



Representation Form

Consultation on Schedule of Main Modifications Part 1, August 2024

Closing date for submitting representations: 11:59pm, Wednesday, 2<sup>nd</sup> October 2024

Part A

Section 1: Contact information

	Respondent details	Agent details (where applicable)
Title:	Mr	Fenners Chambers
First Name:	Geoffrey	
Last Name:	Jackson	
Organisation (where relevant):		
Address:		
Postcode:		
Telephone:		
Email:		

Part B

Please fill in a separate form for each site and/ or policy

Section 2: Representations

Which Main Modification are you responding on?

Main Modification (MM) ref	Local Plan Paragraph ref	Local Plan Policy ref (if applicable)	Policy title (as applicable)

MM4 and 5		Spatial Strategy	Development on brownfield sites
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To which test of soundness does your representation relate?

The Local Plan 2021-2040 is currently under examination by Planning Inspectors, appointed by the Secretary of State). The Inspectors will assess the proposed Main Modifications against the soundness tests. Please indicate whether you consider the proposed Main Modification about which you are responding is:

	[Please tick appropriate box]	YES	NO
Legally compliant?			✓
Complies with the Duty to cooperate?			
Positively prepared (i.e. seeks to meet the area’s objectively assessed needs)?			✓
Justified (an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence)?			✓
Effective (i.e. deliverable over the plan period)?			
Consistent with national policy (National Planning Policy Framework: <a href="#">National Planning Policy Framework (publishing.service.gov.uk)</a> )?			✓

Summary of Comments:

Please give details of why you consider the proposed Main Modification that you are commenting on is sound (“Yes”) or unsound (“No”), with reference to the tests above. Please be as precise as possible.

MM5 Is not sound or legally compliant with NPPF paragraph 123 . It is in fact a retrograde step back as it does not set out clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land unlike the spatial strategy it replaces called MM4.

In fact there's no clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land in the whole local plan despite me pointing out in a previous representation to the planning inspectors that the council proposed to delete the brownfield policies.

123. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land <sup>49</sup>.

I'll be taking legal advice on this irrational behaviour and bringing it to the attention of the SOS for HCLG, Rt Hon Angela Rayner who's been talking about a brownfield first policy since getting into office and wrote to all local authority leaders on 30<sup>th</sup> July 2024 saying

"We will therefore ask authorities to prioritise sustainable development on previously developed land and other low quality 'grey belt' sites, before looking to other sustainable locations for meeting this need."

How exactly do you prioritise sustainable development on previously developed land when you've deleted all brownfield policies from the plan via MM's?

(Continue on a separate sheet if necessary.)

Please note you should cover succinctly all the information, evidence and supporting information necessary to support/justify your comments.

Section 4: Data Protection

The Main Modifications consultations form the final stage(s) of the plan-making process for the Local Plan 2021-2040. Do you wish to be notified further about the Local Plan, at either of the following stages?

Publication of Inspector’s Report (anticipated January 2025)?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Adoption of Local Plan (anticipated February 2025)?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

In complying with the General Data Protection Regulation (UK GDPR) and Data Protection Act 2018, King’s Lynn and West Norfolk Borough Council confirms that it will process personal data gathered from this form only for the purposes relating to the consultation. It is intended to publish responses to this consultation on the Borough Council’s website. However, it should be noted that all personal information (except for names and organisation name, where appropriate) will not be published.

When you give consent for us to process data, you have the right to withdraw that consent at any time. If you wish to withdraw your consent, you must notify us at [lpr@west-norfolk.gov.uk](mailto:lpr@west-norfolk.gov.uk) or 01553 616200.

#### Section 5: Signature and Date of Representation

Please sign and date below:	
Signature: (electronic signatures are acceptable)	G Jackson
Date:	8.8.24

Please note the following:

To be considered, your representation will need to be received by 11:59pm on Wednesday, 2<sup>nd</sup> October 2024.

The Main Modifications are being consulted upon in two parts. The Part 1 consultation covers all aspects of the Local Plan except Gypsies, Travellers and Travelling Showpeople, which will be subject to a separate Main Modifications (Part 2) consultation during autumn 2024.