions (F18). The only difference in our assessment is that we use an affordability adjustment of 1.31 which results in a very slightly higher LHN of 576 and as such is of little consequence to overall need. Based on the plan period 2021/22 to 2038/39 as suggested by the Council result in an overall housing need for KLWN of 10,296. We would also note that the Council do not state in LP1 that this the minimum number of homes to be planned for. This may seem like a minor amendment, but it is important that the policy establishes that the requirement is not a ceiling on the number of new homes that can be delivered.

*19. Is there a need to increase the housing requirement above the LHN to take account of economic growth forecasts, address the need for affordable housing in the Borough, or provide for the unmet needs of neighbouring local authorities?*

It is necessary for the Council to ensure that the LHN takes account of any economic growth forecasts when establishing how many homes to plan for. The Government is clear that the standard method represents a minimum figure and sets out in paragraph 82b NPPF that Councils will need to address barriers to investment such as a lack of housing. PPG then provides further clarity at paragraph 2a-010 outlining that there may be circumstances where housing needs will be higher than that established using the standard method and that Council should consider these and whether housing needs will be higher than that set out using the standard method.

### **Implementation (Policy LP05)**

*49. Is Policy LP05 justified as appropriate, based on proportionate evidence of the infrastructure required to support planned development over the Plan period, and is it consistent with national policy in terms of the range of infrastructure for which it seeks contributions?*

Broadly the HBF is supportive of policy LP05, but we are concerned that the list set out in paragraph 3 does include the provision of public art and next generation mobile technology. These are not necessary to make development acceptable in planning terms. Delivery of these items may well form part of the development, but it should be for the developer to decide whether or not they are provided.

*50. Have the implications of the infrastructure listed in criterion 3 of Policy LP05, on the viability of development proposed in the Plan, been assessed as part of the Viability Update published in April 202118?*

*51. Is criterion 9 of Policy LP05 consistent with national policy in allowing infrastructure contributions to be varied on viability grounds, but only where development would be in the wider public interest?*

Paragraph 58 of the NPPF is clear that there may be circumstances where development viability will need to be considered at the application stage. It is for the applicant to make this case however it is for the decision maker to consider the weight to be attached to that viability - no mention is made as to whether the development site is in the wider public interest and that viability considerations should be restricted in this way. The phrasing also lacks sufficient clarity and could be used to unnecessarily restrict negotiations that would address the viability of new development and the delivery of much need new homes. We would therefore suggest that part 9a is deleted.

*52. Is Policy LP05 otherwise positively prepared, clear and effective in ensuring the infrastructure requirements of new development are met? In particular:*

*a) Does the first sentence of criterion 4 make sense?*

The first sentence of criterion 4 does need to be rewritten as it is currently does not make sense.

*b) Does the Viability Update support the expectation in criterion 5(f) that community or social development would be viably able to support a reduced developer contribution?*

No comment

*c) Does criterion 8 allow sufficient flexibility for the provision of infrastructure off site if it is not possible for it to be located on site in new developments?*

The HBF would agree that there does need to be some flexibility with regard to where infrastructure can be delivered. In some cases, infrastructure/ services and facilities may be delivered by the developer offsite and this should be set out in the policy. Whilst we recognise that the Council states that there is flexibility with regard to commuted payments no reference is made to circumstances where a developer directly provides a necessary service or facility off site.

*d) Is Policy LP05 effective in ensuring that the infrastructure required to support new development will be implemented in time to provide the additional capacity needed to accommodate the demands of future development, to avoid increasing pressure on existing infrastructure?*

No comment

### **Climate Change (Policy LP06)**

*53. Is Policy LP06 necessary given that most of its requirements are also contained in other policies in the Plan? As such, is it consistent with paragraph 16 of the NPPF which expects policies to serve a clear purpose and avoid the unnecessary duplication of other policies?*

The HBF does not object to overarching strategic policy setting out the broad approach to be taken by the Council with regard to climate change. However, it is not necessary to just repeat policy and then signpost as to where the detailed policies are provided elsewhere in the plan.

*54. Is the requirement to make provision for electric vehicle charging points in criterion 4 of Policy LP06 necessary, given that the standards and technical requirements for this are now contained in Part S of the Building Regulations, which came into effect in June 2022?*

Part 4 is now redundant given that part S of the Building Regulations now establishes the requirements with regard to the provision of electric vehicle charging points in new development.

*55. Are the requirements in criterion 6 of Policy LP06 for reduced carbon emissions in new residential development consistent with the June 2022 update to Part L of the Building Regulations, which require all new homes to produce 31% less carbon emissions than the previous Part L standard?*

Criterion 6 does not appear to be consistent with national policy. The reference in the policy to Option 2 is assumed to refer to the consultation on the changes to part L of the Building Regulations<sup>1</sup> that were introduced in June of 2022. These changes will deliver around a 30% improvement in the level CO<sub>2</sub> emissions and are an interim improvement prior to the introduction of the Future Homes Standard in 2025 which is expected to ensure new homes are zero carbon ready, with the ability to decarbonise over time alongside the national grid. The policy would therefore appear to be not only inconsistent with what is being proposed but also redundant given that the improvements are above those being suggested within the policy.

*56. Are the suggested MMs to Policy LP06 proposed by the Council in respect of flood risk and the protection of carbon capture habitats necessary for soundness?*

No comment

*57. Is the requirement for Sustainability and Climate Change Statements to be submitted with planning applications justified as an appropriate tool to assist in tackling the impacts of the Plan on climate change? If so, what is the evidence to demonstrate*

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<sup>1</sup> The Future Buildings Standard Consultation on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for non-domestic buildings and dwellings; and overheating in new residential buildings, MHCLG (January 2021)

*that thresholds of 5 dwellings and 500sqm of non-residential floorspace are justified?  
What alternatives were considered?*

No. There is no need for a separate statement on these issues which can adequately be addressed through a general planning statement setting out how the proposal is consistent with national and local planning policy.

*58. Would Policy LP06 be effective in supporting the movement towards the Borough becoming carbon neutral by 2050?*

No. Such a statement is not necessary to ensure the plan is sound.

*59. Is the entirety of the supporting text to Policy LP06 necessary to provide a reasoned justification for the policy, and is it clearly written and effective?*

Whilst we make no comments on this in our representations the introduction to this policy is lengthy and with much of it adding little to the justification or potential implementation of this policy.

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