

Blakeney Neighbourhood Plan

Regulation 16 Stage Public Consultation

Report of Representations

Monday 28 March - Monday 9 May 2022

**North Norfolk District Council
Planning Policy Team**

01263 516318

planningpolicy@north-norfolk.gov.uk

North Norfolk District Council,
Holt Road, Cromer, NR27 9EN

www.north-norfolk.gov.uk/blakeneynp

**Documents can be made available in Braille, audio, large print or
in other languages. Please contact us to discuss your requirements.**



Table of Contents

BNP01 - North Norfolk District Council.....	1
BNP02 - Norfolk Constabulary	122
BNP03 - Anthony Faulkner	130
BNP04 - Water Management Alliance	135
BNP05 - Natural England.....	137
BNP06 - Roger Thompson	141
BNP07 - Historic England	145
BNP08 - NHS Norfolk & Waveney CCG (ICS Estates).....	146
BNP09 - Blakeney Hotel (John Long Planning).....	155
BNP10 - Norfolk County Council	168
BNP11 - Cley Parish Council	171
BNP12 - Alistair Lindop	175
BNP13 - Jane Armstrong	193
BNP14 - James & Margaret Upward	211
BNP15 - David Marris	215
BNP16 - National Grid	218
BNP17 - Marine Management Organisation.....	221
BNP18 - TheresaSchrem	228

[BLANK]

Blakeney Neighbourhood Plan - Examination Version (dated July 2021) Submission November 2021

North Norfolk District Council response March 2022

Overview

- 1.1 The comments below represent a review of the submitted documents which continue to raise significant concerns with regard to the content and effectiveness of the neighbourhood plan (The Plan), the approach taken including the lack of proportionate justification and evidence base, conformity issues and its overall suitability to provide for the basis of sustainable development in line with the requirements of the PPG for the Neighbourhood Plan Area.
- 1.2 Neighbourhood Plans can be effective in addressing local issues and help shape additional growth to meet local community needs in a way that the strategic nature of the Local Plan may not. As such they provide the opportunity to add much local distinction, positivity and direction to the wider Development Plan in order to help a neighbourhood grow.
- 1.3 This response includes general commentary on the overall approach and content of the submitted documents followed by broad comments on the approaches, effectiveness and justifications for each policy area. A further schedule of comments is appended which highlights areas of change and modifications in relation to the broader comments which are considered necessary if the Plan is to meet the required basic conditions.
- 1.4 Many of these comments and detailed issues have been raised prior to this response throughout the production of the Plan and it is unfortunate that the opportunity to address the issues has been missed, thereby compounding these matters into the current documents and culminated into the overarching objection at this stage. On the basis of the assessments conducted across all of the submitted documents **the Plan in its current form is objected to and considered not capable of meeting the basic conditions tests or being an effective planning document without significant modification and further supporting evidence to provide the necessary justification**. It is considered that the significant extent of the modifications envisaged would need to be informed by further appropriate and proportionate evidence and carried through via extensive changes to the submitted Plan, both policies and in the supportive text throughout. This exercise would also require the significant review and updating of the submitted supporting documents and it is questioned if this can now be achieved through the narrow scope of the examination.
- 1.5 It is contended that many of the policies introduce conflict with the emerging Local Plan and existing Core Strategy, are not clear and are unambiguous. The Plan is not considered up to date in respect of conformity with national policy and it is maintained that table 1 and 2 contained at para 3.5 in the Consultation Statement cannot be relied upon in relation to the Plans own assessment of conformity. Not only are the relevant NPPF and relative Local Plan references not up to date there appears to be no detailed assessment in relation to the strategic policies and the conformity guidance and the identified strategic policies as published by the Council.

- 1.6 There appears to have been little material change to the Plan following the formal response by Officers on the Pre-submission Version at regulation 14 stage and also in relation to the recommendations made in the Pre-Examination Health Check by Timothy Jones, (QC) as Independent Examiner, dated 12th July 2021 made on the Examination Version, dated December 2020.
- 1.7 There remain significant concerns that the Plan and supporting documents as written have the potential to mislead and misinform the general reader, all be it inadvertently. This is particularly true of the supporting Basic Conditions document and Consultation Statement which fail to recognise the level of conflict that remains and together do not present a full and accurate picture nor provide the basis for sustainable development or review of the Plan.
- 1.8 Duplication and repetition are presented throughout the Plan with policies seemingly overlapping with significant ambiguity and in places conflict between. Given the PPG guidance on this as detailed below the effectiveness of the Plan is further questioned in its current state.
- 1.9 The emerging submission document underwent an independent pre examination health check. In summary, the health check provides an independent and qualified commentary on the effectiveness of the Plan in terms of becoming a material consideration of the Development Plan, should it pass the tests. It sets out what changes and options the Parish may like to consider prior to submission in order to reduce the risk of material modifications through the examination process. For reference, the health check is attached to this response at Appendix 3.
- 1.10 There is significant concern that the submitted plan as a whole, and through many of the individual policies, is not positively prepared nor founded on appropriate proportional and justified evidence, will not deliver sustainable development, be effective or deliver on the stated aims and objectives.
- 1.11 Please note that these comments are given at an Officer level without prejudice to any future decisions that the Council may make.

2. Evidence Base

- 2.1 The Council have produced a number of detailed guidance papers to support neighbourhood planning. Each one covers different themes and each are relevant to the production of this neighbourhood plan and its ability to meet the basic conditions. In particular attention is drawn to NPG4 Evidence, NPG5 Housing, and NPG6 Local Green Space.¹
- 2.2 Key to the development of a successful Neighbourhood Plan is the evidence base, which should be fully transparent, referenced and verifiable. Evidence, not opinion, should be used to inform and justify the development of any plans options and emerging proposed policies. Building a strong evidence base, to support and inform the production of a neighbourhood plan is vital to the immediate and longer term success of a neighbourhood plan. National policies and guidance states the preparation of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on

¹ NNDC neighbourhood planning guidance documents: www.north-norfolk.gov.uk/neighbourhoodplans

supporting and justifying the policies concerned, and take into account relevant market signals. Failure to have regard of this may breach the basic conditions.

2.3 The Planning Policy Guidance states:

Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order.... A local planning authority should share relevant evidence, including that gathered to support its own plan-making, with a qualifying body.

Paragraph: 040 Reference ID: 41-040-20160211 revision date 11.02.2016

...Any neighbourhood plan policies on the size or type of housing required will need to be informed by the evidence prepared to support relevant strategic policies, supplemented where necessary by locally-produced information.

Paragraph: 103 Reference ID: 41-103-20190509 Revision date 09.05.2019

A neighbourhood plan can allocate additional sites to those in a local plan (or spatial development strategy) where this is supported by evidence to demonstrate need above that identified in the local plan or spatial development strategy.

Paragraph: 044 Reference ID: 41-044-20190509 Revision date 09.05.19

2.4 Evidence is detailed as important throughout the PPG, as it ensures that the choices made in all Neighbourhood Plans are backed up by facts and that the policies produced are robust and justified, as required by national policy and guidance. As previously advised through informal and formal Regulation 14 stage responses, the Neighbourhood Plan appears to be almost entirely based and justified with opinion rather than evidence and review. Many policies seem in places to be, to a large extent, justified through a reliance on a community view and not, as required through the PPG, substantiated through proportionate evidence. Whilst opinion is helpful as a starting point, as it helps to demonstrate that the policies and approaches have been informed by a level of local community engagement, evidence is also required not least to substantiate that view and develop policies that add local distinction. In places the neighbourhood plan conflicts with the strategic policies of the wider development plan and no evidence is presented through supporting background papers that would allow a conclusion to be drawn that the approaches are justified and would not impact on the delivery of the wider objectives. A secondary issue is that it appears that no comprehensive or overarching assessment of the effectiveness of the existing and emerging planning policies, approaches and strategies has been undertaken in order to inform the Plan's policy approaches and as such, there are duplications, repetition and significant conflict, all of which threaten to undermine the delivery of sustainable development if the Plan is left in its current form and will cause significant ambiguity around interpretation. The neighbourhood plan should be seen and presented in context of the wider development plan where the NPPF expects such plans to support the delivery of strategic policies contained in Local plans. (Paragraph 13) It is not necessary to repeat policies or elements of policies in the Neighbourhood Plan, when they

are adequately dealt with elsewhere and this is especially true when what is being proposed introduce ambiguity

- 2.5 It can be seen that the justification for many of the policies is set out at the top of each of the three themes rather than being presented as a suite of specific background papers. As such, it appears that the policies have been produced to fit an expected outcome rather than be informed and justified in an objective way. There is also concern that some of the policies contain elements that have no meaningful explanation in the supporting text, remain ambiguous and have no operable clauses.
- 2.6 Although a data set has now been provided, (since reg 14), based in the main around census data, this is then copied into the Plan and there is concern that this limited but broad comparison of the data set (at a wide level) presents a misleading picture to the community and has misinformed the production of the Plan by presenting the data at the wrong scale. Consequently, the data presented paints a distorted evidential view and skewed comparisons with Norfolk and England, which are at too large a scale to be useful for local justifications. When Blakeney is compared to the District and the Ward there is a significantly different picture. What the Blakeney data actually suggests is that, in many regards, the village is similar to other villages in the area and the District as a whole.
- 2.7 As an example, in Figure 3, 'Housing Type', the information presented and the conclusions state that "Despite having significantly more one and two person households the housing mix in Blakeney, recorded in the 2011 Census, is dominated by detached homes, 43%, significantly higher than Norfolk and England at 39% and 22% respectively." Firstly, it appears the data is incorrect. Secondly, when Blakeney is compared with the Glaven Valley Ward and with the District - the statistic for 'detached homes' paints a significantly different picture. There are 47.3% in the Glaven Valley and 44% in North Norfolk as a whole. Therefore, Blakeney actually has less detached homes than the Glaven Valley and North Norfolk averages, but it does have significantly more 'terrace' properties at 25% than the District (16.2%) and the Glaven Valley Ward (18.9%).
- 2.8 This presentation and interpretation of the Census and other data is important as it sets the scene and is the justification for much of what follows in relation to housing mix, affordability and the need for homes for local people. Given the distorted and selective nature of the census and other data in the Plan there is a lack of confidence in the remainder of the census related evidence as presented that concern that the approaches taken and engagement undertaken have not been informed by objective and transparent evidential review.
- 2.9 There is concern that, individually and cumulatively, this evidence does not provide a full and balanced picture of Blakeney, particularly in providing a transparent and logical link to the policy approaches. As is stated in the national guidance, a failure to base policy on robust evidence runs a considerable risk that it will not accord with the basic conditions and may be ineffective. Ultimately, it is considered that there is a significant risk around the life and usefulness of this neighbourhood plan and its ability to deliver on the objectives and accord with the basic conditions.

- 2.10 A number of policies and approaches appear to be copied from other made neighbourhood plans. Although such policies and approaches can inform ideas, a Neighbourhood Plan must be informed by appropriate and proportionate evidence, that is locally derived in relation to the issue that the policy is intending to influence and should be justified based on the specific local circumstances. There is significant concern that elements of the Plan are based on a predetermined set of narrow opinions without the requisite supporting evidence base or review of effectiveness against the aims and objectives.
- 2.11 The changes required are extensive to both policies and supporting text and in the main, considered outside the scope of the basic conditions test at examination.

3 Conformity Repetition & Duplication

- 3.1 Paragraph 16 (f) of the NPPF states that *Plans should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant)*. The PPG at Paragraph 074 Reference ID: 41-074-20140306 advises that the basic condition relating to 'general conformity' with strategic policies contained in the Local Plan should consider the following:
- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;
 - the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;
 - whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy;
 - the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach.
- 3.2 Not only do a significant number of the policies duplicate the existing and emerging policy base, but they also duplicate and conflict with each other across the Plan. Much of the detail of this is set out in the individual policy review below and in the attached schedule but, in general, it is considered that the Plan would benefit from a full review of the conflicts between policies in the Plan, of the policies against those identified as strategic policies in the Core Strategy and also the strategic policies in the now advanced emerging Local Plan. Where there is conflict, policies should have been removed or amended and this should be carried out prior to examination. However, as stated above, it is considered that the changes necessary are a significant material amendment, which now sits outside the scope of examination. As set out in the more detailed section on the basic conditions statement below, the Council have published and provided a copy of its identified strategic policies and provided advance copies of the emerging Local Plan but there remains grave concern that these have not adequately been reviewed or reflected in the submitted documents and which, present a misleading picture around conformity and consultation. Further commentary is detailed in relation to conformity in section 5.

3.3 An example of this is Policy 17: Tourism, where there is conflict with Policy 3: Change of Use – Residential to Holiday Let Accommodation, of the Plan and also with those of the Core Strategy and emerging Local Plan. Another would be Policy 10: Drainage and Flooding, where it repeats the approaches already detailed in National Policy, the Core Strategy and the emerging Local Plan. However, Policy 10 also seeks more onerous requirements than National Policy in requiring Flood Risk Assessments for all new development no matter what Flood Risk Zone or the type of development proposed, but no evidence is put forward to justify this approach. No local flooding issues are identified outside the widely known flood zones and the localised tidal quay flooding. The policy does not address any additional evidenced flooding issue that is not already captured through existing policy. Given the lack of adequate justification in many of the approaches and in particular bullet 4 of the PPG quoted in para 3.3 above the effectiveness of the Plan is further questioned in its current state.

4 Consultation Process

4.1 Policies in ‘made’ neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.

4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 a Consultation Statement has been prepared for Blakeney Neighbourhood Plan. The statement provides a picture of engagement and the mechanisms used in order to allow earlier engagement and consultation. There are significant concerns about the extent to which the objectives and policies in the Plan have been informed through constructive participation and subsequent analysis. Although there is clear evidence of some-public and statutory participation through events and activities in the early stages of undertaking the Plan through community events involving walk in / display boards, concerns are raised that the Plan detail has inadvertently not been informed by or underpinned by the required proportionate participation or informed by views based upon the presentation of the required evidence. These concerns are heightened in the limited details provided in the Consultation Statement around the detail and formal engagement at Regulation 14 stage and in particular, the detail around publicity and who was informed of the opportunity to comment. However, of more concern is the way in which many of the significant comments and issues subsequently raised have been dealt with and the failure of the final submission document to address these. Despite commentary across the Plan and submission documents stating the opposite, it is of concern that the submission documents have the potential to project a false narrative that could mislead further considerations.

4.3 Officers have provided advice and it remains of concern how some of the advice has been interpreted and reported through the submitted documents and ideally, it is considered that these areas should be clarified through modifications. However, such changes to the text are now thought to sit outside the scope of the examination.

4.4 Where opportunities arose much detailed advice has been provided throughout the development and production of the Plan and officers have sought to guide and provide solutions as well as outlining the significant risks at examination if remaining issues were not addressed. Much of this can be seen in earlier correspondence and some of which is attached in Appendix 2, for reference. It remains of concern how little of this material has been used

and also made available to the community at the appropriate time and as a secondary issue, taken on board by those responsible for the Plan's preparation, as the issues continue to be repeated and perpetuated through to this submission version.

- 4.5 There is some detail in the Consultation Statement, which signposts to where information on the process can be obtained, such as the parish council website and minutes of the Neighbourhood Plan meetings. However, there appears to be omissions. One such item is the reporting of an independent Health Check, July 2021 and how it has been used to refine the policies. It is considered that many of the issues reported by Timothy Jones, (Barrister, No 5 Chambers) have not consequently been addressed, and that it should not be left to the examination stage to be resolved.
- 4.6 The Consultation Statement provided as a submission document details some earlier discussion between officers and members of the steering group, which are used to substantiate the continued approach to the development of the Plan and in particular, the inclusion of many of the policies by the Neighbourhood Plan Steering Group, (NPSG). In particular, two workshops are detailed on pages 26 & 27 and in Appendix 8. The detailed outcomes presented are not considered an accurate reflection of the advice given and should not be relied upon. The conclusions drawn, especially around areas of agreement and support for policies and policy content, wrongly indicate a level of support and give a false interpretation of the professional advice shared. The selective nature of commentary does not incorporate many of the substantive planning issues raised at the time. This can be further substantiated by the fact the concerns and advice are reiterated throughout the formal objections on further versions of the Plan and in particular, at the subsequent regulation 14 consultation, which are detailed in Appendix 14 of the consultation statement and through which officers advised 9 of the 17 policies should be removed from the Plan and that significant modifications were required to the remainder, in order to meet the basic conditions.
- 4.7 Accepting that Neighbourhood Plans need a proportionate approach, the lack of detail in combination with the factual errors and the areas of misrepresentation, raise significant concerns around the understanding of the analysis required and the process as a whole. It is considered that the submitted documents fall short of the standards required and in many places do not provide a basis for detailed scrutiny and decision making through engagement and examination.

5 Basic Conditions Statement

- 5.1 A Basic Conditions Statement has been submitted as part of the required document, which details amongst other matters, how the Plan contributes to sustainable development.

National policy and guidance

- 5.2 For the purposes of examination and this review, the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in July 2021. Although the glossary in the Plan is updated to acknowledge this, no attempt has been made to update references or conformity of the submitted Plan with the updated Framework, despite submission 4 months after this was issued. Consequently, the submission documents are not considered up to date in respect of detailing its conformity with national policy. Similarly table 1 contained at para 3.5 in the consultation statement along with table 2,

which aims to provide more detail, cannot be relied upon. A brief check of each table reveals little analysis and paints a misleading and inaccurate picture.

Identification and conformity of strategic policies

- 5.3 In line with the requirements of the NPPF, the Council identified its strategic policies and set out and published its strategic framework for neighbourhood planning, including that for conformity test at independent examination in relation to Basic Conditions in 2017 and updated these in 2019 [npg2-conformity.pdf \(north-norfolk.gov.uk\)](https://www.norfolk.gov.uk/media/1000000/npg2-conformity.pdf). The requirements to reference this document in any assessment of conformity have been made throughout the production of this Plan. However, there is no reference to this document, which is considered to form an important part of the Basic Condition assessments.
- 5.4 This guidance note also brings to attention the advantages of a neighbourhood plan to seek conformity with the emerging Local Plan, including those around longevity for the neighbourhood plan. The emerging Local Plan is at an advanced stage. It is acknowledged that this emerging Local Plan was consulted on at Regulation 19 stage after the submission of the Neighbourhood Plan, however, an advanced copy of the Regulation 19 document was made available prior to submission. Tables 1 and 2 of the consultation statement are restricted to that of the previous emerging Local Plan version (Regulation 18) published in May 2019, and which was subsequently modified significantly for the regulation 19 consultation. As such, the Plan does not reflect the Local Plan policy refinements and iterations, or the significant conformity issues that have been highlighted as remaining. With much content updated and revised policy numbering, there is concern that these tables do not allow appropriate cross referencing and the limited analysis does not form the basis for appropriate review and examination or provide the basis for consideration around sustainable development as part of the basic conditions tests. A further consideration is the inconsistency throughout the tables and documents with regard to referencing core documents, many of which are incorrectly labelled or not dated, which again, has the potential to cause confusion.
- 5.5 Aligned to this concern is how the basic conditions statement does not reconcile the significant issues raised at Regulation 14 and detailed in the consultation statement table in appendix 14. It is considered that the reasoning and limited analysis is not sufficient to demonstrate sustainable development. Associated to this point is that a section starting at 3.10 in the basic condition statement, lists all of the policies of the Core Strategy, 2008 and Site Allocations DPD 2011 and states that *“no conflict has been identified with the policies in the Blakeney Neighbourhood Plan”*. This section also fails to mention that the Council has identified its strategic policies in line with the NPPF requirement para 21. No reference or analysis of the Neighbourhood Plan policies has been undertaken against the identified strategic policies and published conformity guidance document, so it is hard to see how such a conclusion can be so readily reached. The assessment and opinions presented are not substantiated nor reflect and acknowledge the significant conformity and legal issues that have, and continue to be, raised and consequently, cannot be relied upon at this stage.
- 5.6 In addition, much of the Plan is likely to have a short shelf life, particularly given the PPG guidance, which advises that conflict will be resolved in favour of the most recently adopted policy and Plan, as set out in section 38(5) of the Planning and Compulsory Purchase Act

2004². Many of the approaches set out in the Plan will be superseded by the emerging Local Plan and as such, the Plan will be ineffective in its current state.

- 5.7 Reinforcing these areas of concern, the submitted Plan contains details in paragraphs 5.8 – 5.33 around the strategic policy context. This text focusses on the 2008 Core Strategy far more than the emerging Local Plan and little attempt has been made to ensure the reader is informed of the future strategic framework that will be in place for the majority of the time the Neighbourhood Plan is expected to be in place. For example, the detailed explanation around the Core Strategy’s aims and spatial vision sets out a view of conformity, where the document is soon to be replaced. It would have been helpful to also carry out this exercise with that of the emerging Local Plan in order to bring to the attention of the community the updated aims and objectives of the soon to be strategic policies. This section is also misleading and confusing, as it details a dated key Diagram and site allocation information. The section would be more accurate and positive by confirming that the Core Strategy site allocation BLA03 (referred to in paras. 5.19 and 5.22) was completed in 2014 and achieved 50% affordable housing and updated to provide the reader with the current and emerging spatial context. As written, it has the potential to confuse and present a misleading picture as to the nature and scope of the two Plans and the level of influence that the Blakeney Neighbourhood Plan can bring.

Contributing to Sustainable Development

- 5.8 The Plan sets out with the aim of pointing Blakeney towards a future that reflects the needs of local residents and includes policies on the three principal dimensions of sustainable development – economic, social and environmental.
- 5.9 In the economic dimension the Plan includes policies on employment, services and tourism. In the social role, the Plan includes a variety of policies across housing related issues, some of which are considered outside the scope of neighbourhood planning and planning in general, while others cross over into the built environment and in places should only be seen as guiding aspirations. In the environmental dimension the Plan seeks protectionist and management policies across biodiversity and open spaces.
- 5.10 In the main what additionally they bring to the existing suite of policies across the development plan, the deliverability and purpose of some policies, coupled with the areas of significant imposition and conflicts with strategic and national policies as well as primary legislation, leads to questions around the contribution the Plan will bring to achieving sustainable development, especially when coupled with the development plan as a whole.
- 5.11 There is significant concern that the submitted plan is not positively prepared, nor founded on appropriate proportionate and justified evidence and which, will not deliver sustainable development or achieve its objectives. The Plan seeks to bring forward housing policies yet does not seek to establish a local housing requirement nor does it seek to deliver against such a requirement. Instead, the Plan seeks to bring forward controlling policies on both new build and existing properties through the imposition of additional constraints, which could impede development and in some cases, are considered outside the scope of neighbourhood planning and planning in general undermine the Council’s statutory duty under the Housing Act and the adopted housing strategy, as detailed in the policy review section of this response. Other

² PPG: Paragraph: 044 Reference ID: 41-044-20190509, Revision date: 09 05 2019

policies are vague and contain significant ambiguity, lack clarity around interpretation and are considered will be ineffective.

- 5.12 National planning policy and guidance states that neighbourhood plans *should support the strategic development needs set out in strategic policies for the area, plan positively to support local development and should not promote less development than set out in the strategic policies* (see [paragraph 13](#) and [paragraph 29](#) of the National Planning Policy Framework). Nor should it be used to constrain the delivery of a strategic site allocated for development in the Local Plan or spatial development strategy³. The in-combination effect of many of the policies are considered so restrictive that there is a real risk of stagnation and as such, will not deliver on the ambition and objectives of the Plan.
- 5.13 The Plan represents a lost opportunity in the delivery of additional housing sites to address any locally identified need and fails to build on the initial work undertaken by the Parish Council and the housing enabling Team at NNDC on affordable housing provision and the potential options identified through the Housing and Economic land Availability Assessment, 2017, and the Local Plan process.

6 Plan Section and Policy Comments

Section 3: Process and Key Steps

- 6.1 This section seeks to set out further contextual information around the Plan and the consultation process and is not strictly necessary in the final Plan, but should ideally have been updated to reflect the correct chronological stage of the Plan rather than detailing the entire process leading up to the referendum, particularly as much of this information is repeated in the consultation statement.

Section 4: Vision and Aims for Blakeney

- 6.2 The Objectives set out specific aims for the Plan. It is recognised that many of the Plan Objectives are born out of community opinion but some of them are not land use planning matters, and therefore, have the potential to mislead the reader about the effectiveness of the Plan, by thinking that all the Objectives can be addressed and achieved by the Policies within the Plan.

Section 5: Sustainable Growth and Spatial Context

- 6.3 The pre-amble paragraphs are misleading, as in places they contain a lot of descriptive text yet fails to provide an accurate picture of the current and emerging strategic policy base. For example, paragraph 5.3 implies that all housing and other development will be expected to contribute towards improving local services and infrastructure, including contributions towards new infrastructure (such as transport, education, library provision, fire hydrant provision, open space etc.) through planning obligations and via a S106 agreement / S278 agreement or use of planning conditions. It should be detailed that the strategic policies and in particular, policies SS6 and CT2, set out the level of development that trigger developer

³Paragraph: PPG: 044 Reference ID: 41-044-20190509 Revision date: 09 05 2019

contributions. Policy CT2 requires contributions on schemes of 10 or more dwellings and substantial commercial development where there is not sufficient capacity in infrastructure, services, community facilities or open space. Firstly, there are differing trigger points to numbers of new housing for each of the obligations and secondly, a number of these contributions are County Council obligations (for example, education, library provision, fire hydrants) and as such, the scale of development that triggers these contributions is set by a third party and out of the control of the Council as the Local Planning Authority (LPA).

- 6.4 In the section detailing the 2011 Site Allocation it would be more accurate and positive to start by confirming that the site allocation BLA03 (referred to in paras. 5.19 and 5.22) was completed in 2014 and achieved 50% affordable housing (12 units). Rather than Map 3, which shows the former site allocation, a photograph of the completed scheme would also be more informative.
- 6.5 In the same regard, the supporting text is somewhat misleading as it states that Policy HOU1 of the emerging Local Plan identifies a total growth of 54 new homes to 2036. This could be interpreted that Blakeney has a future growth target of 54 dwellings, which would be incorrect. In addition, the phrasing of the second part of the sentence with an 'and' could be read that the Policy DS1 site allocation of 30 dwellings, is in addition to the 54 quoted in the first part of the sentence. For clarity, the emerging Local Plan (Regulation 19) sets a strategic allocation requirement of 30 residential units in line with delivering strategic growth identified in Policy HOU1. A further 36 dwellings have already been delivered and/or have planning permission in the plan period 2016 – 31.3.21. It should be pointed out that no further local housing requirement is established through this Neighbourhood Plan and the strategic allocation in the emerging Local Plan meets this policy requirement in full.
- 6.6 Map 4 is also dated and should have been updated.

Section 6: Neighbourhood Plan Policies

- 6.7 In terms of how Neighbourhood Plan policy should be drafted the PPG states that:

A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.

(PPG: Paragraph: 041 Reference ID: 41-041-20140306).

- 6.8 There are continuing substantial concerns around how the policies are drafted and can be applied consistently and with confidence. Much of this concern is derived from the confusing and overlapping nature of many of the policies, which in turn is derived from the lack of clear objective analysis, policy justification and the inadequacy of the supporting evidence. Much of this detail is contained in previous comments written at Regulation 14 stage and attached at Appendix 2, for reference. Notwithstanding this, further concerns are raised around the cumulative impacts of the proposed housing policies, which when taken together, are likely to impede and prevent the delivery of strategic and local housing provision including that

contained in the strategic policies of the advanced emerging Local Plan. In particular, for example, it is wrong to suggest that neighbourhood plans can set policies that determine who gets priority in occupation and what housing provider should supply the properties. A number of policies imply a level of control that cannot be imposed and as such, are misleading to the public and questions the ability of the LPA to implement these and as such, the effectiveness of these built environment policies in achieving the Plans aims and delivering sustainable development. In addition, there is significant overlap, duplication and consequently, repetition in the content of a number of policies, for example, Policies 6 through to 9. The effectiveness and appropriateness of other policies in the current format is also questioned.

- 6.9 In relation to the data presented in this chapter it would have been more meaningful comparing Blakeney with the North Norfolk District and similar parishes, rather than with Norfolk and England, as this paints a skewed evidential view, leading to the misrepresentation of data, which it is considered does not sufficiently justify the approaches. As detailed in the paragraph 2.6 of this response, a comparison of Blakeney with North Norfolk and adjacent parishes would reveal a significantly different picture than that presented in the Plan.
- 6.10 Many of these objections are considered fundamental and it is hard to see how these could be rectified through the examination without substantially changing the nature of the Plan and be supported by further evidence. To a large extent it is considered that such modifications now lie outside the scope of the examination. The commentary below presents detailed comments on each policy/section, while the attached schedule in Appendix 1 details commentary on individual paragraphs in the draft neighbourhood plan.

Policy 1: Affordable Homes for Local People

- 6.11 Policies in the Neighbourhood Plan must relate to land use planning and as highlighted in the Pre-examination Health Check undertaken by Timothy Jones, Barrister and stated at paragraphs 18 & 19, Neighbourhood Plan policies must relate to planning matters and that the requirement of affordable housing provision via a section 106 agreement being made available first to eligible households, is not a planning matter. His review goes on to state, *“Policy 1 is almost certain to be rejected by an examiner. Since there is no policy that could achieve the same thing, it is unlikely that he or she would do substantially more than delete the policy and relevant supporting text. In my opinion (although I recognise that some examiners take a different view) the qualifying body can properly record the community’s aspiration that affordable housing should meet local needs; although this should not be done in such a way as to imply (wrongly) that it was a matter for the neighbourhood plan or the parish council.”*
- 6.12 Countryside development for affordable housing in perpetuity is already permitted with demonstration of a proven local housing need through Core Strategy policies HO3 and HO5 and will be, via the emerging Local Plan policies HOU3 and HOU4. In such cases, preference is already given to those with a local housing need. For all other developments affordable housing occupation is determined by the strategic housing policies of the Council in line with the government’s reasonable preference criteria and choice based lettings scheme as set out in the adopted Housing Strategy. This is a statutory requirement that applies to all

development and includes the strategic site allocations in the Local Plan. This will take precedence over the parish council's aspiration for seeking priority to be given for those with a further locally defined connection through the Neighbourhood Plan.

- 6.13 It is clear that **the Plan has not had due regard to national policies and advice** contained in guidance issued by the Secretary of State in producing this policy. To add further local connection criteria outside of the statutory policy would not only be contrary to the Council's allocation policy but also contrary to the legislation to which Local Authorities must conform to. The Inspectors report for the Corpusty & Saxthorpe Neighbourhood Plan, September 2018 clearly explains this, where a similar approach was deleted at examination. Furthermore and irrespective of the above, the policy does not quantify how a person would qualify as a 'former resident' of the parish. An open interpretation could allow for a residence period of 1 day, 1 week or 1 year. This is not clear or explained in the justification or policy. The policy is in conflict with policies in the Core Strategy/emerging Local Plan and the Council's housing strategy which is aligned to statutory housing provision and is also considered discriminatory.
- 6.14 Significant ambiguity exists as to what growth such a policy would apply to and in what circumstances. At face value it appears that it is seeking to impose a policy requirement upon the strategic allocation of the emerging Local Plan, which is fundamentally based on addressing a wider set of strategic housing needs as evidenced through the detailed Strategic Housing Market Assessment and that includes need derived from inward migration.
- 6.15 Blakeney is identified as a Coastal Service Village in the Core Strategy and in the emerging Local Plan, a Large Growth Village, and as such the strategic policies require that the settlement contributes to the provision of general housing need as set out in the strategic policies. The approach in the submitted Plan primarily seeks to limit housing delivery to providing for a local need (which remains unqualified) and as such, conflicts with the strategic approach. A positive way around this, but considered outside the scope of a material change at examination stage, would be to identify an indicative housing requirement based on local evidence and potentially seek to identify additional sites for development, including potentially restricting these to affordable provision if there is the supporting reasoned justification.
- 6.16 However, any such approach should not solely rely on the District's housing waiting list as evidence of local need, as on its own, is not a sufficiently robust approach. Local needs are derived from far more complicated sources of evidence and analysis and the Plan should be supported by a specifically commissioned local housing needs assessment, which on page 25 of the Plan specifically states has not been undertaken.
- 6.17 The Planning Practice Guidance, PPG advises that neighbourhood plans should A), first set an indicative housing requirement for additional identified local needs, which then needs to be tested and B) Agree with the LPA and then set out policies on how to meet such locally defined targets. The Plan does not seek to identify such a robust local housing requirement, instead it relies on the Councils indicative waiting list. The waiting list information used is also four years out of date and is considered only partial evidence as it is a reflection of demand not need, given that it allows multiple entries across settlements. The approach is not in line with that stated throughout the Planning Practice Guidance. In particular, but not limited to :

Where neighbourhood planning bodies have decided to make provision for housing in their plan, the housing requirement figure and its origin are expected to be set out in the neighbourhood plan as a basis for their housing policies and any allocations that they wish to make. Para 103 Reference ID: 41-103-20190509 Revision 09.05.2019

.....Neighbourhood planning bodies will need to work proactively with the local planning authority (in establishing a housing requirement) through this process, and the figure will need to be tested at examination of the neighbourhood plan, as neighbourhood plans must be in general conformity with strategic policies of the development plan to meet the basic conditions. Paragraph: 105 Reference ID: 41-105-20190509 Revision date 09.05.2019

- 6.18 There has been no attempt to consider the proportionate viability impacts of this policy and any impacts on deliverability. In line with national policy the Council have undertaken a viability assessment of development considerations, in order to demonstrate deliverability of the development plan and substantiate the viable affordable housing percentages. Without testing and demonstrating the broad viability implications of such a policy the approach could negatively impact viability and- the local housing market and on the ability of both the Local Plan and the neighbourhood plan from achieving its aims.
- 6.19 Notwithstanding the significant concerns above and around the evidence and how this evidence has informed and justified the policy, there are concerns regarding how effective this policy will be. There are no outstanding allocations remaining in the village and as written the policy is self-limiting to those that require s106 for affordable housing due to the thresholds set in national policy for planning obligations around major development of 10 or more homes⁴. Furthermore given the parish is located in the AONB national policy advises in para 177 of the NPPF that “...*permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest...*” The NPPF goes on to add a list of considerations that should be applied and are taken further by the strategic policies in the Core strategy and emerging Local Plan EN1 and ENV1, respectively.
- 6.20 The approach does not comply with equality legislation and conflicts with the Council’s statutory duty in accordance with its responsibilities under separate Housing legislation. Occupation is not a land use matter for Planning and there is no justification in national policy. Furthermore the Council uses its own [Local Allocations Agreement](#)⁵(as part of the Housing Strategy). The North Norfolk Housing Allocations Scheme has been developed in accordance with the Housing Act 1996 as amended by the Localism Act 2011, relevant statutory regulations and regard has been made to the Codes of Guidance and the Council’s Homelessness Strategy, Tenancy Strategy and the public sector equality duty. In developing the Housing Allocations Scheme the provisions in the Homelessness Reduction Act 2017 have also been considered. An Equality Impact Assessment of the Housing Allocations Scheme has been undertaken and is available on request. The North Norfolk Housing Allocations Scheme has been designed to be used by North Norfolk District Council and the Registered Providers and Housing Associations who participate in the North Norfolk Your Choice Your Home Scheme through choice based lettings. The Local Allocations Agreement includes 7 criteria

⁴ PPG Planning obligations Paragraph: 023 Reference ID: 23b-023-20190901, [Planning obligations - GOV.UK \(www.gov.uk\)](#)

⁵ [North Norfolk Housing Allocations Scheme \(north-norfolk.gov.uk\)](#)

which provide a basis for determining priority between applicants for affordable housing including low cost home ownership products based on their local connection to the parish in which a property is located and the adjoining parishes. Priority is provided through local to the villages and towns in North Norfolk. In the event that there are no applicants with these connections, the property can be allocated to an applicant who has a wish to live in a particular town or village but who does not have a connection. The Local Allocations Agreement gives preference to applicants with strong local connections to the parish in which the property being allocated is located and the adjoining parishes equally. This is because there will be some towns or villages which have very little affordable housing stock and some towns and villages where it will not be possible to develop new affordable housing because of constraints including sensitive local environments, coastal erosion, flooding and lack of available land. It is essential that applicants with strong local connections to such towns and villages are not disadvantaged as a result. Shortlisting is undertaken based on the strength of local connection, with applicants with the strongest connections shortlisted above those applicants with lower connections. The approach qualifies that an application with a local connection of highest priority is given to a person that has lived in the parish or adjoining one for at least 3 consecutive years and has previously lived at any time in the parish for 5 years or more, or are employed in the parish or adjoining parish or has a family member who has lived for at least 5 consecutive years in the parish or adjoining parish. The criteria are then cascaded out reflecting the need to give priority by current residence, former residence, and employment and family connections. Further detail can be found in the Local allocations agreement. Irrespective of the comments above on the NP policy 1 the Districts council's affordable housing allocation policy already provides preference criteria which address the issues but in such a way that it is operable, fair and deliverable.

- 6.21 The approach and policy as set out in the neighbourhood plan is misleading to the community as it does not contribute, in a meaningful way, to delivering sustainable development, is not evidenced appropriately and will not deliver on the Plans objectives. Furthermore it is not a planning matter. The policy is discriminatory, in conflict with policies in the Core Strategy, emerging Local Plan and the Council's Housing Strategy which is aligned to statutory housing provision. It is clear that Plan has not had regard to national policies and advice contained in guidance issued by the Secretary of State in producing this policy.

This policy raises legal and conformity issues, does not meet the Basic Conditions tests and as such, should be deleted.

Policy 2: Managing Second Home Ownership

- 6.22 The Pre examination Health Check comments acknowledge that neighbourhood plans can include such policies where the evidence justifies them and where the examiner concludes that they will achieve their intended purpose. The advice in the Health Check goes on to inform that in terms of efficacy of such policies, there remains the issue of whether the policy would move the issue into the existing properties of the village, causing associated price increases, potentially causing a ghost village centre, which would be the opposite of the aim to preserve the character of the village and calls into question the appropriateness of the evidence provided.

- 6.23 Paragraph 20 of the Health Check Report states that *“I have not seen any evidence that the policy will achieve its desired effect and advise its reassessment. Indeed I have not seen any evidence that the policy will cause any reduction in the overall proportion of second homes”*.
- 6.24 It is also agreed that the limited evidence presented to justify this policy is not sufficient and questioned that the policy and wider Plan itself will not achieve its stated aims. As established through the St Ives neighbourhood plan⁶ it is important to focus on the wider sustainability issues and that the evidence shows not only what the situation is, but also demonstrates the scale of the impact and the harm that this does at the appropriate scale and how it has changed over time. The Council have produced detailed guidance notes on the required evidence for neighbourhood plans and a specific guidance note around housing policies including specifically how to review and establish appropriate responses to principle residency policies. The housing advice guide includes detailed advice on how to go about establishing the required evidence base in relation to proving that the second and holiday home market is having a detrimental impact on the sustainability of towns and villages⁷.
- 6.25 No evidence has been produced concerning the wider sustainability and it has not been demonstrated that the second homes market is having a significantly detrimental impact on the sustainability of Blakeney. There is no analysis of how much the changes noted can be directly attributed to second homes in comparison to other wider economic, demographic and social factors. In terms of scale, no evidence has been presented to show how the Blakeney Neighbourhood Plan Area compares to the North Norfolk district. Table 1: Percentage of Second and Holiday Homes, shows a similar level of second and holiday homes over the three year period and, which does not present a meaningful length of comparable time or demonstrate a growing percentage, particularly when the total number of dwellings has remained largely the same and the population has not *‘changed dramatically over the last one hundred years’* (para. 2.22).
- 6.26 Analysis and data is missing on both the negative and positive effects of second homes in the village and wider NPA/ parish including any data being presented which would indicate that facilities/services have been lost or reduced as a result of changes in the local community, for example, loss of community facilities, decline in school numbers and seasonal closure of facilities. In contrast, the economy and services in Blakeney appear to be buoyant and compare favourably to larger settlements in the district. It is contended that the matter of second homes is far more complex than has been presented in the Plan and there appears to be no correlation between high levels of second homes and a negative impact on the provision of services in Blakeney. Therefore, the erosion of services and impact on sustainability in Blakeney cannot be used as an evidential basis for the introduction of a principle residence policy as it has not been established. In order to substantiate and justify the approach an appropriate, well researched evidence background paper which provides some assessment of the likely outcome/impact and effect on the market, not just for housing but on the viability and sustainability of the town's economy, which is significantly based on tourism should have been produced to inform policy development and made available for comment. It is considered that the background evidence and justification should adequately consider the pattern of house prices, the growth of second homes and the alleged

⁶ [Principal Residence Policies \(cornwall.gov.uk\)](http://cornwall.gov.uk)

⁷ NNDC, Neighbourhood Planning Guidance, NPG 4, Evidence & NPG5 Housing [Home | Neighbourhood Planning \(north-norfolk.gov.uk\)](http://north-norfolk.gov.uk)

disenfranchisement of local people from the local housing market. It should be able to provide a robust correlation between any relevant factors and second home ownership and provide balanced information or evidence concerning both the negative and positive effects of second homes in the village. The evidence base should also assess the likely effects of the restricted approach on the housing market and the likely effect on viability and potentially how this will affect the wider provision of and levels of affordable housing.

- 6.27 In order to ascertain the impact that such a restrictive policy would have on the viability of new housing in the Neighbourhood Plan Area and its impact on the strategic allocation and its ability to deliver the levels of affordable housing set out in the strategic policies, the evidence base also needs to include a proportionate assessment of viability. There is a real concern that, through the approaches presented, there would be less affordable housing delivered within the Neighbourhood Plan Area and as such, this would undermine the aims of both the Local Plan and Neighbourhood Plan.
- 6.28 Furthermore, it is unclear from the very limited evidence presented in the Plan that, by restricting a small amount of (potential) second homes in the village through the introduction of this policy, it would influence (decrease) house prices in the village. Without further local evidence to demonstrate it, the case has not been made that second homes have had such a significant impact on house prices that warrants a principal residence policy. There is no evidence that the policy approach would be effective and appropriate in this Plan in actually reducing the percentage of second homes and achieve the aim of providing local homes for local people. The demand will still be there and a prospective buyer will simply be able to purchase one of the 100's of existing houses in Blakeney that are unrestricted.
- 6.29 If one of the primary aims of the Plan is to deliver affordable housing for local people and achieve a more balanced housing market, then it is contended that a proactive way of doing this would have been through the specific allocation of land and the granting of specific planning permissions for that purpose. Much work has previously been undertaken in this area with the parish council, yet has is not been taken forward into this Plan.
- 6.30 In addition, Article 8: Right to respect for private and family life of the Human Rights Act 1988, requires that such a restriction be justified in terms of necessity and proportionality.
- 6.31 Although the aims and intentions are understood, it is considered that the Plan in this instance, fails to provide the demonstrable evidence to justify the approach. The wider concern is that the approach is based on a perception of wanting such a policy rather than the required justification and analysis of the options following the establishment of the appropriate evidence base. It is recognised that other places and neighbourhood plans have considered such an approach and some have taken a positively worded policy through to adoption, but such approaches have been justified through detailed analysis around the specific local circumstances, impacts and sustainability. Others have concluded that it is not the right approach for them and gone on to include more positive approaches to the delivery of housing, such as housing requirements that seek to deliver affordable housing. There is concern here that the policy is seen as wanted, but coupled with the wider approach set out in the Plan, is not justified and would not achieve the intended purpose or lead to meeting the objectives of balancing the housing market in any meaningful way.

6.32 In conclusion, it is considered that this policy does not contribute, in a meaningful way, to delivering sustainable development. The policy is in conflict with policies in the Core Strategy and emerging Local Plan and no evidence has been presented that would allow a conclusion to be drawn that the imposition of such a restrictive policy generally and specifically on the local plan allocation would not affect delivery of the strategic site and the wider housing aims. When also taking into account the lack of a robust and locally derived evidence base, it is apparent that little regard to national policies and advice contained in guidance issued by the Secretary of State, has been taken into account in producing this policy. The imposition of such a restrictive condition or legal agreement would not be necessary or reasonable in terms of finding a planning proposal acceptable and as such, would not pass the tests set out in paras. 55-57 of the NPPF for the imposition of a planning conditions.

This policy is not sufficiently justified, introduces conflict with the strategic policies, does not meet the Basic Conditions tests and as such, should be deleted.

Policy 3: Change of Use – Residential to Holiday Accommodation

- 6.33 There appears to be no evidence trail of scoping to demonstrate the need for such a policy. No locally derived or up to date evidence presented in the Plan as to what the planning issue is that requires the introduction of this policy. The issue around house prices and supply in Blakeney is complex and there is no clear justification or proportionate evidence presented to explain what influence holiday accommodation has on the local market and affordability.
- 6.34 It is considered that the policy implies a level of control that cannot be imposed and as such, is misleading to the reader. The implementation of the policy is likely to be considerably limited, which is acknowledged in the Plan, as in the majority of cases, a change of use from a dwelling to holiday accommodation does not require planning permission. A review of the planning database reveals that there have been very few applications for change of use from residential to holiday accommodation, or to a sui generis use, in the past 20 years (which equates to the Plan period) in Blakeney.
- 6.35 Points 1 & 2 in the policy are already being applied through existing Core Strategy policies EN4: Design, CT5: The Transport Impact of New Development and CT6: Parking Provision (including the Parking Standards at Appendix 3)) and points 1, 2 and 3 will be covered in the emerging Local Plan policies ENV6: Protection of Amenity and ENV8: High Quality Design, HC7: Parking Provision. As such, they represent an unnecessary duplication across the development plan, add no additional value and require no additional consideration.
- 6.36 Point 4 relates to there being no net increase in occupation. This criteria could not be properly assessed as part of a planning application nor could it be enforced through a planning condition as it would not be considered to be necessary, reasonable or enforceable and as such, would not pass the tests set out in paragraphs 55-57 of the NPPF for the imposition of planning conditions.

- 6.37 The final paragraph of the policy regarding ‘purpose-built holiday accommodation’ is not a change of use consideration and does not appear to be evidenced in the Plan. In addition, this part of the policy would be contrary to Core Strategy policy EC7: The Location of New Tourist Development (including accommodation) and emerging Local Plan policy E6: New Tourist Accommodation.
- 6.38 In conclusion, this policy is not well founded, does not contribute, in a meaningful way, to delivering sustainable development. Furthermore, when also taking into account the lack of a robust and locally derived evidence, this policy has not had regard to national policies and advice contained in guidance issued by the Secretary of State.

This policy does not meet the Basic Conditions tests and should be deleted.

Policy 4: Change of Use - Holiday Let Accommodation to Residential

- 6.39 There appears to be no evidence trail of scoping to demonstrate the need for such a policy or the level of impact such development has had on Blakeney. It appears that little or no evidence has been presented to justify that there is a need for the introduction of this policy beyond the statement that its ambition is to “ensure any usage change increases the number of principal homes”. Planning permission is generally not required for a change of use from holiday accommodation to residential, unless the property was purpose-built holiday accommodation in the first place. Looking at the Council’s planning records there has been a very small number of change of use applications from holiday accommodation to residential use submitted in the past 20 years and a similarly small number of permissions in Blakeney where a relevant planning condition has been imposed restricting the use to holiday accommodation. Consequently, this policy will only affect an extremely limited number of properties in the parish and, if adopted, it is likely to simply shift potential buyers to seek properties within the general private housing stock that don’t have any holiday restrictions.
- 6.40 The first statement within the policy relates to the support of proposals for changes of use or the removal of occupancy restrictions from holiday accommodation **to Principal residence housing**. As such, it appears to introduce a non-planning matter into the assessment of any such planning application. This is misleading and unlawful in contending that principal residence can be assessed as part of an individual planning proposal. In addition, the second part of the policy requires that future occupation shall be as a Principal Residence in accordance with Policy 2, which itself, is considered to fail the basic conditions tests. The pre-examination health check states that the references to ‘Principal Residence’ in the first two paragraphs of the policy give rise to the same concerns as those that apply to policy 2 and should be reassessed.
- 6.41 The policy is not well founded and does not contribute to delivering sustainable development. It implies a level of control that cannot be imposed and as such, is misleading to the public. The application of proposed Policy 4 is likely to be considerably limited, if it is able to be implemented and applied at all. Does such an application for a narrow change of use actually need to be controlled with a ‘Principle Residence Restriction’, especially as a change from

holiday accommodation to residential dwelling would conceivably have a positive effect on the housing stock?

Therefore, the policy does not meet the Basic Conditions tests and should be deleted.

Policy 5: Extensions to Holiday Accommodation

- 6.42 No evidence has been provided to justify the inclusion of this policy, including what impact such development has had in Blakeney. Para. 6.106 attempts to provide the context for the policy, stating that high land and property values have resulted in the overdevelopment of sites, but this is not backed up with any locally derived evidence. It is recognised that other neighbourhood plans have such a policy but where this has been successful it is backed up with proportionate analysis and evidence presented through a Housing evidence paper. It is not sufficient to rely on detail from other Plans as justification without having a similarly locally derived robust evidence base to support the approach.
- 6.43 In Point 1 of the policy, it is unknown what is meant by ‘sufficient’ outdoor amenity space for occupiers of holiday accommodation, as it has not been defined (or evidenced) within the supporting text or policy wording. There is no detail to ensure the correct implementation of this criteria. In addition, some holiday apartments and units may not have any outdoor space and would be considered acceptable in the context of the type of holiday accommodation provided, for example, a first floor flat. As such, it is considered that the criteria is too onerous to be a requirement.
- 6.44 Point 2 is already covered within policy CT6: Parking Provision of the Core Strategy and policy HC7: Parking Provision of the emerging Local Plan. Also, implementation of point 2 in relation to car parking could be seen as unreasonable in the historic heart of Blakeney, where many properties do not have off street car parking. The adopted and emerging Local Plan rely on the County Council parking standards, and without justification, there remains a conformity issue. A further consideration here is the significant amount of additional public car parking spaces that are already provided within the settlement, yet there is no analysis of their levels of use, which would have helped substantiate such a requirement in this policy.
- 6.45 Point 3 requires demonstration that an ‘extended property will not significantly add to noise or other adverse amenity impacts on nearby residents as a result of an intensification of the use.’ No explanation as to what evidence will need to be submitted with a planning application in order to satisfy this criteria. In any event, the matter of amenity would be assessed as part of any such planning application process, when applying current policy EN4 of the Core Strategy or emerging policy ENV6. As such, this criteria adds an unnecessary repetition.
- 6.46 The Development Plan and North Norfolk Design Guide SPD, already set out meaningful policies and guidance on amenity considerations and it is considered that inclusion in this policy is not warranted nor does the approach bring forward any meaningful criteria for the LPA to consider. The consideration is also repeated throughout this neighbourhood plan and as such, adds an unnecessary level of repetition.

- 6.47 This policy does not contribute, in a meaningful way, to delivering sustainable development. Furthermore, when also taking into account the lack of a robust and locally derived evidence base this policy has not had regard to national policies and advice contained in guidance issued by the Secretary of State.

The policy introduces ambiguity, does not to meet the Basic Conditions tests and should be deleted.

Policy 6: Design of Development

- 6.48 This section of the Plan does not appear to present a comprehensive appraisal of the suite of design and conservation related national and local policy and guidance documents, and in particular, appears to omit any references to Core Strategy Policies EN 4, EN 5 & EN 8, emerging policies ENV 1, ENV 2, ENV 6, ENV 7 & ENV 8 and the adopted North Norfolk Design Guide SPD. The policy seems more far reaching than just design and seeks to prescribe the type and tenure of housing without providing any specific direction to inform proposals and decisions or be based on appropriate, robust evidence or analysis. The policy also seeks to introduce “where possible” additional standards and check sheets, over and above the restrictions placed on plan-making and prescribed use of technical standards through national policy. As such, it misleads the community about the extent of influence the policy can be taken into consideration. At best, much of the policy is an aspiration and requires significant modification to meet the basic conditions tests.
- 6.49 As set out in the Schedule at Appendix 1, the justification text and policy wording appears to repeat much of the design information contained within the existing detailed national and local policy, but introduces third party design guidance, one as a requirement (Secured by Design), without clearly stating how the Plan expects that new homes will introduce measures to enhance the safety and security of the village. For example, if a proposed development has a neutral effect on the wider ‘security’ of the village should it be refused? Consequently, the inclusion of such guidance without full explanation as to how it should be used, will inevitably lead to confusion about how the policy operates.
- 6.50 Overall, the policy approach in relation to design adds little to the existing policy base and is considered to be a missed opportunity to specify the local distinctiveness and character that the Plan would want developers to take account of by defining the special characteristics that would complement the existing strategic approach.
- 6.51 This policy significantly repeats existing local and national advice and policies, without justifying the purpose of this and without adding specific local detail to the policy criteria and as such, adds an unnecessary level of repetition. In addition, Point 4 relating to the demonstration of capacity with regard to connection to the public sewage network seems totally out of context, with no evidence or justification for its inclusion of the issue presented to substantiate the policy requirement. There is no evidence of there being an issue in Blakeney and this is supported by information from Anglian Water in their consultation responses to the proposed Local Plan site allocation site in Blakeney. As such, it appears that this is a perceived issue and as such, is not justified and could not be used as a reason for refusal if a proposal did not demonstrate compliance with the criteria.

The policy is ambiguous, contains significant elements of unnecessary duplication of existing national and local policy and guidance, seeks to introduce prescribed standards over and above those permitted through national policy and as such does not meet the Basic Conditions tests and should be deleted.

Policy 7: Improving Design of New and Replacement Homes

- 6.52 As stated in the policy comments above, this section of the Plan does not present a comprehensive appraisal of the existing suite of design and conservation related national and local policy and guidance documents, particularly as it appears to ignore Core Strategy Policies SS3, SS4, HO8, EN 4, EN 8, CT 6, the North Norfolk Design Guide and emerging policies CC 2, HC 7, HOU 6, ENV 1, ENV 2, ENV 6, ENV 7 & ENV 8. The policy does not add a local dimension to the existing policy base and is considered to be a lost opportunity to specify a Blakeney design code, which could set out details of the local distinctiveness and design features that the Plan would want developers to take account of within new development proposals. In addition, the policy repeats a number of the criteria in Policies 6, 8 and 9, but in slightly different ways which creates ambiguity as to how these could be applied.
- 6.53 This policy significantly repeats existing local and national advice and policies, without justifying the purpose of doing this and without adding specific local dimension to the policy criteria.

The policy is ambiguous contains significant elements of unnecessary duplication of existing national and local policy and guidance and as such, does not meet the Basic Conditions tests and should be deleted.

Policy 8: Infill Development

- 6.54 The Plan does not present a comprehensive appraisal of the existing suite of design and conservation and environment related national and local policy and guidance documents, including Sections 12 and 16 of the NPPF, the National Design Guide, Core Strategy Policies SS 3, SS 4, HO 8, EN 4, EN 7, EN 8, CT 6, the North Norfolk Design Guide SPD and the emerging policies CC 2, HC 7, HOU 6, ENV 1, ENV 2, ENV 6, ENV 7 & ENV 8.
- 6.55 Opinion appears to be the main driver for this policy, citing recent residential developments that the local community felt were 'overdevelopment'. However, the preceding justification text to the Policy has little connection to the policy wording and the issue of density is not addressed. For example, the text refers to approaches to the village, key views, the retention of gardens, hedgerows and trees, but these matters are not referred to in the Policy itself or identified in the Plan for consideration. Whereas, brownfield land is not mentioned in the justification text, but appears in the policy wording and the term 'small residential developments' is not quantified anywhere and so it is not known where the line should be drawn between small and medium sized schemes and consequently, the parameters of when the policy should be applied. Does small refer to the number of houses in a scheme or the size? The policy could have restricted the potential floor area of infill developments so as to help retain affordability. As written, large housing could still be permitted. As such it is ineffective against the plans aims.

- 6.56 The quantification of the available brownfield land is not presented in the Plan and it remains unclear as to the expectation of the policy with regard to meeting housing needs. It is also unclear in what circumstances the policy is meant to apply. The introduction states ‘Blakeney’, but does not qualify if this relates to the settlement, or the wider parish. Therefore, depending on the potential intention of the policy, this could introduce conformity issues with the development plan “countryside designation” and strategic approaches.
- 6.57 The policy also seeks to remove the plethora of householder permitted development rights as detailed in the Town and Country (General Permitted Development)(England) Order 2015, GDPO (or any subsequent update). Any restriction of permitted development rights is normally applied through Article 4 directions made by the Local Authority, or through the imposition of a condition on an individual planning consent, where it is considered necessary to do so, rather than the blanket removal of all permitted development rights. In addition any removal of these rights should be specific and reasonable and evidenced as necessary in line with national policy. As written this is broad, unjustified and considered outside the scope of the Plan. This element of the policy and other references throughout the text require significant modifications. Furthermore, no locally derived evidence including an assessment or review of the issues is presented to justify this approach.
- 6.58 Point 4 seems to be seeking to override section 15 of the NPPF and in particular, paragraph 177 and as such, it raises conformity issues.
- 6.59 It appears that much of the policy content is contained within national and local guidance and policies. There appears to be little locally derived evidence or connection between the justification text and the policy content. Therefore, without any specific local detail and the use of general terms within the policy, it is considered that the policy, as written is inoperable.

The policy is not justified and raises legal and conformity issues and does not meet the Basic Condition tests and should be deleted.

Policy 9: Existing Dwelling Replacement

- 6.60 The topics covered in this policy appear to already be covered by Policy 7, which leads to ambiguity and confusion in its application.
- 6.61 The justification text is misleading and in particular, chooses on this occasion to reference an emerging policy from the emerging Local Plan. In point 1 the use of the word ‘acceptable’ implies a level of predetermination, which removes judgement and should be changed to ‘supported.’ The text of the policy at point 3 also pre-determines what conditions would be attached to a relevant planning permission, including the removal of permitted development rights, which is too broad, unjustified and considered to be outside the scope of the Plan. These statements are misleading to the reader as it presents a series of misrepresentations about the assessment and determination of a planning application for a replacement dwelling and the scope of neighbourhood planning.

- 6.62 This policy does not contribute, in a meaningful way, to delivering sustainable development in Blakeney. The policy does not take the opportunity to address the Plans objectives of meeting the needs of the community through restricting replacement dwellings by limiting such development to retaining smaller scale dwellings. It is considered that the existing and emerging strategic polices are stronger in this regard.

The policy is unnecessary, ambiguous and raises legal and conformity issues with national approaches.

Policy 10: Drainage and Flooding

- 6.63 The justification for the policy appears to arise from concerns raised at consultation events about flooding and, in particular, 'issues with sewerage and surface water run-off caused by new development' (para. 6.191). With the last major development undertaken in 2014 it appears that no detailed analysis has been undertaken to substantiate these opinions. No local distinctive issue is known or presented known, other than the existing tidal flood zones and therefore, the justification and inclusion is questioned. Some further justification for the approach is set out in para 6.199, where it states that the policy has been further developed to incorporate the suggested wording and requirements from the Surface Water Management Plan, SWMP. However, the LLFA are only working on SWMPs for three higher order settlements across North Norfolk: Cromer, Sheringham and North Walsham. As such, a Surface Water Management Plan does not exist for Blakeney and therefore, its reference should be removed and the evidential base revaluated and qualified. The mapping used has now been updated in line with previous comments regarding the use of the SFRA, but the Plan does not include any justification for such a policy.
- 6.64 National policy already restricts development in flood zones by land use type and as such, the principle of new development in flood risk zones 2 and 3 is already significantly restricted. There appears to be no local evidence presented in the Plan to justify the inclusion of the policy to address any known issues in Blakeney and the policy largely repeats existing policy leading to confusion and ambiguity across the Development Plan.
- 6.65 The policy requires the submission of a Flood Risk Assessment (FRA) for all new development proposals within the Blakeney Neighbourhood Plan Area, which is out of alignment with the requirements of national policy and guidance, considered significantly onerous, unnecessary and not justified as outlined above in para 3.3 . Separately, whilst the LLFA may advise that it is prudent to include flood policies within a Neighbourhood Plan, it is more useful to do so in relation to site specific proposals but only where there is an identified issue and or in relation to a specific site proposal. As the Plan contains no such allocations its inclusion is questioned. The requirement and justification for a Construction Environment Management Plan is also questioned along with why it is included in a flooding policy. The policy seeks to duplicate an approach already included in the Core Strategy and emerging Local Plan. Much of flood risk policy is prescribed in national policy and guidance and there is no requirement to include such a policy in the Plan unless there is locally derived issues that need to be addressed, which is not considered the case here.
- 6.66 This policy does not contribute, in a meaningful way, to delivering sustainable development. The policy is an unnecessary duplication of existing local and national policy. Furthermore, as

written most of the bullet points add a further layer of ambiguity and are too broad to add a level of local distinction to the decision making process over and above the strategic policies as set out in the development plan.

The policy is unnecessary, duplicates existing policy, is not justified and does not meet the Basic Conditions tests and should be deleted.

Policy 11: Biodiversity and Accessibility

- 6.67 The policy and the associated wording in the Plan show a misunderstanding of a number of planning issues, both nationally and strategically, at the district level. Although the ambition is recognised and welcomed, the approach is unjustified or based on inappropriate locally derived data nor does it provide an appropriate level of information for its operation. Instead, the approach is a part duplication of Core Strategy and emerging Local Plan policies and is, as currently presented, without local evidence. The reference in the policy to the delivery of “a net gain” positions the requirement out of alignment with the strategic policies and emerging requirement of the Environment Act. The policy does not add anything to the current and emerging strategic approaches set out in national policy and the wider Local Plan.
- 6.68 The requirement to deliver a net gain in biodiversity is a repetition of national policy and paragraph 174 of the NPPF and adds no further considerations in the development plan. The Environment Act November 2021 introduces legally binding targets and establishes a new domestic environmental governance system. Emerging Local Plan policy CC10 sets out that development must achieve a minimum of 10% Biodiversity Net Gain or higher, as stipulated in national legislation over the pre-development biodiversity value as measured by the DEFRA Biodiversity Metric or agreed equivalent. As written, this policy requires demonstration of biodiversity net gain only, rather than provision, and does not explain how this should be applied in advance of the adoption of the emerging Local Plan or enactment of the Environment Act. The emerging Local Plan Policy will gain weight as the process moves towards submission and as such, will add a more substantial consideration to this area.
- 6.69 The reference to ‘green infrastructure’ is appropriate but should be justified by a reasoned strategy that includes mapping of identified green infrastructure opportunities in Blakeney. Such an approach would give this policy (and Policy 13) robust local evidence with an assessment-based justification.
- 6.70 The policy refers to all new development proposals needing to maximise enhancement of existing local GI and to not result in adverse impact on the integrity of European sites. As written, this is not enforceable and does not reflect national policy, NPPF para 56, where planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. In conjunction with the Norfolk Local Planning Authorities and Natural England, the Council has been evidencing and developing a regional strategy to address increased mitigation on European sites. The strategy is covered in the emerging Local Plan and is necessary to ensure compliance with habitat regulations as can be seen through the accompanying Local Plan HRA and emerging policies ENV4 and ENV5. On qualifying development such as net residential and tourism accommodation there is a requirement to

contribute to the strategic mitigation through a tariff and provision of enhanced green infrastructure if the size threshold is reached. Since the submission of this neighbourhood plan the Norfolk authorities through a Statement of Common Ground with Natural England have enacted this strategy and implemented it in advance of the emerging Local Plan.

- 6.71 The policy references an established practice, yet nowhere in the Plan does it detail the standard it is referring to. Usefully the policy could have identified specific gaps in GI, based on a background paper, to encourage improvements.

Policy 11 and Policy 13 are not currently evidenced, justified or provide sufficient clarity on implementation and are inoperable as written and are not supported. There has been a missed opportunity here to add to the existing Local Plan policy, but due to the lack of evidence and justification it is hard to see how the policy or policies can remain or amalgamated to add further local distinctness and value at this stage.

Policy 12: Dark Night Skies

- 6.72 The policy justification is misleading as it suggests a level of control for both internal and external lighting that the Local Planning Authority does not have. There is significant guidance available within the PPG and a number of the emerging local plan policies that address the extent to which external lighting can be influenced. The justification given relies on the broader AONB being defined by dark skies, which is not the case and is presented at the wrong scale. The designated area is very varied in character, contains a wide variety of landscapes, seascapes, geology, topography and settlement patterns, where the links between land and sea are an essential part of its unique character. The area is known for its dark skies and relative lack of artificial lighting, away from main roads and towns where there is also a general sense of remoteness and tranquillity, but again, this is recognised in the AONB 2014 – 2019 Management Plan⁸ as away from settlements.
- 6.73 The policy wording does not **require** the submission of a Statement of Intent and as such, its submission cannot be insisted upon, particularly as domestic external lighting does not require planning permission. This questions the operational quality of the policy. Similarly, details of domestic internal lighting cannot be insisted upon to ascertain impacts of any light pollution, as this sits outside the jurisdiction of the planning system. What can be addressed is the design of a building to minimise light pollution in sensitive locations, but unfortunately, the reference to design in the policy wording refers to unscreened features, which is not considered to be enforceable through a planning condition.
- 6.74 The lighting of ‘public thoroughfares’ is a highways issue (covered by highway permitted development rights) and the lighting of public areas may not always require planning permission.

As written, the policy is not necessary, exceeds jurisdiction of planning and is considered not to meet the Basic Conditions tests and is not supported.

⁸ The 2014-2019 remains the most up to date and current Management Plan for the AONB.

Policy 13: Open Space Preservation

6.75 The stated 'Ambition' in the Plan is: "***Open Space Preservation – seeking to recognise the importance of these areas to the village for recreational, amenity and visual value. The policy is not seeking 'Local Green Space' designation.***"

6.76 Open Space is defined in the NPPF as "All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity."

The NPPF states:

*....Planning policies should be **based on robust and up-to-date assessments** of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Para. 98*

The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period. Para. 101.

The Local Green Space designation should only be used where the green space is:

- a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) local in character and is not an extensive tract of land: para 102 and*

Policies for managing development within a Local Green Space should be consistent with those for Green Belts: Para 103

6.77 The importance, and protection of public open space is acknowledged in the Plan, where in paragraphs 6.274 and 6.275, it states that the community wishes to see these spaces protected from development for future generation. The PPG provides additional guidance and states that:

'Designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. In particular, plans must identify sufficient land in suitable locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making'. Paragraph: 007 Reference ID: 37-007-20140306 - Revision date: 06 03 2014

The submitted plan now also includes a map of the sites, which was not previously included at regulation 14 consultation and it is clear that a number of the sites in Table 2 are already protected by existing open space and wider designations in the wider development plan. Site's 4, 9, 11, 16 and 17 are currently designated in the Core Strategy as 'Open Land Areas'. These designations are also carried over into the emerging Local Plan. There appears to be no acknowledgement of this or consideration given to the benefits of these existing designations, while Sites 1 & 14 are car parks. There appears to be no other associated or ancillary

community use associated with these car parks and it is suggested that they should not be considered public open spaces. The Pre-examination Health Check states the Draft Plan does not seek to create local green spaces but does, through Policy 13, seek to protect certain open spaces. An important distinction is that while a LGS should “be capable of enduring beyond the end of the plan period” there is no such requirement for a designated open space. Open space designation is widespread and any examiner will be familiar with the concept. It needs to be justified. The Health Check goes on to support this view by advising that the designation *is not in my experience used for car parks, although where an area of land that is predominantly recreational includes a car park that is ancillary to this use, may be included.* The Health Check sees no justification for the inclusion of car parks in the Draft Plan and notes that none of the policies in the draft Basic Conditions statement supports making car parks designated open spaces and advises their deletion.

- 6.78 A number of sites mapped also appear to be grass verges and or natural infill sites and the Health Check goes on to advise that ... *Where land is not a green designed within a development, but appears to be a natural infill site, its designation is unlikely to survive the examination.* Site 3 is a large and extensive area of private agricultural land which is outside the settlement boundary and in the “countryside policy area” as defined in the Core Strategy and further evidence is required as to why this should be considered open space and a policy applied, especially when it has previously been assessed as part of the emerging Local Plan evidence base and considered not to warrant any open space designation or LGS.⁹ In part due to the fact the NPPF makes it clear extensive tracts of land are not suitable for LGS designation and *“blanket designations of open countryside adjacent to settlements should not be used as a “backdoor “ to achieve what would amount to a new area of Green Belt by another name.* Para 015 Reference ID37:015-20140306. While as detailed above, other areas appear to be road side grass verges and in some cases, have also been assessed outside the Plan as not appropriate for designation. These are also not supported as above.
- 6.79 The NPPF requires there to be a robust and up-to-date assessment of public open space to support plan making. The NPPF and PPG also details the criteria for designating Local Green Space, LGS. It appears that the submitted Plan has not sought to review the sites against existing designations and the steering group has chosen not to undertake or include an evidenced review in order to designate any of these sites detailed in the table as LGS and is the expected policy outcome set out in guidance. The criteria, definition and methodology (outlined at 6.282 to 6.285) for considering sites as open space doesn’t appear to be followed through with a robust and up-to-date assessment of the sites in Table 2. Furthermore no reference is made to the existing designations or their review as part of the Local Plan as set out to the 2019 Amenity Green Space topic paper published by the NNDC. It should be noted that the review considered sites put forward for LGS and open space designations by parish councils as well as existing designations. Rarely will it be appropriate to designate spaces that are the subject of a planning permission and or subject to existing designations. The Amenity Green Space Topic paper has been consulted on and forms part of the wider evidence base with many of the open land designations included in the current and advanced emerging Local Plan, (this includes the Duck pond site, which is assessed as LGS in the Local Plan. As such it is

⁹ NNDC, Amenity Green Space Study 2019 www.north-norfolk.gov.uk/documentlibrary (located under the environment tab)

considered that the policy cannot at this stage now be amended to seek the designation of the listed sites as open space or LGS and should be deleted.

- 6.80 This policy conflicts with the current development plan at Policy CT1 and emerging policy HC19 (regulation 19), where the loss of open space will not usually be supported. The approach does, however, adds in the consideration of development having ‘community support’. Irrespective of this, the nature and level of this support is not defined or quantified. Is it the majority support of the village and/or is it the support of the Parish Council? Would any support (in the face of no wider objection) be acceptable? The arbiter of this element of an application of the policy would have to be the planning authority and it is difficult to apply the policy without further qualification or explanation.
- 6.81 Although the Plan states that it is not designating the sites as ‘Local Green Space’, by having a policy that seeks to preserve the listed open space sites, the Plan is, in effect, seeking to apply an open space designation but without any assessment and due regard to process and evidence and the scope of national policy. It should be noted that in the Consultation Statement Page 371 it is acknowledged by the parish council that the sites would not meet the criteria to seek designation as LGS.

Policy 11 and Policy 13 are not currently evidenced, justified or provide sufficient clarity on implementation and are inoperable as written and are not supported. There has been a missed opportunity here to add to the existing Local Plan policy, but due to the lack of evidence and no justification it is hard to see how the policy or policies can remain or amalgamated to add further local distinctness and value at this stage.

Policy 14: Sustainability of Open Space

- 6.82 The following comments from the Health Check have been taken on board in the Plan. Policy 14 has been amended, by removing former paragraphs two and three and the words:
“One way in which the objectives of policy 14 can be achieved is by a transfer of the land to the ownership of the parish council or the district Council with a sufficient capital payment to cover continuing maintenance” at paragraph 6.293.
- 6.83 No locally derived evidence has been provided to justify the inclusion of the policy, with only a general mention of previous issues at para. 6.291, which states ‘developers have failed to make adequate provision for the sustainability and maintenance responsibility.’ Whilst such difficulties may have occurred, it has not been demonstrated that the policy is required, particularly as the matter of management and maintenance of any green infrastructure is negotiated as part of a planning application and secured as part of a S106 agreement on a site by site basis. In particular, the policy seems to impose an obligation for the management of the open space on the Local Planning Authority. The policy should also mention that this could be the parish council, as referenced in paragraph 6.293, but it is contended that such matters are a negotiation, not a policy requirement.

We welcome the ambition, however, the policy as written is vague and ambiguous and implies a level of control that is not supported. Further modifications to the policy and supporting text would be required in order to be supported.

Policy 15: Local Employment

- 6.84 The supporting text and policy misinterprets the North Norfolk Retail and Main Town Centres study and any clarification of Blakeney in terms of the future retail strategy. Furthermore no locally derived evidence including an assessment and review of retail provision and opportunities has been presented in support of this policy and wider section. An economic evidence study could have explored in detail (and with a Blakeney focus), the issues around the economy, employment, tourism, service provision, the housing market and the other factors that influence the overall economic sustainability of Blakeney. Such a proportionate evidence base would have considered all of the economic influences in Blakeney and could have informed policy making and provided the much needed justification to a number of the policies, including this policy, to justify a finer detail and local level of consideration in the development plan.
- 6.85 The policy wording does not successfully define what types of employment uses it will support and spatially where in the Neighbourhood Plan Area it would apply. For example, at point 2 of the Policy, it is not clear what development proposals would be ‘appropriate to a coastal village’, and the justification text does not clarify this either. There are also concerns that the policy, (by not being clear about employment uses) is potentially seeking to restrict development to a limited number of uses, as stated in the policy, ‘farming, agriculture or traditional industries’. Does it apply to the settlement or the parish, as this distinction is paramount in determination of conformity with strategic policies.
- 6.86 Homeworking opportunities often do not require planning permission, but if formal consent is required, the policy could veto many types of suitable uses, simply for not falling within the prescribed uses set out at criteria two. As such, this policy approach appears to conflict with para. 84 of the NPPF, in particular part a), which seeks to enable ‘the sustainable growth and expansion of **all types of business** in rural areas, both through conversion of existing buildings and well-designed new buildings.’ In addition, the policy appears to conflict with the rural economy and farm diversification part of Policy SS5 of the Core Strategy and similarly, Policy E3 of the emerging Local Plan.
- 6.87 What is meant by development proposals that *protect existingcreate new employment*? Is this a restrictive policy that seeks to prevent change of use or changes in types of employment use? Policy CT3 of the Core Strategy and policy HC3 of the emerging Local Plan also cover the retention of local facilities and services and in doing so, already add a more refined level of detail. The policy is ambiguous and unclear about its purpose and how it would be implemented.

The policy contains conformity issues and ambiguity, does not meet the Basic Conditions tests and should be deleted.

Policy 16: Retention of Business Premises for Blakeney

- 6.88 The section is titled ‘Retaining Local Services and Retail’, but in the supporting text information presented refers to district-wide data relating to tourism and retail expenditure, rather than any locally derived evidence (and definitions) of local services and retail offer (as the title suggests). With this confusion in mind, there is a lack of clarity about what type of premises the policy applies to, as it refers to the retention of commercial buildings for commercial activities in Blakeney, but does not define what ‘commercial activities’ are, particularly as opposed to the ‘employment uses’ cited in Policy 15 above.

- 6.89 There appears to be no local evidence or justification presented for the policy that is not already covered by existing and emerging Local Plan policies, whether this relates to local services, retail, tourism or employment uses.

The approach is not adequately evidenced, justified nor provides sufficient clarity. The policy does not add any local distinction and does not meet the Basic Conditions tests.

Policy 17: Tourism

- 6.90 The policy and justification should make reference to the Norfolk Recreational Avoidance and Mitigation Strategy (RAMS) which has been implemented by the Council from 31 March 2022. Mitigation for all development will come through the strategic policies of the development plan due to issues identified in the Local Plan HRA.
- 6.91 Annual reports are produced that looked at the Economic Impact of Tourism in North Norfolk commissioned by the Council and published in the Document Library www.north-norfolk.gov.uk/documentlibrary and it is suggested that this evidence should have been referenced and built upon to provide a Blakeney focus and help inform an appropriate approach.
- 6.92 No locally derived evidence has been presented to justify the policy, and, as written, it appears to conflict with other policies within the Plan, as well as national guidance and existing and emerging Local Plan policies. The justification does not explain the types of development proposals the policy would cover, meaning that even small scale proposals would have the task of demonstrating short and long term potential impacts on a wide range of matters listed at Point 1 and how any impact would be managed or mitigated at Point 2.
- 6.93 Given that the policy could apply to new tourist accommodation and support is subject to the criteria being met, this would then conflict with the last part of Policy 3, which does not support purpose-built holiday accommodation unless it can be demonstrated that there is a need which cannot be met by existing provision.
- 6.94 Similar to the above economic policies, it is not clear what spatial area the policy and supporting text is covering and as such, when the policy would need to be applied, which is paramount in the determination of conformity with strategic policies.
- 6.95 The policy appears to have been amended and now includes reference to the Conservation Area, however, an open interpretation of the policy seems to be that the approach introduces conflict with policies 2,3 4 and 5 and Core Strategy policies EC7, EC8,EC10, where as written, it suggests that all tourism development is acceptable.
- 6.96 The approach also seems to have no regard to and, in places, is in conflict with the emerging Local Plan, which details specific strategic approaches in relation to tourist accommodation, extensions to existing sites, touring caravan and camping sites, new tourist attractions and extensions to existing ones, and details an approach to retaining adequate supply and mix of tourist accommodation in polices E6, E7, E8 and E9. In particular, the approach seems to ignore the strategic approaches around the support for tourism development in the AONB and sequential approaches.

6.97 It should also be pointed out that the Neighbourhood Plan Area cuts in half a large caravan site, which sits in both Blakeney parish and the adjacent parish of Cley-next-the-Sea.

The approach is not adequately evidenced, justified nor provides sufficient clarity on conformity issues with the current and emerging Local Plan and as such, seems to be inoperable as written.

Section 7: Community Projects and Actions

7.1 Some of the projects listed are clear aspirations, while some are outside the remit of the parish council. Others seem to identify improvements and areas, which could and perhaps should have been the focus in this Plan. The purpose of this section is not clear nor why it is in the Plan. Further clarity should be sought.

Section 8: Implementation, Delivery and Monitoring.

8.1 The section mentions that the Plan will be reviewed every five years and that funding will be sought through s106 and s278 agreements, new homes bonus etc.(paras 8.3 / 8.13). This is not the case, as it does not accord with national policy and is not how neighbourhood plans are funded. Furthermore, no attempt is made in the Plan to introduce such a requirement and the text should be corrected in relation to funding specifically.

8.2 The section states that monitoring will be carried out by both NNDC and the Parish council, but no monitoring framework is suggested. It would have been helpful to include such a framework. However, this is now considered outside the scope of examination.

8.3 Further commentary is included in the schedule at Appendix 1.

Appendices:

- **Appendix 1:** Schedule of Comments;
- **Appendix 2:** Regulation 14 Response;
- **Appendix 3:** Health Check Report.

**Blakeney Draft Neighbourhood Plan
Submission Version Consultation (Regulation 16)**

Appendix 1: Consultation Schedule

These comments should be read in conjunction with the main report.

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
Pages 1-3 Foreward	Neutral	Suggest that the final sentence of the last paragraph is checked for spelling and comprehension.	Minor amendments to spelling and comprehension of last sentence.
Page 4 Map 1: Blakeney Parish and Neighbourhood Plan	Neutral	It is noted that the Blakeney Parish and Neighbourhood Area - Map 1, dissects the Friary Farm Caravan Park site on the eastern side of the area and that the Grade II Listed Building Blakeney Lodge is not included in the Area (it is included in the Blakeney Conservation Area Appraisal 2019). Map 1 also intersects farm buildings that make up an agricultural holding accessed from the Blakeney Road on the eastern edge of the area.	It would be helpful for the text relating to Map 1 (see para. 1.6) also mention Friary Farm Caravan Park, Blakeney Lodge and the farm buildings referred to opposite, given the intersecting nature of the Neighbourhood Plan Area boundary.

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
<p>Pages 7-8 Executive Summary</p> <p>First Paragraph</p>	Neutral	<p>For clarity, the opening paragraphs of the Executive Summary should better explain how the Development Plan in its entirety will help deliver sustainable development and should clearly set out the relationship between the Local Plan and the Blakeney Neighbourhood Plan, so that the reader is aware of how the suite of Plans are used in the determination of planning applications.</p> <p>The reference to coastal erosion is confusing. No coastal erosion issues are identified in the existing coastal erosion risk mapping for Blakeney. There is no policy on coastal erosion in the Plan, nor is there a community project or action identified at Section 7.</p>	<p>Reconsider the context of these opening paragraphs.</p> <p>Remove reference to coastal erosion.</p>
<p>Pages 9-10 Section 1: Introduction and Background</p> <p>1.4 Neighbourhood Area Para. 1.6</p> <p>1.10 Plan Period, Monitoring and Review</p>	Neutral	<p>See comment at Page 4 above regarding Map 1.</p> <p>The Neighbourhood Plan period is for 20 years (2020 – 2040), which extends beyond the period of the emerging local plan (2016-2036). It would be helpful to add some justification text provided to explain the difference in timeframe adopted</p>	<p>Consider adding information as suggested above.</p>

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
<p>Pages 11-15 Section 2: About Blakeney Paras. 2.1-</p> <p>Paras. 2.24-2.26</p>	Neutral	<p>There is no census or demographic data presented in this section, which would usefully provide the demographic context for Blakeney, which is missing here. Although some of this data is presented in the 'Built Environment' Theme, it is considered that this is the section of the Plan that should really provide an overarching picture of the Parish, in conjunction with the physical and historic context of Blakeney, in order to give the reader an understanding of the range of people who live there.</p> <p>Paras. 2.25 & 2.26 are somewhat misleading, as the former paragraph is considered to misrepresent the ability of the Neighbourhood Plan 'to reinstate a social and demographic balance', which is discussed in depth within the report and schedule for Policies 1, 2, 3 and 4. The latter paragraph is misrepresentative as the policies within the Plan do not directly address the provision of affordable housing. However, it is presented as a community project and action in section 7 (para. 7.3) and the text here should make it clear that this matter is an aspiration.</p>	<p>Consider adding the appropriate demographic data to this section in order to provide an overarching picture of the Parish.</p> <p>Amend the wording to add clarity to the statements.</p>
<p>Pages 16-19 Section 3: Process and Key Steps Paras. 3.1- 3.27</p>	Neutral	<p>Section 3 ideally needs to be updated, as the details of the process leading up to the referendum are not particularly relevant once the Plan is made.</p> <p>Paragraph 3.7 is a duplication of paragraph 1.6.</p>	<p>Update section.</p> <p>Remove repeated paragraph or add alternative information about Map 1.</p>

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
<p>Pages 20-21 Section 4: Vision and Aims of Blakeney Objectives</p>	<p>Neutral</p>	<p>Some of the objectives are not land use planning matters, while other are not addressed in the Plan, as such the effectiveness and ability of the Plan to deliver on the aims and objectives is questioned. for example, Objective 3: to give people with a connection to Blakeney priority for affordable homes. The inclusion of this as an objective of the plan misrepresents the nature and ability of the planning process to address this and has been a fundamental concern of the council from the beginning. And; Objective 7: to maintain a navigable port In Blakeney for leisure and commercial.</p> <p>Others such as, Objective 2: to support the provision of affordable housing and to balance the number of ‘second’ homes with the housing needs of the local community so that Blakeney continues to be a place where people of all ages can live and work. This objective is misleading to the reader, as no housing target or local housing allocation is being proposed through the Plan and likewise, there are no policies that positively promote the provision of affordable housing (see comments on Policy 1). The matter of second homes is misrepresented, and not justified, it is hard to see how the Plan will balance the housing market when no allocations are being made. In conclusion, Objective 2 appears to misrepresent the Plans ability to achieve this aim.</p> <p>Objective 5: to protect green open spaces and footpaths within the village to promote well-being, preserve the local environment and protect wildlife, is misleading as the relevant policy contained within the Plan will not achieve this aim, as no Local Green Space is being designated in the Plan.</p>	<p>Remove Objective 3, add as aspiration in Section 7.</p> <p>Remove Objective 7, leave as an aspiration in Section 7.</p> <p>Remove Objective 2, leave as an aspiration in Section 7.</p> <p>Remove Objective 5, add open space as an aspiration and expand aspiration regarding footpaths in Section 7.</p>

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
Pages 22-30 Section 5: Sustainable Growth and Spatial Context Paras. 5.1-5.33	Object	Paragraph 5.3 is misleading as it implies that ALL housing and other development will be expected to contribute towards improving local services and infrastructure, including transport, education, open space etc. through planning obligations or planning conditions. It should be detailed that the strategic policies and, in particular, policies SS6 and CT2, set out the level of development that would trigger developer contributions. Policy CT 2 requires contributions on schemes of 10 or more dwellings and substantial commercial development where there is not sufficient capacity in infrastructure, services, community facilities or open space. In addition, there are differing trigger points to numbers of new housing for each of the obligations and a number of these contributions are County Council obligations (for example, education, library provision, fire hydrants). As such, the scale of development that triggers these contributions is set by a third party and out of the control of the Council as LPA.	Amend paragraph for clarity and better understanding /alignment to better align with national and local policy, particularly in regard to the use of planning obligations, stating that ‘more substantial’ housing and other development ‘can’ contribute towards improving local services through the use of planning obligations, where required.
Para. 5.3			
Para. 5.22		It would be less confusing and more positive to confirm, at paragraph 5.22, that the Core Strategy site allocation BLA03 was completed in 2014 and achieved 50% affordable housing and either remove or replace Map 3 (which shows the BLA03 site allocation), with a photograph of the completed scheme. A photograph would also show how the residential development sits in the landscape when looking northwards from Langham Road, as this matter is raised in the text.	Amend wording in paragraph 5.22 to fully update and clarify status of BLA03. Remove Map 3 and potentially replace with a photograph of the completed residential scheme.
Para 5.26		Update text to indicate the advance status of the emerging Local plan which was consulted on at Regulation 19 pre submission stage January 2022.	Updated text as set out
Para. 5.27		This paragraph should state that ‘within this emerging Plan’ Blakeney ‘is identified by NNDC as one of ‘four’ Large Growth Villages (Briston & Melton Constable are counted as one settlement for the purposes of the policy).	Amend paragraph 5.27 as set out.
Para. 5.29		This paragraph misrepresents the emerging local plan (first draft) at paragraph 7.24, with regard to affordable housing. When read in context, the quote that, ‘these communities have affordable housing needs and the Council believes these should be addressed locally, provided such proposals	Remove whole paragraph / quote at 5.29.

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
Para. 5.32		<p>are modest in size and do not result in harmful impacts’ is referring to settlements outside the selected Growth Villages and therefore, not Blakeney. The text is a misrepresentation</p> <p>This paragraph is misleading in that it states that Policy HOU1 of the emerging Local Plan identifies a total growth of 54 new homes to 2036. Firstly, the total growth figure has changed, as set out in the Submission version of the Local Plan, which was given, as an advanced copy, to Blakeney Parish Council/NP steering group. The paragraph could be interpreted to mean that Blakeney has a future growth target of ‘54’ dwellings, which is misleading. For clarity the emerging Local Plan (regulation 19) sets an allocation target of 30 residential units, which are set to be delivered through a strategic allocation. A further 36 dwellings have already been delivered and or have planning permission in the plan period 2016 – 31.3.21.</p>	Amend paragraph to explain the context of the total growth, as set out.
Built Environment Pages 32-41 Section 6: Neighbourhood Plan Policies Policy 1: Affordable Homes for Local People Paras. 6.7 – 6.56	Object	<p><u>Pre-examination Health Check comments</u></p> <p>Paras. 18 & 19 of Health Check relates to the requirement of affordable housing provision via a section 106 agreement being made available first to eligible households. Neighbourhood Plan policies must relate to planning matters <u>and this is not a planning matter.</u></p> <p>Since there is no policy that could achieve the same thing, it is unlikely that he or she would do substantially more than delete the policy and relevant supporting text. There is recognition that some examiners take a different view, but the qualifying body can properly record the community’s aspiration that affordable housing should meet local needs.</p> <p>As written, the Plan misinterprets and misleads its readers as there is no recognition that in national policy there are affordable housing thresholds below which no affordable housing can be asked for, as well as percentage requirements in the Core Strategy and emerging local plan. Clarity needs to be given around the expectations and the numbers of affordable homes the plan expects to deliver and further consideration given to the effectiveness of the approaches in achieving the ambition. The section is</p>	This policy raises legal and conformity issues, does not meet the Basic Conditions tests and as such, should be deleted.

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
		<p>also misleading to the extent that the Council’s own Local Allocations Agreement with affordable housing providers in the district already sets out criteria which provide a basis for determining priority between applicants for affordable housing connections of residence, employment and family residence. In doing so it does this in a more detailed and equitable way allowing the Council to meet its Obligations under the housing Act 1996 as amended by the Localism Act 2011. See addition commentary as set out in para 6.20 of the Council’s main report,</p> <p>The section talks about the plans intent but no <u>additional growth</u> to that of the Local Plan is proposed and there is no evidence supplied that reviews viability impacts of the policy. The approach seems a blanked approach imposing a view onto the strategic policies, rather than seeking to establish, quantify and address a local dimension. Collectively the Plan when taken as a whole has the potential to stagnate growth and not deliver any of its aims as well as restrict the delivery of higher order strategic polices and site allocations</p>	
Para. 6.8		<p>The NPPF reference needs updating in terms of paragraph number (now 127) and the quote (2021 version) and preferably completing for better context, as the third sentence of the paragraph states.....<i>‘Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.’</i></p>	Amend NPPF reference as set out.
Paras. 6.11- 6.13		<p>In summary, these paragraphs correctly state that the process of allocating social housing is a matter for housing management and not planning policy, but goes on to state that requirements can be managed by legal agreement. It comments that a number of other neighbourhood plans have included affordable allocations policies. However, this is not justification and it does not necessarily give the full picture of these other plans. As, for example, Gotham and Kessingland NPs appear to allocate their own affordable housing sites for which the policy would apply to and provide specific background evidence for their policies., based on local analysis and options.</p>	Re-consider evidence/ reasoned justification for policy. Amend spelling to Market Bosworth.

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
Paras. 6.16- 6.19		<p>The scale and nature of the evidence base as presented is not appropriate and leads to misrepresentation and cannot be relied upon. As previously advised, it would be more meaningful to present data comparing Blakeney with the North Norfolk District and similar parishes/ coastal villages, rather than with Norfolk and England, as this paints a disproportionate view of the data, which has led to skewed comparisons. Conversely, a comparison of Blakeney with North Norfolk and adjacent parishes, would reveal a significantly different picture than that presented in the Plan.</p>	<p>Consider alternative data comparison.</p>
Paras 6.22 -6.32		<p>Blakeney housing society is a local housing society whose aims are to provide for residents of Blakeney however it is not a registered provider.</p>	<p>Clarifications required</p>
Paras. 6.35 – 6.43		<p>The paragraphs set out the Council’s established Housing strategy Allocation Policy for General and Local Need, but the information is four years out of date and as such, does not present an up to date or robust picture of local housing needs, particularly as no locally derived evidence has been presented.</p>	<p>Provide more robust evidence and up to date evidence of local housing needs.</p>
Para. 6.45		<p>In particular, paragraph 6.43 undermines the need for the policy, as it states how recent affordable housing delivered in Blakeney has had a local allocation agreement. This agreement was not secured through the planning process, by imposing a local housing allocation restriction in the S106 legal agreement, but (correctly) through the strategic housing function of the Council through the Local Allocations Agreement which is agreed with the main housing associations operating in the District. The section is presenting a misleading picture and suggesting more than it can deliver.</p>	<p>Update the policy reference and associated affordable housing requirements.</p>
		<p>This paragraph cites a proposed strategic site allocation for Blakeney (BLA04/A) within the emerging local plan, but refers to the affordable housing requirement in Policy HO2 of the current adopted Core Strategy. This is confusing and misleading. For consistency reference must instead be made to the relevant emerging housing policy HOU2, which has differing affordable housing requirements based on current and upto date evidence.</p>	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
Paras. 6.46 – 6.49		<p>The commentary set out within these paragraphs <u>is not considered to be an accurate reflection of the extent of advice and information provided by Officers. The section has previously been asked to be amended</u></p>	Remove commentary.
Paras. 6.50-6.51		<p>These paragraphs clearly state that the emerging site allocation (BLA04/A) is expected to deliver 10-15 affordable dwellings for local people through Policy 1. However, this is a strategic allocation, no regard to the impacts of the NP policies could have on affordable housing percentages set through strategic policies and how policy 2 could impact the delivery of the strategic allocation has been presented and as such it is not able to conclude that the approach is justified. Further evidence needs to be presented including that around the impacts on wider housing delivery and around site viability and potential impacts around on the strategic affordable housing percentages and targets. As such, the approach conflicts with policies in the Core Strategy, emerging Local Plan and the Council’s housing strategy which is aligned to statutory housing provision and is considered discriminatory.</p>	Remove paragraphs.
Policy wording		<p>Irrespective of the in principle objection, the policy does not quantify how a person would qualify as a ‘former resident’ of the parish. An open interpretation could allow for a residence period of an undetermined time period, which must be identified in order for the policy to be implemented. This makes the policy very difficult to interpret and consequently implement. And more qualifying text is required</p>	Provide interpretation guidance
Para. 6.56		<p>Update NPPF date.</p> <p>See also the detailed commentary in the main report around equality, approach and evidence paras 6.11 – 6.21</p>	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
<p>Pages 42-45 Policy 2: Managing Second Home Ownership Paras. 6.57 – 6.82</p>	<p>Object</p>	<p>The Plan’s local evidence base does not demonstrate that the second homes market is having a detrimental impact on the sustainability of Blakeney. Such assessment should be evidenced through factors including the loss of community facilities, such as schools or shops, of the restriction of the provision of services through actions, such as seasonal opening only and review wider impacts rather than as presented seek to provide a policy because it the objectives of the Plan predetermine it is required.</p> <p>Table 1: Percentage of Second and Holiday Homes, shows a similar level of second and holiday homes over the three year period presented. It is considered that it does not represent a meaningful length of comparable time or demonstrate a growing percentage of second or holiday homes, particularly when the total number of dwellings has remained largely the same and the population has not ‘changed dramatically over the last one hundred years’, as stated in paragraph 2.22. Therefore, Table 1 is considered to be out of date and does not reflect the current and future situation with regards to second homes and holiday accommodation.</p> <p>Without further local evidence, the case that second homes have had such a significant impact on house prices that it warrants a principle residence policy, has not been robustly made. No evidence is presented that the policy will actually reduce the percentage of second homes. The demand will still be there and an individual will simply be able to purchase one of the 100’s of existing houses in Blakeney that are unrestricted.</p> <p>No evidence is presented around the impacts of such a restrictive approach would have on the overall aims of the Np in balancing the housing market and the impacts it could have on the affordable housing percentages set out in strategic policies. In particular in seeking to impose such a condition on the strategic allocation no viability evidence is presented that would allow a conclusion to be drawn that the approach would not negatively affect its delivery.</p> <p>It is questioned if the approach as set out and when combined with other policies in the Np would achieve its aims set out in the plans objectives.</p>	<p>This policy is not sufficiently justified, introduces conflict with the strategic policies, does not meet the Basic Conditions tests and as such, should be deleted</p> <p>As a minimum the policy should be altered to remove the imposition on the strategic allocation but it is contented that the whole approach is not adequately justified and the np should be allocating its own sites for housing following further work in established a robust local housing need in addition to the strategic housing allocation which is informed by the spatial strategy and evidence of district need.</p>

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
		See also the detailed commentary in the main report around equality, approach and evidence paras 6.22 - – 6.32	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
<p>Pages 46-47 Policy 3: Change of Use – Residential to Holiday Accommodation</p> <p>Paras. 6.85 – 6.94</p> <p>Policy wording</p>	<p>Object</p>	<p>The policy implies a level of control that cannot be imposed and as such is misleading to the public.</p> <p>Paragraphs 6.86 and 6.87 imply that North Norfolk District Council oversees cases of change of use from dwellings to holiday lets, which is incorrect and misleading as in the majority of cases, planning permission is not required for such a change of use of a dwelling (C3 use class), as the properties are usually being occupied in the same manner, just not on a permanent basis.</p> <p>For information, from researching the Council’s planning records, few, if any, planning applications for change of use from a residential dwelling to a holiday let were found. A much more common proposal submitted to the Council relates to applications for the conversion of outbuildings to holiday accommodation, which the policy would not cover.</p> <p>There is acknowledgement at paragraph 6.89 that the majority of cases of change of use from residential to holiday accommodation does not require planning permission. Therefore, the application of the proposed policy is likely to be considerably limited and ineffective. Paragraph 6.91 should qualify that ‘purpose-built holiday accommodation’ falls within the ‘sui generis use class.</p> <p>Notwithstanding the above, points 1 & 2 in the policy are already being applied through existing Core Strategy policies EN 4: Design, CT 5: The Transport Impact of New Development and CT 6: Parking Provision (including the Parking Standards at Appendix 3). Emerging policies ENV6: Protection of Amenity, ENV8: High Quality Design, HC7: Parking Provision will cover points 1, 2 and 3.</p> <p>Given that the policy relates to change of use proposals, no physical alterations would form part of an application and therefore point 3 regarding dark skies seems superfluous.</p>	<p>The policy does not meet the Basic Conditions tests. Policy 3 should be deleted.</p>

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
		<p>Point 4 relates to there being no net increase in occupation. This criteria would be difficult to implement and enforce and as such, would not pass the tests set out in paras. 55-57 of the NPPF for the imposition of a planning conditions - only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.</p> <p>The final paragraph of the policy regarding 'purpose-built holiday accommodation' would be contrary to Core Strategy policy EC7: The Location of New Tourist Development (including accommodation) and emerging policy E6: New Tourist Accommodation, Static Caravans & Holiday Lodges, Extensions to Existing Sites, where the principle of new tourist accommodation is supported within the boundaries of Selected Settlements (as defined in policy SS1) and which include Blakeney.</p> <p>This policy has not been backed up by robust evidence and the policy as written, is largely covered by existing and emerging local plan policies, but where the last part of the policy conflicts with local plan policies. As such, the policy does not contribute, in a meaningful way, to delivering sustainable development, introduces ambiguity and implies a purpose and control that is misleading.</p> <p>See also the detailed commentary in the main report around equality, approach and evidence paras 6.33 - – 6.38</p>	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
<p>Page 48</p> <p>Policy 4: Change of Use - Holiday Let Accommodation to Residential</p> <p>Paras 6.97-6.102</p> <p>Policy wording</p>	<p>Object</p>	<p>No evidence has been provided that explains the impact that such development has had on Blakeney- both positive impacts and negative. As written, there appears to be little or no evidence presented to suggest that there is a need for the introduction of this policy beyond the ambition statement to “ensure any usage change increases the number of principal homes”.</p> <p>The Council’s planning records suggest that there has been 1 change of use application from holiday to residential use in the past 20 years in Blakeney and that there may only be around 5 properties in Blakeney which have a holiday use restriction. Consequently, this policy will apply to an extremely limited number of properties.</p> <p>The same issues that are highlighted in the justification of Policy 2 (in relation to Principal Residences) apply to this policy, as the policy wording requires that the new residential property is occupied as a principal residence. In addition, the policy wording and supporting text does not set out what criteria would make such a proposed change of use ‘suitable for permanent occupation.’ As such, the policy appears to be too general and is likely to be ineffective.</p> <p>The application of proposed Policy 4 is likely to be considerably limited, if it is able to be implemented and apply at all. Planning permission is generally not required for change of use from holiday accommodation to residential in most circumstances</p> <p>See also the detailed commentary in the main report around equality, approach and evidence paras 6.39 - – 6.41</p>	<p>The policy does not meet the Basic Conditions tests. Policy 4 should be deleted</p>

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
<p>Page 49 Policy 5: Extensions to Holiday Accommodation</p> <p>Paras 6.104- 6.109</p> <p>Policy wording</p>	<p>Object</p>	<p>No evidence has been provided to justify the inclusion of this policy. Paragraph 6.106 attempts to provide the context for the policy, but the statement is not backed up with any locally derived evidential data that demonstrates that high land and property values has caused the overdevelopment of sites for converted buildings or purpose built holiday accommodation (which the policy would apply to).</p> <p>In any event, the criteria set out in the policy is not justified or explained in the supporting text. For example, what is meant by 'sufficient' in points 1 and 2 relating to amenity space and car parking within the curtilage of the property.</p> <p>In Point 1 of the policy, it is unknown what is meant by 'sufficient' outdoor amenity space for occupiers of holiday accommodation, as it has not defined within the justification text or policy wording. How will this criteria be assessed?</p> <p>Point 2 is already covered within policy CT6: Parking Provision of the Core Strategy and policy HC7: Parking Provision of the emerging local plan. Also, implementation of point 2 in relation to car parking could be seen as unreasonable in the historic heart of Blakeney, where many properties do not have off street car parking. In addition, some holiday apartments and units may not have any outdoor space at all and would be considered sufficient in the context of the type of holiday accommodation provided. The criteria should remove the reference to dwelling, as the policy does not apply to dwellings.</p> <p>Point 3 requires demonstration that an 'extended property will not significantly add to noise or other adverse amenity impacts on nearby residents as a result of an intensification of the use.' No explanation as to what evidence will be required in order to satisfy this criteria.</p> <p>In conclusion, no evidence has been provided to justify the need for the policy. The general nature of the policy wording would not add any detail that could be applied in the assessment of any such planning application over and above the existing and emerging local plan policies. As such, this</p>	<p>The policy introduces ambiguity, does not to meet the Basic Conditions tests and should be deleted.</p>

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
		<p>policy does not contribute, in a meaningful way, to delivering sustainable development.</p> <p>See also the detailed commentary in the main report around equality, approach and evidence paras 6.42 - – 6.47</p>	
<p>Pages 50-61 Policy 6: Design of Development Paras 6.111-6.157 Map 7: Heritage Assets within the Conservation Area Boundary Paras. 6.110-6.156 Policy wording</p>	<p>Object</p>	<p>This section of the Plan does not present a comprehensive appraisal of the existing suite of design and conservation related national and local policy and guidance documents, where in particular, it appears to omit any references to Core Strategy Policies EN 4, EN 5 & EN 8, the North Norfolk Design Guide and emerging policies ENV 1, ENV 2, ENV 6, ENV 7 & ENV 8. Given the extensive range of existing and emerging detailed local policy and guidance regarding design, the Plan, including the supporting text here, has not presented a clear rationale for a great deal of the content of policies 6 to 9 and introduces along with the other policies in the neighbourhood plan that also seem to address design issues considerable ambiguity.</p> <p>Map 7: Heritage Assets within the Conservation Area Boundary is out of date as it refers to Proposed Locally Listed Buildings. These buildings and structures are listed as adopted Locally Listed Buildings within the Conservation Area Appraisal 2019.</p> <p>The supporting text repeats a significant amount of information from the Conservation Area Appraisal, national guidance and refers to a range of third party guidance, whilst stating at paragraph 6.132 that 'local context is a key factor that should be taken into account when designing any scheme' and that Policies 7, 8, 9 and 10 seek to encourage the use of design principles and best practice in the design process.</p> <p>Reference to third Party checklists should not be incorporated into the policy wording. National policy can only implement the nationally described technical standards. These can only be evoked through a Local Plan. The Plan can express support for the use of third party design codes but this is aspirational and should not form part of the policy wording.</p>	<p>The policy is ambiguous contains significant elements of unnecessary duplication of existing national and local policy and guidance, seeks to introduce prescribed standards over and above those permitted through national policy and as such does not meet the Basic Conditions tests and should be deleted.</p> <p>Update Map 7 to show version from Conservation Area Appraisal that includes adopted locally listed buildings.</p> <p>Remove references to third party design checklists from the policy wording.</p>

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
		<p>Point 1 is a wide reaching criteria covering layout, density and tenure, most of which is covered by existing Core Strategy policy HO1: Dwelling Mix and Type and emerging policy HOU2: Delivering the Right Mix of Homes and as such, it appears that this criteria does not add anything further.</p> <p>Point 2 is confusing as it seeks, through design and materials, to reinforce a strong sense of place, individuality and local distinctiveness, but does not set out in the supporting text, what any local key features are.</p> <p>Point 3 relates to the protection of designated and non-designated heritage assets, which are comprehensively covered within the NPPF, Core Strategy and Blakeney Conservation Area Appraisal and Management Plan and as such, the policy approach does not add anything further.</p> <p>Point 4 relates to the sewerage network. The Plan does not present any local evidence on this matter and relies on a statement set out in the section at 6.161, that there has been problems in other Norfolk districts. There is no evidence of any specific problems in Blakeney and this is supported by the information from Anglian Water in their consultation responses to the proposed site in Blakeney within the emerging Local Plan.</p> <p>Point 5 concerning parameters of massing, height and scale are covered in the National Design Guide, Core Strategy policy ENV4, the North Norfolk Design Guide SPD, emerging local plan policies and Conservation Area Appraisal. What is meant by unacceptable in the Blakeney context?</p> <p>Point 6 is already covered by local and emerging plan policies, in consultation with Norfolk County Council as Highway Authority and as such, the realisation of this part of the policy is dependent on third parties. Consequently, this matter would need to be an aspiration at best.</p> <p>Point 7 is covered in local and emerging plan policies and the North Norfolk Design Guide SPD.</p> <p>Point 8 is covered in local and emerging plan policies and the Design Guide SPD.</p>	<p>Remove repeated criteria points, which, are either covered by existing national and local policies and guidance, where no further location detail is added or that relate to third party information, which can only be presented outside the policy as advisory. Further detailed assessments of existing information and policies is required and local dimensions / additions that the policy can address need to be identified.</p>

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
		<p>Point 9 relates to third party design standards in relation to a document, 'At a Glance: a checklist for developing dementia friendly communities'. National policy can only implement the nationally described technical standards. These can only be evoked through a Local Plan. The Plan can express support for the use of third party design codes but this is aspirational and should not form part of the policy wording.</p> <p>Point 10 looks for demonstration of the integration of new homes with existing homes and requires the enhancement of safety and security for residents of Blakeney via Secure by Design. It is not clear how the Plan expects what measures new homes will introduce to enhance the safety and security of the village. If a development has a neutral effect on the wider 'security' of the village, would it be recommended for refusal?</p> <p>Point 11 relates to new external lighting proposals. Guidance on this matter is already covered in the PPG, North Norfolk Design Guide SPD (for example para. 9.2.5) and emerging local plan policies including, CC13: Protecting Environmental Quality, ENV 2: Protection & Enhancement of Landscape & Settlement Character and ENV 6: Protection of Amenity. The criteria at point 11 offers prescriptive requirements, most of which would be difficult to enforce, firstly because in most cases, external lighting does not require planning permission and therefore, cannot be controlled through the planning system and secondly, any such planning conditions imposed to control lighting would need to meet the requirements of the NPPF (paras. 55-57), only being imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. As such the policy implies a level of control through the planning system that cannot be imposed and is misleading. Any such criteria will need to be advisory and sit out the policy.</p> <p>Point 12 is advisory and should sit outside the policy. Archaeological matters are dealt with in Policy EN8 of the Core Strategy and at point 9 of Policy ENV 7 of the emerging local plan.</p> <p>See also the detailed commentary in the main report around equality, approach and evidence paras 6.48 – 6.51.</p>	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
Pages 61-64 Policy 7: Improving Design of New and Replacement Homes	Object	This section of the Plan does not present a comprehensive appraisal of the existing suite of design and conservation related national and local policy and guidance documents, particularly as it appears to omit Core Strategy Policies SS 3, SS 4, HO 8, EN 4, EN 7, EN 8, CT 6, the North Norfolk Design Guide and emerging policies CC 2, HC 7, HOU 6, ENV 1, ENV 2, ENV 6, ENV 7 & ENV 8. Given the existing detailed national and local policy and guidance relating to design, the Plan has not presented a clear rationale for a great deal of the content of policies 6 to 9. This policy appears to duplicate elements of Policies 8 & 9 in relation to density, scale, height, etc. and is similarly a duplication of existing Core Strategy and emerging policies, NPPF and also refers to Building Regulations and introduces considerable ambiguity	The policy is ambiguous contains significant elements of unnecessary duplication of existing national and local policy and guidance and as such, does not meet the Basic Conditions tests and should be deleted.
Paras. 6.158-6.168			
Para. 6.160		This paragraph relates to encouraging the use of green sources of energy for new/ replacement dwellings. If this matter is to be addressed, it should be applied to all types of development, not just residential proposals and have a local dimension applied to it in order to not repeat existing policies and guidance. Is this the intention?	
Para. 6.161		This paragraph refers to issues that are known to have arisen in other Norfolk districts'. No detailed information has been given that explains why this is considered to be an issue in Blakeney, local evidence provided or justification as to why it is a design issue.	
Para.6.162-6.164		No local evidence has been provided, to substantiate the view with regard to on-street parking problems caused because of remoteness of garaging or parking spaces in Blakeney. Details regarding external amenity space are covered in existing and emerging policies and the Design Guide SPD.	
Policy wording		Point 1 repeats existing and emerging policies and then refers to the Blakeney Conservation Area Appraisal, which needs to be updated to the 2019 version.	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
		<p>Point 2 in part requires that new homes, conversions and extensions 'do not have a significant detrimental impact on amenity views of surrounding countryside and coastline or the special qualities of the AONB'. It is considered that as written, this criteria could be interpreted to mean the individual loss of countryside/ coastline views by residents/properties that may occur due to a proposed development which, in planning terms cannot be protected. If the criteria relates to wider views only, the matter is covered by the NPPF and existing and emerging plan policies which require protection of landscape character, undeveloped/ and heritage coast and the special qualities of the AONB (see list of policies/ guidance above).</p> <p>Point 3 is covered by existing and emerging policies and guidance (see above list).</p> <p>Point 4 cannot be secured through planning system and is partly a repeat of point 4 of Policy 6.</p> <p>Point 5 should apply to all types of development and not just residential proposals and in any event is covered by existing and emerging local plan policies and guidance (see list above).</p> <p>Point 6 is covered in detail in Policy 6 (point 11) and is covered by national guidance and existing and emerging local plan policies (see list above).</p> <p>Point 7 is covered by existing and emerging policies and the North Norfolk Design Guide.</p> <p>Point 8 does not add any further detail in terms of parking and as such, is already covered by the existing and emerging policies (see list above), which are guided by the Norfolk County Council parking standards.</p> <p>See also the detailed commentary in the main report around equality, approach and evidence paras 6.52 – 6.53</p>	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
Pages 64-66 Policy 8: Infill Development Paras. 6.169 – 6.179	Object	<p>The Plan does not present a comprehensive appraisal of the existing suite of design and conservation related national and local policy and guidance documents and appears to omit references to Core Strategy Policies SS 3, SS 4, HO 8, EN 4, EN 7, EN 8, CT 6, the North Norfolk Design Guide and emerging policies CC 2, HC 7, HOU 6, ENV 1, ENV 2, ENV 6, ENV 7 & ENV8..</p>	<p>The policy is not justified and raises legal and conformity issues and does not meet the Basic Condition tests and should be deleted.</p>
Para 6.175		<p>The justification text and policy do not confirm whether the policy relates to the settlement of Blakeney or the wider Neighbourhood Plan Area. Nor is there any evidence provided as to the quantity of brownfield land. In addition, the supporting text appears to have little connection to the policy wording. For example, the text refers to approaches to the village, key views, the retention of gardens, hedgerows and trees, but these matters are not referred to in the Policy itself and nor are these matters identified on a map.</p> <p>Para 6.175 states that large dwellings with small gardens are less suitable for permanent occupation , less affordable and encourage their use as second homes- which is making the area unsuitable , as their populations are impermanent. The plan contains no such assessment of evidence to substantiate such a leading comment</p>	Delete
Policy wording		<p>The Policy wording does not flow from the justification text above it. Brownfield land is not mentioned or defined within the justification text and the term ‘small residential developments’ is not quantified anywhere and so it is not known what number of dwellings would trigger the policy.</p> <p>Point 1 appears to be supporting infill development that <i>‘fills a small, restricted gap’</i> in various scenarios of the existing village, <i>‘where the site is closely surrounded by buildings’</i>, which appears to conflict with the justification text and community response at para. 6.178, in regards to ‘overdevelopment’. Is this the intention? Furthermore it seems on the face of it to rule out other brown field sites and as such is protectionist rather than facilitating</p>	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
		<p>Point 2 is contrary to existing and emerging local plan policies that allows for infill development within the settlement boundary. Such a proposal may relate to the land of a property on the edge of the settlement, where the principle of development would be acceptable, but denied by point 2, due to the terminology used of 'built-up area'.</p> <p>Point 3 does not explain what is meant by backland or unneighbourly development or what is considered an unsuitable access.</p> <p>Point 4 is covered by national policy and guidance and by existing and emerging local plan policies and repeats Policy 6, which relates to all development proposals. The criteria appears to be overriding Section 15 of the NPPF and para. 177 in particular and as such, raises conformity issues.</p> <p>The last paragraph of the policy seeks to remove the entire range of permitted development rights as set out within The Town and Country (General Permitted Development)(England) Order 2015 and amendments. Any restriction of permitted development rights is normally through Article 4 directions made by the Local Authority, or through an individual planning condition that sets out the specific restrictions and gives a reason for the condition. Such wording would be contrary to paragraph 56 of the NPPF, which states that conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, precise and reasonable in all other respects. As written this is broad, unjustified and considered out of the scope of the Plan. This element of the policy and other references throughout the text require significant modifications and justifications which are outside the scope of examination</p> <p>What is meant by small residential developments – the number of houses in a scheme or the size? See also the detailed commentary in the main report around equality, approach and evidence paras 6.54 – 6.59</p>	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
<p>Pages 67-68 Policy 9: Existing Dwelling Replacement</p> <p>Paras. 6.180 – 6.188</p> <p>Para. 6.182</p> <p>Para. 6.184 – 6.186</p> <p>Policy wording</p>	<p>Object</p>	<p>The Plan does not present a comprehensive appraisal of the existing suite of design and conservation related national and local policy and guidance documents, and in particular omits reference to Core Strategy Policies SS 3, SS 4, HO 8, EN 4, EN 7, EN 8, CT 6, the North Norfolk Design Guide and emerging policies CC 2, HC 7, HOU 6, ENV 1, ENV 2, ENV 6, ENV 7 & ENV 8. Policy 7 relates to ‘Improving Design of New and Replacement Homes’ and as such, the matter of dwelling replacement has already been addressed.</p> <p>This paragraph states that the essential aim of this policy <i>‘is to balance the strategic objective of development restraint in the countryside against acknowledgement that a dwelling already exists on that site.’</i> However, the Policy wording does not qualify that the policy relates to land identified as countryside and as such, would apply to the entire Neighbourhood Plan Area, including the village itself. Is this the intention? Significant ambiguity exists that would lead to the policy not being able to be applied.</p> <p>These paragraphs are misleading and in particular, misrepresent policies HO8 of the Core Strategy and HOU 6 of the emerging local plan. The policy text once again includes the removal of permitted development rights.</p> <p>Point 1 of the policy includes the requirement that an increase in height of a replacement dwelling would need to enhance the streetscene, but does not explain in the supporting text how a proposal would be assessed in order to demonstrate this. The use if the word acceptable implies a level of predetermination and should be changed to supported</p> <p>Point 2 is covered in Policy 7 at points 1 and 2, which also relates to replacement dwellings.</p> <p>Point 3 would remove all permitted development rights from the new dwelling. Such a blanket approach is implies a level of predetermination, which appears to be in conflict with the NPPF, where paragraph 56 states that conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. It is considered that the removal of permitted development rights needs to be assessed on a case by case basis</p>	<p>The policy is unnecessary, ambiguous and raises legal and conformity issues with national approaches</p>

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
		<p>and therefore, this criteria should be removed or amended to state that removal would be supported.</p> <p>The policy wording does not reference any increase in area of the replacement dwelling. Would an existing dwelling replacement also be considered 'infill' under Policy 8? Application of this policy could see a potential for 'over development' of a site which is not in line with the Plans ambitions.</p> <p>See also the detailed commentary in the main report around equality, approach and evidence paras 6.60 – 6.62</p>	
<p>Pages 69-74 Policy 10: Drainage and Flooding</p> <p>Paras. 6.190-6.205</p>	<p>Object</p>	<p>The justification for the policy appears to arise from concerns raised at consultation events about flooding and in particular, 'issues with sewerage and surface water run-off caused by new development' (para. 6.191). It should be noted that the last major development in Blakeney was undertaken in 2014.</p> <p>The LLFA may advise that it is prudent to include flood policies within spatial planning documents, but such policies will be more effective where they relate to site specific proposals.</p> <p>The supporting text does not refer directly to the Strategic Flood Risk Assessment, which provides a comprehensive and robust appraisal of the extent and nature of flood risk from all sources. It is the most up to date document and was prepared in cooperation with the Environment Agency, Norfolk County Council, as the Lead Local Flood Authority (LLFA) and Internal Drainage Boards.</p> <p>At para. 6.199, the text refers to LLFA and Anglian Water recommendations for Neighbourhood Plans to include the findings of the Surface Water Management Plans and which is largely used for the justification of the policy. Where it states in 6.199 that the policy has been further developed to incorporate the suggested wording and requirements from the Surface Water Management Plan. However, the LLFA are only working on SWMP for three higher order settlements across North Norfolk,</p>	<p>The policy is unnecessary, duplicates existing policy, is not justified and does not meet the Basic Conditions tests and should be deleted.</p> <p>Update supporting text and provide appropriate evidence justification and local distinction</p>

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
Policy wording		<p>Cromer, Sheringham and North Walsham. As such a Surface Water Management Plan does not exist for Blakeney and therefore, its reference should be removed and the evidential basis used revaluated.</p> <p>The policy appears to duplicate an approach already included in the Core Strategy and emerging Local Plan. Much of flood risk policy is prescribed in national policy and guidance and there is no requirement to include/ repeat elements in such a policy in the Plan, unless the focus is to address locally derived issues that need to be specifically addressed. However, there appears to be no local evidence presented in the Plan to justify the inclusion of the policy and given the extensive repetition and confusion in the text and policy wording the policy introduces an unnecessary level of ambiguity to the wider development Plan that is simply not necessary or warranted.</p> <p>The policy requires the submission of a Flood Risk Assessment (FRA) for all new development proposals within the Blakeney Neighbourhood Plan Area, which is out of alignment with the requirements of national policy and guidance and is not justified.</p> <p>The requirement and justification for a Construction Environment Management Plan is also questioned along with why it is included in a flooding policy.</p> <p>The matter of an environmental permit with regards to works adjacent to a river do not appear to be relevant to the policy and it provides information rather than being an operable element of the policy.</p> <p>See also the detailed commentary in the main report around equality, approach and evidence paras 6.63 – 6.66</p>	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
Pages 75-83 Theme 2: Natural Environment Policy 11: Biodiversity and Accessibility Paras. 6.208 – 6.248		The requirement to deliver a net gain in biodiversity is a repetition of national policy and paragraph 174 of the NPPF and adds no further considerations in the development plan or local considerations. The Environment Act, November 2021, introduces legally binding targets and establishes a new domestic environmental governance system. Emerging policy CC10 sets out that development must achieve a minimum of 10% Biodiversity Net Gain, or higher as stipulated in national legislation, over the pre-development biodiversity value as measured by the DEFRA's Biodiversity Metric or agreed equivalent and sets out how this new strategic requirement will be delivered. The policy also seeks to only to seek "a net gain" which is below the emerging legislation minimum and below the strategic policy requirements	As currently worded, evidenced and justified the policy and wider section text does not stand up to scrutiny, contains ambiguity and is not supported. Policy 11 and Policy 13 are not currently evidenced, justified or provide sufficient clarity on implementation and are inoperable as written and are not supported. There has been a missed opportunity here to add to the existing Local Plan policy, but due to the lack of evidence and justification it is hard to see how the policy or policies can remain or amalgamated to add further local distinctness and value at this stage.
Paras. 6.208 – 6.210		The NPPF quote at para. 6.210 needs to be updated to reference para. 174 of the NPPF. It appears that little locally derived evidence has been carried out to support the policies within this section of the Plan.	
Para. 6.216 – 6.218		The paragraphs refer to the former North Norfolk LSA (2018), which is now out of date having been replaced by the North Norfolk Landscape Sensitivity Assessment SPD, adopted in January 2021. This document has been produced with particular reference to renewable energy and low carbon Development. It is not clear whether the text was intending to refer to this document or the North Norfolk Landscape Character Assessment SPD 2021, which has been produced to inform the determination of planning applications and provided detailed evidence base and criteria for assessment.	
Para. 6.219		The text needs to be updated to refer to para. 185 of the NPPF. But, it is noted that this quote relates to Ground Conditions and Pollution within the NPPF, rather than concerning a wider landscape sensitivity under which the quote is referenced.	
Para. 6.220		The LCA reference needs updating to the 2021 SPD – footnote 16.	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
<p>Para. 6.239</p> <p>Policy wording</p>		<p>The NPPF reference needs to be updated to para. 174 and also the text should refer to the Environment Act 2021 rather than the Environment Bill 2019.</p> <p>At present the policy requires demonstration of how <u>all</u> development proposals would deliver biodiversity net gain, but does not explain how this would be carried out in advance of the adoption of the emerging local plan which as detailed is now at an advance stage and can be determined to have weight.</p> <p>In reference to category of C trees it is considered appropriate to refer to the British Standard (BS5837) instead of ‘established practice’.</p> <p>The reference to ‘green infrastructure’ is appropriate but should be justified by a reasoned strategy that includes mapping of identified green infrastructure opportunities in Blakeney. Such an approach would give this policy (and Policy 13) robust local evidence with an assessment based justification.</p> <p>The Council will be implementing a GIRAMS financial contribution for ‘qualifying development’ determined from 1st April 2022 to enhance Green Infrastructure in order to remove the pressures off sensitive European sites that surround Blakeney. This is a cross boundary approach with other LPA’s around the mitigation measures required due to visitor impacts. The strategy is covered in the emerging Local Plan and is necessary to ensure compliance with habitat regulations as can be seen through the accompanying Local Plan HRA and emerging policies ENV4 and ENV5.</p> <p>See also the detailed commentary in the main report around equality, approach and evidence paras 6.67 – 6.71</p>	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
Pages 84-87 Policy 12: Dark Night Skies Paras.6.249 – 6.268	Object	The policy justification is misleading as it suggests a level of control for both internal and external lighting that the Local Planning Authority does not have. There is significant guidance available within the PPG and a number of the emerging local plan policies address the extent to which external lighting can be influenced and taken into consideration.	As written, the policy is not necessary, exceeds jurisdiction of planning and is considered not to meet the Basic Conditions tests and is not supported.
Para. 6.251		It would be more appropriate for this paragraph to state that the Blakeney Neighbourhood Plan Area lies within the Norfolk Coast AONB, particularly as the North Norfolk coast is not entirely within the AONB, as stated. The paragraph should also be revised to avoid misrepresentation and states that that the area is known for its dark skies and relative lack of artificial lighting but away from main roads and towns where there is also a general sense of remoteness and tranquillity rather than as stated dark skies being part of its defining features.	
Paras. 6.253 – 6.255		In particular, the first two paragraphs of supporting text refer to the use of planning conditions with regard to controlling light pollution, but this is misleading, as it does not explain that domestic external lighting does not require planning permission per se and as such, cannot be controlled, . The NPPF reference should be updated to para. 57 of the NPPF. Footnote 18 is not correctly referenced as it does not state the origin document.	
Paras. 6.256-6.259		The supporting text refers to a Statement of Intent, which is expected to be submitted alongside any planning application for new development and extensions, which should set out how the development would minimise its impact on lighting. The level of detail is not explained in terms of scale of development and how the minimisation of lighting impact should be demonstrated or how it would ultimately be assessed by a Planning Officer.	
Paras. 6.260-6.265		These paragraphs are misleading as by stating that development proposals, including to public highways (controlled by the County Council), will be required to demonstrate there are no adverse impacts on the quality of darkness, as they suggest a level of control and involvement that is not through the district council as local planning authority.	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
<p>Para. 6.267</p> <p>Policy wording</p>		<p>These two paragraphs refer to third party guidance, which does not form part of the suite of national and local planning policies, guidance and advice.</p> <p>The policy wording refers to a Statement of Intention, but does not make this a requirement for any planning application for new development or extension. As such, it cannot be insisted upon.</p> <p>Following on from this, the 2nd paragraph of the policy states that external lighting MUST demonstrate....as such, the first paragraph needs to be amended to require a Statement of Intent, otherwise none of the subsequent policy criteria will be triggered.</p> <p>Reference to internal lighting in paragraph 3 of the policy will need to be removed, as internal lighting itself cannot be assessed as part of a planning application. The matter of light spill from within a building can be considered through the design of a building, for example, preventing floor to ceiling windows at first floor.</p> <p>There are elements of the policy that are covered by permitted development rights or are the responsibility of the Highway Authority and therefore, do not come under the control of the Council as the Local Planning Authority.</p> <p>See also the detailed commentary in the main report around equality, approach and evidence paras 6.72 – 6.74</p>	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
<p>Pages 88-93 Policy 13: Open Space Preservation Paras. 6.269- 6.287</p>		<p>The Plan clearly states that it is not designating any of the sites detailed in Table 2 as LGS, although the stated ambition at para. 6.270 seeks to ‘recognise the importance of these areas to the village for recreational, amenity and visual value’ and at para. 6.275 writes that ‘The community wishes to see these spaces protected for future generations.’</p> <p>In the NPPF Open space is defined as ‘All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.’</p>	<p>The policy is not currently evidenced, justified or provides sufficient clarity on implementation and is inoperable as written.</p> <p>Policy 13 is not supported and should be removed</p>
<p>Paras. 6.270 - 6.286</p>		<p>The criteria, definition and methodology for considering sites as open space doesn’t appear to be followed through with a robust and up-to-date assessment of the sites in Table 2. For example, No. 3 Field on Morston Road (7.1ha) listed for amenity purposes. This appears to be a large tract of land and an agricultural field and the two car parks listed (Coronation Car Park No. 1 and Royal British Legion car park NO. 14), which would not meet the definition of open space, as set out in the NPPF. In addition, a number of the sites listed within Table 2 are protected as an Open Land Area within the Core Strategy, as identified on the Blakeney Proposals Map and within the emerging Local Plan, as identified on the Policies Map (including No. 4 and No.11 in the table). As such this is unnecessary duplication and in line with the PPG rarely will it be appropriate to designate spaces that are the subject of a planning permission and or subject to existing designation.</p> <p>Although the Plan states that they are not designating the sites as ‘Local Green Space’, and admits in the consultation statement that the site will not meet the criteria (page 371) by having a policy that seeks to preserve the listed open space sites – the Plan is, in effect, seeking to apply an open space designation but without <u>any</u> assessment and due regard to process and evidence and the scope of national policy. As such the policy cannot be amended to seek designation of the sites listed</p>	<p>Policy 11 and Policy 13 are not currently evidenced, justified or provide sufficient clarity on implementation and are inoperable as written and are not supported. There has been a missed opportunity here to add to the existing Local Plan policy, but due to the lack of evidence and NO justification it is hard to see how the policy or policies can remain or amalgamated to add further local distinctness and value at this stage.</p> <p>Provide the appropriate assessments and evidence to inform any revised approach.</p>

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
		See also the detailed commentary in the main report around equality, approach and evidence paras 6.75 – 6.81	
Pages 94-95 Policy 14: Sustainability of Open Space Paras. 6.288-6.295	Object	<p>No locally derived evidence has been provided to justify the inclusion of the policy, with only a general mention of previous issues at para. 6.291, which claims ‘developers have failed to make adequate provision for the sustainability and maintenance responsibility.’ This does not justify the policy. In addition, the matter of the management and maintenance of any green infrastructure is negotiated as part of a planning application and secured as part of a S106 agreement on a site by site basis. Remove unless locally derived evidence is provided.</p> <p>This policy conflicts with the current development plan in Policy CT1, and emerging policy HC19 (regulation 19) where the loss of open space will not usually be supported. The approach does however add in the consideration of development having ‘community support’</p> <p>There is concern that the approach as written directs and pre supposes that the LPA will want to take on the management of the Open space. The policy should also mention that this <u>could</u> also be the parish council, as reference in paragraph 6.293, and should be amended to clarify that management could be through the stated approaches rather default of the LPA. it is however contended that such matters are a negotiation, not a policy requirement.</p> <p>See also the detailed commentary in the main report around equality, approach and evidence paras 6.82 – 6.83.</p>	We welcome the ambition, however, the policy as written is vague and ambiguous and implies a level of control that is not supported. Further modifications to the policy and supporting text would be required in order to be supported.

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
<p>Pages 96-98 Theme 3: Local Economy and Tourism Policy 15: Local Employment Paras. 6.296-6.308</p> <p>Paras. 6.302- 6.304</p> <p>Policy Wording</p>	<p>Object</p>	<p>There is no locally derived evidence presented in support of this policy and does not clearly define what types of ‘employment uses’ the policy would be supporting.</p> <p>Two NNDC studies are quoted in these paragraphs. It is considered that the summary of North Norfolk Retail and Main Town Centres Uses Study (at 6.304) has been misrepresented, as the Plan text suggests that the study recognises ‘the need to increase the floor space for convenience goods, retail and food and beverage...’ in smaller centres and villages. Whereas, in context, the 2017 study is actually stating at para. 6.96, that “the large town centres will be the focal point for new retail development in the District, and additional floor space within other centres is expected to be limited.” There is also a retail hierarchy set in the Core Strategy and emerging Local Plan.</p> <p>The policy wording does not successfully define what types of employment uses it will support and where in the Neighbourhood Plan Area. Is this the intention?</p> <p>At point 2 of the Policy, it is not clear what development proposals would be ‘appropriate to a coastal village’, particularly as this is not made clear in the pre-amble. There are concerns that the policy is potentially seeking to restrict development to a limited number of employment uses such as farming, agriculture or traditional industries.</p> <p>As stated above, there appears to have been no analysis of the economic activity in Blakeney and whether the suggested restrictions are corroborated by any evidence.</p> <p>Home working opportunities often do not require planning permission, but where they do, the policy could veto many types of suitable uses, simply for not falling within the prescribed uses set out at criteria two. Such an approach appears to conflict with para. 84 of the NPPF, Core Strategy Policy SS 5 and emerging plan policy E3.</p>	<p>The policy contains conformity issues and ambiguity, does not meet the Basic Conditions tests and should be deleted.</p> <p>Provide clarity regarding the types of employment the policy would relate to in the supporting text and policy.</p>

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
		See also the detailed commentary in the main report around equality, approach and evidence paras 6.84 – 6.87	
<p>Page 99</p> <p>Policy 16: Retention of Business Premises for Blakeney Paras. 6.309-6.314</p> <p>Policy wording</p>	Object	<p>The section is confusing in that it is titled at para. 6.309 ‘Retaining Local Services and Retail, but in subsequent paragraphs refers to district wide data relating to tourism and retail expenditure, rather than any locally derived evidence or information. With this in mind, there appears to be no justification for the Policy and lack of clarity about what type of premises the policy is referring to, as it refers to the retention of commercial buildings for commercial activities in Blakeney, but does not make any distinction as to what ‘commercial activities’ actually are as opposed to the ‘employment uses’ cited in Policy 15 above.</p> <p>The necessity section does not acknowledge that all changes of use require planning permission and as such, potentially suggests a misleading level of planning control. In addition, the uses covered by Class E: Commercial, Business and Service, could be interpreted as being acceptable, given the term ‘commercial’ is written in the policy, but this is unlikely to be the case and consequently, cause confusion.</p> <p>The imprecise wording in the policy is in conflict with other policies in the Blakeney Plan, the Core Strategy and emerging local plan.</p> <p>No substantive evidence has been presented to support the inclusion of the policy. The policy as written, lacks clarity and conflicts with Core Strategy policies and other policies in the Plan.</p> <p>See also the detailed commentary in the main report around equality, approach and evidence paras 6.88– 6.89.</p>	<p>The approach is not adequately evidenced, justified nor provides sufficient clarity. The policy is does not add any local distinction and does not meet the Basic Conditions tests.</p> <p>Provide clarity regarding the types of commercial activities the policy would relate to in the supporting text and policy.</p>

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
<p>Pages 100-102 Policy 17: Tourism Paras. 6.315-6.239</p> <p>Policy wording</p>	<p>Object</p>	<p>The policy and justification should make reference to the Norfolk Recreational Avoidance and Mitigation Strategy (RAMS), which has been implemented by the Council from 31 March 2022. Mitigation for all development will come through the strategic policies of the development plan due to issues identified in the Local Plan HRA and addressed at a strategic level</p> <p>The policy approach appears to have little regard to Core Strategy Policies on tourism, and related development, in policies EC7, EC8 & EC10. In particular, the policy, as currently written, seems to ignore the strategic approaches around the support for tourism development and the sequential test in EC7.</p> <p>It should be noted that approximately half of a holiday park site falls outside the Blakeney Neighbourhood Plan Area.</p> <p>At point 3- the correct name of the Conservation Area Appraisal and Management Plan should be applied.</p> <p>The policy currently suggests that as long as development meets the criteria in the policy – all tourism development is acceptable. This could potentially include the building of holiday accommodation and second homes. An open interpretation of this policy would be in conflict with the Plan Policies 2, 3, 4 and 5.</p> <p>See also the detailed commentary in the main report around equality, approach and evidence paras 6.90 – 6.97.</p>	<p>The approach is not adequately evidenced, justified nor provides sufficient clarity on conformity issues with the current and emerging Local Plan and as such, seems to be inoperable as written.</p> <p>Amend title of document.</p>

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
<p>Pages 103-104</p> <p>Section 7: Community Projects and Actions</p>		<p>Some of the aspirations listed are outside the remit of the Parish Council. Others projects refer to matters that ideally should have formed part of a positively prepared Plan, for example, the identification and allocation of a site to provide affordable housing.</p>	<p>Amend aspirations.</p>

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Proposed Change
<p>Pages 105-106</p> <p>Section 8: Implementation, Delivery and Monitoring</p>		<p>The section mentions that the Plan will be reviewed every five years and that funding will be sought through s106 and s278 agreements, new homes bonus etc.(paras 8.3 / 8.13), however, this is not the case, as it does not accord with national policy and is not how neighbourhood plans are funded. Furthermore no attempt is made in the Plan to introduce such a requirement and the text should be corrected in relation to funding specifically.</p> <p>The section states that monitoring will be done by both NNDC and the Parish council but no monitoring framework is suggested. It would have been helpful to include such a framework.</p>	<p>Amend wording relating to funding.</p> <p>Provide a monitoring framework within this section.</p>

End

Appendix 2: Regulation 14 Response

Blakeney Neighbourhood Plan - Pre submission Version (September 2019 Reg.14 v1)

North Norfolk District Council response November 2019

1. Thank you for consulting North Norfolk District Council (NNDC) on the pre submission Blakeney Neighbourhood Plan (the Plan). NNDC is the statutory Local Planning Authority (LPA) for the area and is a specific consultee. NNDC recognise the work and commitment that has gone into the production of the Plan by members of the Steering Group, Blakeney Parish Council and the Clerk.
2. The comments below form officers' review of the emerging neighbourhood Plan from across the Council's departments at regulation 14 stage of the Neighbourhood Planning (General) Regulations 2012 as amended. This stage requires formal comments in line with our professional and statutory role and should be seen as a positive attempt try to assist the Parish Council in finalising the Draft Plan in order to produce a final Plan for the parish.
3. We want to see a Plan that best reflects the aspirations of the community whilst fitting into the parameters of neighbourhood planning, meets the required basic conditions tests at independent examination and will be effective in the longer term.
4. The commentary and advice contained in the response is drafted in such a way as to make sure the emerging Plan faces less challenge at examination, has the best chance of being adopted and will stand the test of time.
5. We highlight a number of concerns in relation to the evidence base of the Plan and officers would like to work with the steering group to ensure your evidence provides the basis for a truly effective Plan for Blakeney. We would like to work with you on setting a housing target and expanding the evidence base on local need.
6. We believe a number of the aspirations and objectives of the Plan could be achieved by allocating a site in Blakeney for housing growth. We understand this is a difficult, controversial and complex process, however, we want to support you in this process, if you choose to undertake it.
7. We would like to discuss the detailed response with the Parish Council and also reiterate our willingness to provide ongoing professional support and to undertake a number of informal workshops or meetings with the steering group based around topic areas.

Section 1: Overarching comments to the Plan

Overview

8. We fully support the production of neighbourhood plans, believing that when combined with other elements of the Development Plan, they can be effective in addressing local issues and help shape growth to meet local community needs in a way that the strategic nature of the Local Plan cannot. As such they provide the opportunity to add much local distinction, positivity and direction in order to help a neighbourhood grow.
9. We recognise that much hard work has gone into the production of the Blakeney Plan and are supportive of many of the underlying principles of what the Parish Council is trying to achieve.

However, in examining the Plan and the policies there are some significant concerns which go back to the heart of neighbourhood planning process that, in officers' professional opinion, need to be taken on board in order to produce a meaningful and effective Plan.

10. Many of these comments will come as no surprise and have previously been raised – but have not been taken on board in the finalisation of this consultation document. Taken as a whole we are of a view that with the Plan, as presented, there is real danger that it will not pass the scrutiny of independent examination based on the circumstances of Blakeney or be effective in addressing the stated aims without significant deletion, and amendment.
11. In taking the Plan forward we strongly recommend that a review of existing Local Plan policies takes place followed by the commissioning of significantly stronger supporting evidence base (with an appropriate review and consideration of the evidence) in order to inform potential policy options. Throughout this response, potential solutions are outlined which would allow officers to be more supportive towards the Plan and we would encourage the Parish Council to give serious consideration to them going forward.
12. Plans should to be ambitious, but realistic, and a level of honesty and realism is required around the recognised cumulative influence any Plan will have on development in the parish. Consideration needs to be given to the cumulative effects of all the policies combined as well as the effects of individual policies. There is little, to no point, in promoting a policy if the level of influence it has (irrespective of the supporting evidence) is trivial and/or has the potential to limit development.
13. Though you may find much of this response critical, the comments are designed to be informative, constructive and supportive in the production steps ahead of the final submission and prior to independent examination.
14. Overall, the emerging Plan as presented reflects a missed opportunity to define and refine development proposals in Blakeney in order to add a level of local distinctiveness in the way expected by the government through neighbourhood planning. **We draw your attention to two neighbourhood plans, Coggeshall and Stadbroke, both of which set out a clear structure and ambition, set out positive policies justified by appropriate evidence and provide a framework for planning, which if followed provide good examples of what can be achieved and how to manage the production of a neighbourhood plan.**
15. It will be up to the Parish Council as the Qualifying Body to review these and other comments received to inform the production of the final plan. A schedule of all comments received and the actions flowing out of them should form part of the required consultation statement at submission stage and be used in a constructive and positive way to demonstrate how the feedback has helped inform the final version of the Plan ahead of independent examination.
16. On reviewing the material made available for the consultation, it is noted that there are numerous individual and overarching issues that run throughout the document which raises significant concerns around compliance with government legislation on plan making. To address these concerns, in taking the Plan forward, the Parish Council may wish to consider the other areas of professional support that are available. In addition to further officers' support, Locality (as the national group funded to provide external support for neighbourhood planning) not only provide key neighbourhood planning guidance documents but also offer best practice advice and additional technical planning support through AECOM¹.

¹ <https://neighbourhoodplanning.org/wp-content/uploads/Guidance-notes-2019-20-update-inc-AHS-Final.pdf>

17. Officers have concerns that the basic conditions have not been met in relation to:
1. **A misunderstanding of planning, planning law and the neighbourhood plan process:** including basic conditions test, scope of land use planning/ focus on non-land use planning matters, failure to include a housing target for the application of housing policies, suitability of some of the approaches chosen & the inadequateness of methodologies used and screening requirement for environmental effects
 2. **A significant lack of evidence, lack of objectiveness in presentation and justification to support approaches including;**
 - a. the significant reproduction of large parts of other Made Plans without the appropriate review and locally derived evidence informing and supporting the approach.
 - b. Misinterpretation of the limited evidence
 3. **Ambiguity, duplication, conformity and repetition issues, both between policies and also with statutory plans;**
 4. **The long term effectiveness of policies and their ability to address the issue raised.**
18. There remains a significant amount of unnecessary duplication and repetition, lack of clarity, conformity with other development plan policies which if not addressed will also inevitably limit the shelf life of the neighbourhood plan as they will be superseded by the emerging Local Plan.
19. It is advisable to go back to basics, seriously reconsider the scope and evidence base required and to allow this evidence inform the policy choices rather than seeking to make a policy fit into a preconceived outcome. The starting point should be a review of the existing Core Strategy and emerging Local Plan for conformity issues (see our guidance note).
20. The comments provided are substantial and detailed, however, in an attempt to minimise repetition, this section seeks to cover many of the high level and cross cutting issues followed by advice on how the plan could establish itself on a sound footing. **In section 2 more detailed comments are given on each section and individual policies.**

[Previous feedback](#)

21. Although some policy wording has been amended officers' remain concerned that our previous detailed written advice provided on the emerging plan (in March 2019 and at a subsequent meeting on 25th March 2019 with the steering group) has not been adequately considered and incorporated into the production of this consultation document. As such the emerging Plan continues to project fundamental flaws into the community consultation in such a way that can only mislead the general public and consequently dilute the effectiveness of the consultation exercise.

Policy considerations

National Policy

22. Overall neighbourhood planning provides a powerful set of tools for local people to plan for the types of development to meet their community's needs, develop a shared vision for their neighbourhood and shape the development and growth of their local area. In neighbourhood plans the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area, which is set out through the Local Plan. The Council is supportive of neighbourhood planning and recognises that the production of a neighbourhood plan can be daunting and there are many issues to consider, however, it remains a formal planning document guided by prescribed legislation and which must undergo independent examination.
23. The neighbourhood plan must comply with basic condition tests which include national and local policy considerations, European legislation requirements and equality law compliance. In doing so a Plan is required to have appropriate justification and we cannot stress enough that throughout the production of the Plan, the Parish Council should take the council up on its offer to provide continued and constructive guidance.
24. The basic conditions tests are not repeated here as you will no doubt be familiar, however the National Planning Practice Guidance (PPG) provides comprehensive web based guidance for the planning system which all Plans and Programmes should be in general conformity with. In many cases the guidance adds detail and interpretation of the National Planning Policy Framework, NPPF, and clarity to the interpretation of the basic condition tests. There is a specific section for neighbourhood planning in the guidance which also links to relevant parts of other guidance such as plan making which details the use of evidence further. Other sections cover the use and limitations around planning obligations which covers such items as affordable housing contributions and the parameters of s106 agreements. These guidance documents cover many of the topics that are to be covered in the emerging the Plan.
25. **It is strongly recommended that the neighbourhood planning section of the PPG and the locally specific and detailed guidance documents produced by NNDC (see below) are reviewed and taken into consideration in future versions of this emerging neighbourhood plan.**

Planning Guidance

26. NNDC have produced a suit of additional guidance aimed at supporting local communities in North Norfolk undertaking neighbourhood planning. These are based around specific check sheets and frequent topics that town and parish councils have sought guidance on. They are designed to provide guidance on how neighbourhood planning groups can reflect local circumstances and develop policies that are justified and evidenced in a positive and realistic way, which if followed will provide more certainty at examination and provide an effective policy base to inform decisions. These guides are updated from time to time and can be found on the Council's web site: <https://www.north-norfolk.gov.uk/section/planning/planning-policy/neighbourhood-planning/>
27. In addition, those producing neighbourhood plans should refer to and obtain an understanding of the National Planning Practice Guidance which provides the government's guidance and parameters around neighbourhood planning:
<https://www.gov.uk/government/collections/planning-practice-guidance>.

Detailed comments on the approach outlined in the Plan

Affordable Housing & Local Connection

28. The Council have consistently advised the Steering Group that the statutory occupation of housing sits outside the scope of the neighbourhood plan and land use planning. It is wrong to suggest that neighbourhood plans can set policies that determine who gets priority in occupation and which housing provider should supply the properties. Furthermore, the Plan should not seek to misrepresent planning officers and imply a level of support that is not there. Inaccurate references contained in the document should be removed.
29. **For those neighbourhood groups who wish new housing to go to those with a connection to the parish it should first be noted that the existing countryside policy and rural exception site development policies that exist in the Core Strategy and emerging Local Plan already do this.**
30. Countryside development for affordable housing in perpetuity in association with a specific neighbourhood connection is allowed through Core Strategy policy HOU3, HOU5 and the emerging Local Plan policy HOU3 and HOU4. In such cases preference is already given to those with a connection to the parish. For all other developments affordable housing occupation is determined by the strategic housing policies of the Council in line with the government's reasonable preference criteria and choice based lettings scheme. This is a statutory requirement that applies to all development and includes the strategic site allocations in the Local Plan. This will take precedent over the parish council's aspiration for seeking priority to be given for those with a locally defined connection through the neighbourhood plan.
31. A neighbourhood plan group seeking to add further local connection criteria outside of the statutory policy would not only be contrary to the Council's allocation policy but also contrary to the legislation to which Local Authorities must conform to. For case history, please see the Inspectors report into the Coprusty & Saxthorpe Neighbourhood Plan where a similar approach was deleted at examination.
32. As written the Plan misinterprets and misleads its readers and it needs to be recognised and explicitly stated that in national policy there are affordable housing thresholds below which no affordable housing can be asked for, as well as percentage requirements in the Local Plan. Clarity needs to be given around the expectations and the numbers of affordable homes the plan expects to deliver and further consideration given to the effectiveness of the approaches in achieving the ambition.
33. It is true that the Blakeney Housing Association has agreed its own lettings policy with the Council. This housing society is a community initiative that provides for small scale and very local needs by operating on a small geographical scale. As such North Norfolk District Council has agreed with the Association that they can apply specific allocation policies provided that the policy comply with equalities legislation and that they are operating in the specified area.
34. It should be noted that these local societies can purchase land and build in the relevant communities but neighbourhood plans should not seek to write policies that favour them as housing providers over others or prevent other providers from operating. Neighbourhood plans should therefore not seek to replicate such business models or criteria in policies. It goes without saying that where any housing is provided by such a local housing society its specific nomination criteria would be applied.
35. **By seeking to provide housing to those with a local connection across the parish, at the expense of those in general need, such an approach does not comply to equality legislation and conflicts**

with the Council's statutory duty in accordance with its responsibilities under separate Housing legislation. Therefore, Policy 1 has no grounds for inclusion in the Plan.

36. The Plan is also seeking restrictive letting policies on windfall development and as such the steering group need to be aware of the policy restrictions in national guidance where thresholds apply to the provision of affordable housing along with the potential to conflict with the strategic approach of the Council which in part is reliant on a windfall allowance to achieve its housing target for market housing. This is particularly relevant to the Plan as no additional growth is being brought forward through the neighbourhood plan to address the identified local need or a housing target set for the plan. **As such the Plan is not positively prepared and in conflict with the strategic approach set out in the Core Strategy and emerging local Plan and also fails to adhere to national guidance.**
37. Further explanations on planning obligation thresholds is contained in the housing section of the emerging Local Plan and is also contained in the PPG and **more detail on these issues and other housing matters including the approach to general needs housing and exception site are explained fully in the Council's Neighbourhood Plan Guide to Housing².**
38. There are opportunities outside the neighbourhood planning process where communities can identify and progress affordable housing sites with the support of the Council's Housing Enabling team through community-led housing. Detailed discussions have already been had and continue between the parish council, community enabling officers and housing providers round the opportunities of this approach in Blakeney and it is surprising that the plan remains silent on these and does not seek to develop a joined up strategy.
39. Community-Led Housing organisation's can own and manage homes and the land they stand on. The community benefits are clearly legally defined and protected for the community now and into the future. E.g. community land trusts principals offer a way of providing genuinely affordable housing in perpetuity, where the assets are held in trust for the benefit of the community. This method seems more closely aligned to the ambitions of the parish council, where a local letting approach could be explored with the Council separately as a housing provider in its own right or in partnership with Blakeney Housing Society.
40. **As a way forward in achieving more affordable homes** and to meet the needs of both the District and locally identified need through the NP we would advise that the policy approach currently outlined in the Plan is not the correct way to realise the ambition. **We would encourage, and be supportive, of the Parish Council if it sought a more joined up approach** - using the community housing led approach, to deliver its housing ambition and using the neighbourhood plan to identify and allocate suitable land. The approach should be set out an appropriate, justified and deliverable housing strategy.
41. A number of potential sites have previously been identified both by the Parish Council and the local planning authority, LPA. These could be further refined through the neighbourhood planning process where more certainty could be provided in meeting the community's aspirations and expectations by allocating appropriately assessed sites. Many of these sites have already been assessed as part of the Local Plan process and officers can provide an assessment framework and further advice on how to undertake site appraisal. Further professional financial and technical support is also available through Locality for this purpose. A housing target needs to be agreed with the LPA as advised in the national guidance and more information on this is contained below. **As a way forward we would advise that a comprehensive Housing Topic paper is produced that**

² <https://www.north-norfolk.gov.uk/tasks/planning-policy/neighbourhood-planning/>

reviews all the factual evidence across the whole built environment and seek to draw out all the issues both positive and negative that have a bearing on the NPA.

Housing Target

42. Strategic policies in the Local Plan set out the overall housing target for the District and distribute growth across a hierarchy of settlements. Such requirements are based on the overall housing requirement/target of the Local Plan and are based on appropriate evidence and national policy and assist in the Council meeting its own identified housing needs at a strategic level across the District. Blakeney is identified as a service centre and as such is a settlement that provides for wider district needs as well as its own and this wider function should be explained in the plan along with how through the emerging neighbourhood planning additional sites can be identified to address any properly evidenced local need.
43. In order to address affordable housing provision in line with the government expectations and the neighbourhood plan's ambition to ensure a more balanced housing market the Plan should include a **locally derived housing target informed by local evidence of need**. The Plan should be seeking opportunities for positive growth through the identification of additional sites (to the emerging Local plan) and allocate additional housing sites. This could include the identification of sites, both market and/or exception housing to address any fully evidenced local needs over and above that required through the emerging Local Plan.
44. As the Plan makes provision for housing and introduces housing policies, the NPPF now expects the Local planning Authority to set a housing requirement for designated neighbourhood plan areas³. The housing requirement figure and its origin (specific to the neighbourhood plan) are expected to be set out in the neighbourhood plan as a basis for their housing policies. In order to meet need, neighbourhood plans are expected by the Government to plan to meet their housing requirement and where possible exceed it⁴ through additional housing allocations including affordable housing.
45. The plan would benefit from greater clarity on the housing target and along with greater clarity on the status of Core Strategy and emerging local plan allocations. The Plan gives the impression that it will influence the Core Strategy allocations, however these have already been fully built out. The emerging Local Plan allocations would remain a strategic allocation to address a wider need and it must be made clear in the contextual information that neighbourhood plan policies apply to the **growth outside that identified as strategic growth i.e. only apply to growth brought forward through the neighbourhood plan**. This is particularly relevant in relation to the proposed approach around principle residency, and the policies in the Build Environment section other issues around conformity. In order to do this, you need to set a housing target and bring forward appropriate growth.

Setting a housing Target

46. National guidance advises that any housing requirement set should be met and where possible exceeded.⁵ In order to do this the NPPF expects that an indicative housing target is provided to neighbourhood planning bodies by the Local Planning Authority. Such a target should be in addition to the strategic target set out in the Local Plan and based on evidence. This should be

³ PPG para 101 Ref ID 41-101-20190509 09.05.2019

⁴ PPG para 103 Ref ID 41-103-20190509 09 05 2019

⁵ This advice is clearly set out in the PPG para Paragraph: 040 Reference ID: 41-040-20160211, Paragraph: 103 Reference ID: 41-103-20190509, Paragraph: 104 Reference ID: 41-104-20190509, May 2019 and others.

based on local characteristics, evidence and in agreement with the neighbourhood plan body. Any housing requirement is subject to the basic conditions tests and needs to be in general conformity with the Local Plan and will need to be tested at examination. No such housing target has been requested, nor does the plan seek to positively provide for any additional growth in order to address its objectives. As such these areas are highlighted for concern and should be reviewed as a matter of urgency in conjunction with officers.

47. It is advised that agreement on an indicative housing target is sought from the LPA which can be used as a starting point for the housing policies. In setting any housing target consideration will be given to relevant policies in the existing and or emerging spatial strategy as set out in the Local Plan alongside the characteristics and factual evidence of the neighbourhood plan area. In general, the Council are supportive of additional appropriate small scale growth in all parishes through neighbourhood planning where it is demonstrated there is a local need.

Evidence Base

48. Key to the development of a sound neighbourhood plan is the evidence base, which should be fully transparent, referenced and verifiable. Evidence, not opinion, should be used to inform and justify the development of any plans options and emerging proposed policies. Building a strong evidence base, to support and inform the production of a neighbourhood plan is vital to the immediate and longer term success of a neighbourhood plan.

49. The National Planning Policy Framework states:

Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order.... A local planning authority should share relevant evidence, including that gathered to support its own plan-making, with a qualifying body.

Paragraph: 040 Reference ID: 41-040-20160211 revision date 11.02.2016

...Any neighbourhood plan policies on the size or type of housing required will need to be informed by the evidence prepared to support relevant strategic policies, supplemented where necessary by locally-produced information.

Paragraph: 103 Reference ID: 41-103-20190509 Revision date 09.05.2019

A neighbourhood plan can allocate additional sites to those in a local plan (or spatial development strategy) where this is supported by evidence to demonstrate need above that identified in the local plan or spatial development strategy

Paragraph: 044 Reference ID: 41-044-20190509 Revision date 09.05.19

50. Evidence is extremely important, it ensures that the choices made in your neighbourhood plan are backed up by facts and that the policies produced are robust and justified as required by national policy and guidance..
51. **The Blakeney Plan is almost entirely based around opinion.** The opinion and views of the local community may demonstrate that the policies and approach in your plan have been informed by the consultation with the local community (and others with an interest in the area). However, it needs to be understood that opinion itself does not provide the justification for policies choices.
52. These community views or aspirations should have been built upon by examining and analysing evidence. There is no substitute for research and fact finding which demonstrates that the choices

made in the Plan are backed up and substantiated by up to date and robust background facts and evidence. If there is **not the evidence to support** the community raised view or concern, then the Plan should be honest and explain the evidential context and not have a policy for the sake of it. Evidence needs to be locally derived, and it is wrong to seek to justify policies after an approach has already been predetermined.

53. When using factual data, care must be taken in undertaking and presenting an objective analysis. Any review should not seek to skew data towards your preferred outcome but present a full and transparent picture from which to draw conclusions from. At present there is some concern that data used especially in the Build Environment section is incorrectly analysed and as such **presents a misleading and leading picture to readers**. E.g. Comparisons with Norfolk as a whole rather than the District Figures a whole different conclusion would be drawn. As such an incorrect picture is used to justify policies which will not stand up to scrutiny, will misinform the reader and has the potential to be undermined. Further detail on this is provided in the relevant sections below.
54. **A significant concern is the predominance of large sections of text and policy wording that has been copied from other made neighbourhood plans**. In particular, significant elements of the first five policies and supporting text seem to be directly lifted from two specific neighbourhood plans – St. Ives and North Northumberland Coast. There has been no review or presentation of the supporting evidence that accompanied those plans and on review is specific to their local circumstances. There has not been any meaningful analysis to provide justification for the same approach in Blakeney. This approach is not condoned and has the potential to undermine the long term application of the Plan and opens the risk of challenge.
55. A failure to base policy on robust evidence runs a considerable risk that it will not accord with the basic conditions and may be ineffective as the Council will not be able to rely on it in the longer term as a consideration in the determination of planning proposals. This affects the life and usefulness of a neighbourhood plan. This is particularly relevant in relation to the proposed approach around **principle residency**, where very little justification or evidence has been put forward to support the approach. **In order to bring forward such an approach a far more detailed and quantifiable evidence base needs to be developed on the basis of demonstrating the wider impacts of unrestrained growth on the whole sustainability of the town and neighbourhood plan area**, rather than the populist view cited that the number of second homes is hampering affordable house occupation by those with a local connection. Any claims of unsustainable impacts need to be substantiated by factual data and analysis of both positive and negative effects that second homes are believed to bring in order to establish the wider impacts on the sustainability of Blakeney.
56. A detailed guide on how to establish and justify such a policy approach is contained in the NNDC neighbourhood plan guide to housing. The guide explains the evidence approach required and the detailed considerations that need to be presented in order to support and justify policy development. The guide uses the St. Ives approach as a case review and identifies basic evidence considerations such as:
 - the position the settlement holds in the settlement hierarchy
 - viability impacts and consideration on the rate of deliver
 - existing age cohort of the parish
 - proportion of second homes (noting the difference between second homes and holiday homes) as well as the occupancy rates and the use as holiday lets and therefore their contribution to the local tourism economy
 - trend based analysis
 - occupation rates

- level of services
 - the consideration of alternatives that may more closely relate to the plans aims.
57. Any approach needs to be supported by a detailed analysis around the three strands of sustainability and include both positive and negative impact analysis specific to Blakeney followed by a balanced assessment of the potential options. It is simply not enough just to copy a policy from another plan.
58. In developing policy approaches unintended effects should be considered. e.g. new housing that is subject to principle residency does not have the price controls that affordable housing does, or any local connection requirement so any property that has this condition will not contribute to the prime aim of the parish council and community of providing affordable housing. Also such an approach can have negative effects on land and house values which can impact the viability of delivery.
59. A failure to ensure this advice is followed will leave the Parish Council vulnerable to challenge, especially when the issue of the lack of housing growth being promoted, and the lack of a housing target are taken into consideration. In short any policy approach seeking a principle residence restriction will need evidence that they (second homes) are the cause of problems and the restriction, if applied would be an effective measure without potential adverse unintended consequences
60. **Evidence from St Ives is that this is now starting to impact on housing delivery in a negative way and that those wishing to purchase second homes are still doing so, but from the existing stock.** A recent publication from the London School of Economics⁶ (as reported in The Telegraph) concluded that there has been a 7% rise in house prices in the existing stock and as such the policy has failed to address affordability or allow greater access to the market of local people. These factors and the effectiveness of any approach needs to be considered and documented as explained further in the detailed response to Policy 2 and is particularly relevant as the neighbourhood plan as drafted has the effect of constraining the supply of housing further.
61. For detailed guidance on evidence and how to identify, use and sources of evidence please refer to the NNDC guidance document published on the Council's web site.

Evidence example: green infrastructure and open space

62. The Plan contains numerous poorly constructed sections but can be demonstrated through the open space section of the plan where there is a missed opportunity to set out a local green infrastructure strategy that will deliver the connections and improvements outlined as aspirations of the local community.
63. Policy 13 adds no local distinction to existing policies. What the policy should be doing is designating appropriate sites for the Core Strategy policy to apply. In doing so any sites that meet the review criteria should also be mapped. Many of the spaces listed already benefit from an environmental/open space protection through various designations and Core Strategy / emerging Local Plan policies, where existing policies cover both designated and undesignated open spaces. As such the proposed policy does not bring any further protections to these sites and the policy along with the duplications / repetition of sites should be removed from the neighbourhood.

⁶ LSE Report: <http://cep.lse.ac.uk/pubs/download/cp543.pdf>

The Telegraph article: <https://www.telegraph.co.uk/news/2019/10/31/st-ives-second-home-ban-backfires-construction-companies-leave/>

64. There should be a thorough audit of existing policies and designations and Core strategy policy to inform future iterations of this Plan and include its findings as contextual information in the document to inform parishioners, the inspector and any determining officer at time of application.
65. In order for existing Core Strategy policies to apply to any identified open space sites (and to address the communities' wishes around the importance for these areas for recreational, amenity and visual impact) there should be a robust assessment. The assessment must conclude on the suitability (or not) for designation together with an explanation of the methodology used. This detail should be contained in a background topic paper
66. In the current Core Strategy protection is given to 'Open Land Areas' and 'Education and Recreation Areas' which are formally designated on the Proposal Map via adopted policy CT1 of the Core Strategy 2008. The parish council will be aware that as part of the preparation of a new Local Plan for the District the district council reviewed its evidence and policy approach in relation to designations and the provision of new, and protection of existing, green spaces of various types following feedback from the PC. The full assessment has been published and is available on the Council's web site and should be used in any review. In addition the council has published all the existing planning constraint layers including those with open space environment designation on its interactive constraint layer which the group can easily access <https://maps.north-norfolk.gov.uk/wmlpublic/Map.aspx?MapName=FindIT>
67. Neighbourhood plans can bring forward protection for open space through the assessment of additional sites subject to an open and transparent review as outlined in the NPPF. Sites that meet the qualifying criteria for Local Green Space designation and or more general open land area should clearly be identified. LGS sites are given specific policy protection in the NPPF. Further information and the full assessment framework is provided for both in the published NNDC guidance on local Green space and in the Amenity Green Space review both available on the Council's web site.
68. As a minimum the chapter should reference the sites with existing designations, a separate evidence paper should be prepared setting out how additional potential sites were identified and what value they bring i.e. through a review of existing all open space in the village, and then assessed according to the methodology set out in the NPPF (and detailed in the NNDC guidance). The council's published material includes an assessment pro-forma which can be used for such purposes.
69. It should be noted that the NPPF specifically steers communities away from designation of large tracks of land and those that have been put forward for potential development. If such an approach was taken it would be contrary to the NPPF and as such runs the considerable risk of deletion. For a full list of potential housing sites, the published Housing and Economic Housing Land Availability Assessment, HELAA should be used as a source of evidence.
70. For any sites that are subsequently identified as warranting special protection the location and extent should be identified and mapped in the neighbourhood plan and clearly referenced in a policy
71. As an alternative to the approach currently detailed the steering group have the opportunity to address the wider community aspirations around open space and connectivity **through the production of a locally distinctive GI strategy and link its delivery to growth.**
72. NPPF states: "To assist in planning positively for green infrastructure local planning authorities may wish to prepare an authority-wide green infrastructure framework or strategy. This should be evidence-based by, for example, including an assessment of current green infrastructure provision that identifies gaps in the network and the components and opportunities for improvement. The

assessment can inform the role of green infrastructure in local and neighbourhood plans, infrastructure delivery plans and Community Infrastructure Levy (CIL) schedules.”

“Local Plans should identify the strategic location of existing and proposed green infrastructure networks. Where appropriate, supplementary planning documents can set out how the planning, design and management components of the green infrastructure strategy for the area will be delivered.”

73. As such a local assessment of GI gaps and a strategy that address how to add local value could be included in the final plan rather than slightly meaningless section that repeats existing policy.

Evidence conclusion

74. **If the Plan does not have the evidence to support a particular policy approach, then you should consider removing the policy** otherwise you run the risk of the independent examiner recommending the policy is deleted or modified in line with any evidence provided at examination by third parties and or from national policy. Secondly, if a policy approach remains unjustified it runs the risk of not being enforceable in the longer term.
75. If you remove a policy because of a lack of evidence you may wish to explain to the local community in the draft plan or consultation statement, why a particular issue they raised during consultation is not being addressed in the neighbourhood plan. If in any review, there is an evidence gap you may need to commission further evidence. The policy team can advise on the best ways to go about this.
76. **As a way forward** the steering group should review available quantitative evidence and where necessary seek to establish other locally derived evidence to inform potential options. These options should be reviewed in line with the evidence to inform the best policy outcome. Jumping to a policy position without first considering the evidence should be avoided at all cost
77. Further information is available in the NNDC guide on evidence for neighbourhood planning and in relation to housing policies, e.g. setting the housing target, and how to approach establishing a suitable evidence base for second homes can be found in the neighbourhood planning housing guide.

Conformity Repetition & Duplication

78. The PPG at [Reference ID: 41-074-20140306](#) advises that the basic condition relating to ‘general conformity’ with strategic policies contained in the Local Plan should consider the following:
- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;
 - The degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;
 - whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy;
 - the rationale for the approach taken in the draft neighbourhood plan and the evidence to justify that approach.
79. **As such a number of policies conflict with the strategic approach. Your attention is brought to the NNDC guidance on this matter in the published NP guidance on strategic policies.**

80. Not only do a significant number of the policies duplicate the existing and emerging policy base they also duplicate and conflict with each other. The plan would benefit from a full review of policies against those identified as strategic policies in the Core Strategy and also emerging Local plan. Where there is conflict policies should be removed or amended to remove the conflict. Clarity needs to be sought and further topic based discussions with officers as previously suggested are encouraged to establish a fuller understanding.
81. An example of this is the Policy 10 Drainage and Flooding where it repeats the approaches already detailed in National Policy, Core Strategy and emerging local plan. The policy is an unnecessary duplication and the policy actually seeks more onerous requirements than National Policy in the case of SFRA but no evidence is put forward to justify this approach. The policy does not seek to address any local specific flooding issue which is not already captured through existing policy and as such is unnecessary and should be deleted.
82. Another example is the promotion of the former school playing field on Langham Road as a 'protected' open space in Table 2. It is understood that the Parish Council is also supportive of an affordable housing scheme on this site and has had discussions with Blakeney Housing Trust and Broadland Housing Association. The neighbourhood plan therefore offers an opportunity not to reinforce the current open land area designation but to remove it and promote the site for Housing. Planning decisions are made in accordance with the Plan and the site is already designated as 'Open Land'.
83. Ambiguity, repetition and conflict in and between neighbourhood plan policies should be removed. It should be noted amending a Draft Plan is not the role of the Inspector who is more likely to remove policies than seek to resolve a plans short comings. **Significant conformity issues are highlighted in this overview and also detailed in section 2.**

Policy writing: Clarity and Effectiveness

84. As set out in the NPPF plans should be aspirational but realistic. This means that plans need to balance evidence of need, and evidence of viability and deliverability. The expectation of government is that neighbourhood plans are positively prepared - i.e. not restrictive or protectionist. Collectively there is concern that the policies when taken as a whole are restrictive and could stagnate development. As such the plan itself despite words to the contrary in the document is considered not to be positively prepared.
85. National planning guidance states that
- 'A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications.'*
86. Many policies in the plan would benefit from amended wording to ensure clarity for application and implementation purposes. Duplication and conflict within policies also causes concern and Officers have suggested policy deletions where it considers the policy repeats other parts of the statutory development plan or the intended outcome of the policy cannot be achieved through the planning system.
87. In some policies there is also the need to clarify in the supporting text where it is expected where and how a policy will apply - there is a need to provide clarity of whether the policy should apply to the neighbourhood planning area as a whole or only in certain parts.

88. Policies such as Policy 3 (Change of use from Residential to Holiday Accommodation) includes misleading and inaccurate interpretation of planning law and should be removed. Detail of these are included in the individual policy section that follows these comments. A failure to address these will result in running increased risks at examination of policy deletion. In order to rectify this a review of the effects of the Plan should take place and each individual policy checked so that they are each **positively worded**, and collectively **do not conflict or overlap** with each other or seek to repeat approaches already in the plan and wider development plan.
89. With regard to Policy 8, it is not clear on what basis are you seeking to remove permitted development rights. In applying the policy an officer requires a justifiable reason to apply the policy and a blanket ban would not be enforceable. What evidence exists that PD rights have caused unacceptable impacts?

Next Stages

90. We want to work with the Plan Steering Group in order to come up with an agreed approach to bringing the Plan to formal submission stage. Our suggested next stages can be considered in 2 parts: 1. The work that can be done on reviewing all of the comments and then making the appropriate revisions, and; 2. The information and documentation that is required from the Parish Council as Submitting Body at submission stage.
91. As previously stated we would like to discuss the response in detail with the Steering Group and also reiterate our willingness to provide ongoing professional support.

Blakeney Plan consultation response review

92. The Steering Group should review comments and should be recorded on a schedule of representations outlining the representations to each areas, from whom and how it has been taken into consideration in finalising the Plan. There may be a temptation for the Steering Group to continue with the approach as outlined in the Plan and not fully address the comments which are considered, by NNDC, to be fundamental. It is the Parish Council's prerogative to do so - as you may feel that your approach is robust and correct. However, we would recommend, and support, a comprehensive review of the evidence base and the policies.
93. We would therefore ask that a step back is taken at this stage and you take us up on our genuine offer of support and assistance. As previously suggested, we can undertake a number of informal workshops or meetings with the steering group based around topic areas.

Submission requirements

94. It would be helpful if we were given plenty of notice that the Plan is likely to be submitted. This allows for time to be programmed in to our work schedule – so that we can give the planning for the examination of the Plan the appropriate level of attention.
95. In the first instance, can we direct you to the guidance that NNDC have produced which includes a 'Submission Check Sheet'. That guidance will not be repeated in detail, but essentially requires the following:
- Sign off for submission by the Parish Council provided to Local Planning Authority.
 - A map of the designated Neighbourhood Plan Area.
 - The proposed Neighbourhood Plan - hard copy and in **Microsoft WORD format**.
 - A Consultation Statement.
 - A Basic Conditions and other legal requirements statement.

- Any relevant supporting information – i.e. the evidence base.

96. We do not believe that NNDC were asked by the Steering Group on who to consult at this Reg. 14 stage. Therefore, we will require the details of who was consulted and all those who responded as well as contact details at submission. However, the Parish Council must be aware of their GDPR responsibilities in relation to personal data.

97. We will need to be satisfied that the Reg. 14 consultation has been brought to the attention of all those who have an interest in the parish and not just those who live there. For example, has there been an attempt to contact the second home owners or engagement with the property industry (those involved in land and house sales) and have all the landowners who are subject to any designations (i.e. open space) been contacted and given the opportunity to give their views? We would be happy to provide best practice copies of other consultation statements.

98. Consideration should be given to Planning Policy Guidance on “Consulting on, and publicising, a neighbourhood plan”.

A qualifying body must consult any of the consultation bodies whose interest it considers may be affected by the draft neighbourhood plan or Order proposal. The consultation bodies are set out in Schedule 1 to the Neighbourhood Planning (General) Regulations 2012 (as amended). Other public bodies, landowners and the development industry should, as necessary and appropriate be involved in preparing a draft neighbourhood plan or Order.

Paragraph: 048 Reference ID: 41-048-20140306.

99. It is important that we have an editable version of the Plan in order to allow the post examination process to be effective and efficient. The Steering Group may have concerns regarding version control of the document, however, it must be noted that it is the responsibility of NNDC to accept or decline the modifications suggested by the examiner. NNDC have the following responsibilities following receipt of the examiner’s report:

- NNDC is responsible for arranging the publication of the report as set out in the regulations.
- We must consider each of the examiner's recommendations, the reasons for them and decide what action to take in response to each (e.g. what modifications to make, whether to extend a referendum area).
- NNDC can make modifications to ensure the basic conditions are met and may decide to extend the area for referendum beyond the designated neighbourhood area (the default being the neighbourhood area matches the referendum area).
- NNDC must publish a map of any extended areas (if appropriate).

Strategic Environmental Assessment, SEA, & Habitat Regulations Assessment, HRA

100. No SEA or HRA screening report accompanies the consultation document and these legal assessments will need to be carried out to inform the final production of the neighbourhood plan.

101. Where a neighbourhood plan is likely to have a significant environmental effects, it may require a strategic environmental assessment, SEA. There is a requirement for draft neighbourhood plans to be assessed to determine whether the Plan is likely to have such effects. This process is referred to as screening. If an assessment finds that significant environmental effects are likely then a full SEA will need to be undertaken. Similarly, a screening exercise is required with regard habitat regulations assessment, HRA to identify if a neighbourhood plan would have significant impacts on nature conservation sites that are of European importance. If it was considered likely then a full HRA would have to be undertaken to inform plan preparation.

NNDC as the responsible and competent body under the relevant legislations has to consider whether an SEA and HRA are required. It can only carry out these assessments once the Plan is suitably advanced. Such an assessment includes a consultation period with relevant environmental bodies on the screening assessment. Given issues raised and the level of uncertainty it is not considered appropriate at this time to advance any screening determination. In the finalisation of the plan the parish council is encouraged to work closely with officers to ensure that this work is undertaken in a timely manner once policies are nearer a more finished state, but at a stage where its findings can still influence any policy wording.

Section 2: Specific section and policy comments

'Executive summary'

102. The opening paragraphs in the Executive Summary need to better explain how the Development Plan as a whole will help deliver sustainable development and the relationship between the Local Plan and the neighbourhood plan needs to be better explained – so that the reader is aware of how the suite of Plans are used in the determination of planning applications.
103. Neighbourhood plans should provide a clear local distinction to the wider strategic content of the Local Plan in order to ensure planning proposals reflect local land use issues. The limitations of neighbourhood planning should be better and clearly explained in the executive summary.
104. The reference to coastal erosion in the opening paragraph is particularly puzzling. No coastal erosion issues are identified in the existing coastal erosion risk mapping for Blakeney. There is no policy on coastal erosion (as is the right approach) in the Plan, nor is there a community project or action identified at Section 7.
105. The Blakeney Plan will not 'become part of the Local Plan'. It will sit alongside the Local Plan and form part of the 'Development Plan' for Blakeney.
106. Reference to decisions being taken on "*...traffic, pavements, cycle routes and such things that affect our daily lives*" is also misleading in that the majority of 'decisions' on such matters will be the remit of the Highway Authority and do not require planning permission. In respect of where planning permission may be required, the policies in this Plan appear to have limited impact on *such things*.
107. The tone of the Executive Summary suffers the same failings as a number of the policies: it suggests, and promises, a level of influence on planning (and non-planning) matters that simply cannot be delivered.

'About Blakeney'

108. There is no census or demographic data presented in this section which would provide the demographic context for Blakeney. Although, some of this data is presented in the 'Built Environment' section, this section should really provide a clear picture, not just about the physical and historical fabric of Blakeney - but should also give the reader an understanding of the people who live there.
109. It is important to highlight early on in the document that Blakeney lies within the Norfolk Coast AONB, a nationally designated landscape renowned for its scenic beauty and mosaic of coastal landscape.

110. The saltmarsh habitat immediately north of the settlement is an internationally rare landscape protected through its designation as part of the North Norfolk Coast Special Area of Conservation (SAC), Special Protection Area (SPA), SSSI and Ramsar.
111. The historic core of the village has been designated as a Conservation Area since 1974 and contains 102 listed buildings. A recent Conservation Area Appraisal has been undertaken and adopted and this should be used to inform the Neighbourhood Plan. e.g. Section 2 of the Appraisal: Summary of Special Interest could be used to set the scene in this Section 2: About Blakeney.

'Vision and Aims for Blakeney'

112. The Objectives may need revising once the detailed comments (in relation to the policies) are taken into account.
113. **Objective 1. To preserve the look and feel of the village.** The use of the word 'preserve' implies that change would be detrimental to the look and feel of the village which may not be the intention. Suggest the wording could be amended to read as follows:
- To accommodate appropriate change and development so that the intrinsic character and appearance of the village is retained and enhanced.*
114. **Objective 7. To maintain a navigable port in Blakeney for leisure and commercial craft.** This is picked up as a 'community project and action' – but is not reflected in the main Plan or in a specific policy. Suggest it should **not** be identified as one of the key objectives of the Plan.
115. Blakeney Channel is not be within the area that can be controlled by NNDC (or a neighbourhood plan) under Town and Country Planning legislation and is, in fact, the responsibility of the Marine Management Organisation (MMO). The MMO license, regulate and plan marine activities in the seas around England so that they're carried out in a sustainable way. MMO is an executive non-departmental public body, sponsored by the Department for Environment, Food & Rural Affairs.

'Sustainable Growth and Development'

116. Sections 5.16 to 5.32 needs rewriting to add the clarity that the Core Strategy allocation is now built out and fully occupied.
117. This section may well want to conclude that the proposed allocation in the emerging Local Plan may not fully meet the local needs but it must be stated (in order to be accurate) that the allocation is indented to go some way as **to meet District needs**. In reference to the proposed allocation, this section should provide an explanation of the site assessment process and that, on balance, this site was chosen from other options. All options have been consulted on and are in the public domain.
118. Overall this section fails to explain a key point – which is how the plan could contribute to sustainable development in the village by allocating sites for growth. It could be explained in this section that by using the detailed and comprehensive information in the site assessment the Blakeney Plan could take this work forward and seek to identify further sites for growth which could be used to meet the local need through an allocation in the Blakeney Plan.

Policy 1: Affordable Homes for Local People

119. The stated 'Ambition' in the Plan is: ***Affordable Homes for Local People – seeking to create the opportunity for residents of Blakeney or those with connections to Blakeney who are on the housing list, priority to access affordable housing in Blakeney.***
120. In para 6.13 the presentation and analysis of the Census and other data is somewhat misleading. The data presented, and the conclusions drawn, is based on a comparison of Blakeney with the County of Norfolk and England. There has been no comparison with the District data or comparison with similar parishes in the district. A comparison of Blakeney with North Norfolk and the Glaven Valley Ward suggests a significantly different picture than that presented in the Plan. See commentary in the 'Evidence' section below.
121. In paras. 6.19 to 6.29 the information relating to the Blakeney Neighbourhood Housing Society, albeit interesting, does not add anything substantially to the evidence base for the Plan.
122. At para. 6.30 there is an incorrect reference to current Core Strategy policy. The requirement to provide affordable homes applies to 10 or more dwellings and not the 11 or more stated in this para.
123. The discussions with officers and the overall view of NNDC is misrepresented at paras. 6.43 to 6.46. Planning and Housing Officers' have provided the Parish Council and steering group with clarification on this matter on a number of occasions. The context of any discussion, around need and application of a local connection criteria, must be considered against the significant general concerns that officers raised in relation to the suggested policy approach at the meeting and in written representations. These concerns are re-iterated at paras. 19 to 31 of this representation.

Evidential basis of Policy 1

124. The preparation of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals.
125. **Please see paras. 19 to 38 for detailed comments in relation to affordable housing and setting a housing target.**

Census and other data

126. The data presented paints a distorted view and offers unhelpful comparisons with Norfolk and England. When Blakeney is compared to the District and the Ward it is a significantly different picture. What the Blakeney data actually suggests is that, in many regards, the village is similar to other villages in the area and the District as a whole.
127. As an example in Figure 3, 'Housing Type', the information presented and the conclusions state that *"Despite having significantly more one and two person households the housing mix in Blakeney, recorded in the 2011 Census, is dominated by detached homes, 54%, significantly higher than Norfolk and England at 39% and 22% respectively."* Firstly, it appears the data is incorrect. Secondly, when Blakeney is compared with the Glaven Valley Ward⁷ and with the District - the statistic for 'detached homes' paints a significantly different picture. Blakeney has 43% (correct

⁷ This Ward no longer exists as a result of boundary review, however, the Census data has not been amended to take into account new Ward boundaries.

figure not 54%), 47.3% in the Glaven Valley and 44% in North Norfolk as a whole. Therefore, Blakeney has actually less detached homes than the Glaven Valley and North Norfolk averages. It also has significantly more 'terrace' properties at 25% than the District (16.2%) and the Glaven Valley Ward (18.9%).

128. This presentation and interpretation of the Census and other data is important as it sets the scene and is the justification for much of what follows in relation to housing mix, affordability and the need for homes for local people. Given the distorted and incorrect nature of the census and other data in the Plan there is a lack of confidence in the remainder of the census related evidence presented.

129. When taking into account the presentation of the Census data and the potentially incomplete need data – the Plan has simply not put across an evidential justification for the Policy 1.

Clarity and effectiveness of Policy 1

130. Notwithstanding the significant concerns around the evidence and how this evidence has informed and justified the policy – there are concerns regarding how effective this policy will be. There are no outstanding allocations in the village and the policy will only apply to new residential developments in Blakeney over 10 dwellings. It appears there have been no developments in the village in the last 10 years of 10 or more dwellings, (other than the Core Strategy allocation) Looking at the available land within the settlement boundary – it is unlikely that any proposals for 10 or more dwellings would come forward.

131. The Plan or policy does not quantify how a person would qualify as a 'former resident' of the parish. An open interpretation could allow for a residence period of 1 day, 1 week or 1 year. This is not clear or explained in the justification or policy.

132. The final para. of the policy talks of 'letting'. In line with revised government policy and guidance affordable housing products could also include discounted sale or shared ownership dwellings and not exclusively rented dwellings. Does this policy only apply to 'let' dwellings?

Conclusions

133. Occupation is not a land use matter for Planning and there is no justification in national policy. This policy does not contribute, in a meaningful way, to delivering sustainable development. The policy is conflict with policies in the Core Strategy and Council's housing strategy aligned to statutory housing provision and is discriminatory. It is clear that **Plan has not had regard to national policies and advice** contained in guidance issued by the Secretary of State - in producing this policy. **Therefore this policy does not meet the Basic Conditions tests.**

Recommendations

134. **Policy 1 should be removed from the Plan.**

135. However, as a way forward and in order to meet the aspirations the Plan should either:

a) allocate additional growth based on local needs in line with an agreed housing target with the LPA, a proportion would require to be affordable in line with strategic policies and occupation through the councils statutory housing allocation policies, or;

b) alternatively, the plan could seek to identify 100% affordable sites which would then be subject to the established strategic approach and core strategy policy on occupation as found on rural exception sites. This way the NP would be in conformity with the strategic policies and also achieve its' aim of local occupancy.

As previously advised, any Neighbourhood Plan allocation cannot seek to favour a specific provider, such as Blakeney Housing Trust. Should the Parish Council wish to be involved in developing a site it needs to set up a Community Land Trust and take further advice from the Housing Strategy officers.

Policy 2: Managing Second Home Ownership

136. The stated ‘Ambition’ in the Plan is: ***Managing Second Home Ownership – seeking to safeguard the sustainability of Blakeney village to make homes more affordable and available to the local community by limiting the number of second homes and increasing the number of principal homes.***

137. Para 6.59 is **taken almost verbatim from the St Ives NP** with the only difference being changing the name from St Ives to Blakeney. It is not acceptable to take such justification from another neighbourhood plan, which has been Made, and directly transpose this text into the Plan. The St Ives Plan would have its own evidence base and unique local context that would have persuaded the Inspector that the policy meets the basic conditions. One of those included the acceptance and identification of additional housing growth.

138. It is worth reading the inspectors report on the St Ives plan. The inspector had “concerns relate how the policy can meet the Basic Conditions particularly having regard to the NPPF – delivering a wide choice of quality homes and delivering sustainable development along with how the policy meets the requirements of European legislation”. The inspector considered the potential for “unforeseen consequences on the local housing market and the future delivery of affordable housing”. The Inspector concluded that “due to the adverse impact on the local community/economy of the uncontrolled growth of second homes the restriction of further second homes does in fact contribute to delivering sustainable development”. The important point to take from this is that the Inspector was presented with compelling evidence which enabled him to come to an ‘on balance’ view that the policy is acceptable.

139. Table 1 table is again a misrepresentation of the facts. The full table and up-to-date percentages is presented below

	total dwellings	2 nd home council tax data	holiday homes , business rates	percentage second homes	% second homes and holiday lets
2018 - 2019	705	178	125	30.7	43.0
2017 - 2018	711	178	127	30.3	42.8
2016 - 2017	696	180	124	31.1	43.7

Source NNDC April 1st 2019

140. Care needs to be taken to establish the correct percentages and to explain the differences between second homes, and holiday lets. It is suggested that the evidence for Blakeney should also consider the establishment and use of occupation rates of the second/holiday units rather than just the simple and often misleading percentage figures.

141. Blakeney is an all year round tourism destination and as such high occupation rates may well support the high level of service provision that without that available income might not be there. This is a positive influence on sustainability and allows the small settlement to punch above its weight in service provision.

142. With respect para 6.62 - has any advice been taken as to whether this would be legal, that said, it’s not mentioned or reflected in the policy. It would potentially devalue every market

property under this regime by a minimum 20%. Has the Plan considered the impact on Human Rights and ability for purchasers to get a mortgage? Suggest that this para. is deleted.

Evidential basis of Policy 2

143. The Plan needs to consider how the evidence supports any assertion that the sustainability of Blakeney has been affected in respect the economic and social objectives of sustainable development. Please see the information, above for detailed comments in relation to affordable housing and setting a housing target.
144. As it currently stands this policy is not sufficiently justified with clear evidence. Whilst the data from 2017 and 2018, as misleadingly presented, portrays high levels of second home ownership at a point in time, it doesn't necessary demonstrate a trend or a pattern in Blakeney. The remedy to the evidential approach is discussed above.
145. Given the proposed introduction of this policy, it would be expected that the Plan's evidence base could demonstrate that the second homes market is having a detrimental impact on the sustainability of Blakeney. i.e. to back up the claim at 6.57 that the 'community has been eroded'. This would be evidenced through factors such as the loss of community facilities such as schools or shops, of the restriction of the provision of services through actions such as seasonal opening only. At present the plan provides no evidence, other than the *perceived* high house prices to demonstrate that this is actually the case.
146. Communities and society has changed over the past 20 years. House prices across the country have increased, outstripping affordability in many areas, the retail sector and high street is going through a seismic transformation, the tourism and holiday environment is ever changing, as are the overarching demographics.
147. As discussed in more detail below, the economy and services in Blakeney appears buoyant. However, if the evidence for Blakeney suggests that there has been a change in the fabric of the community, and its services, over a period of time – how much of this change can be directly attributed to second homes and not to other wider economic, demographic and social factors?

Impact on services in Blakeney

148. Blakeney is a village with a resident population of 775 (2011 census) which maintains a village school, doctor's surgery, small convenience store (including a Post office), 2 pubs, a hotel, a petrol filling station, village hall and a range of other services and shopping opportunities. This range of services **compares favourably with all other villages** of a similar size (and even larger) in the district and it can be argued that Blakeney appears to punch above its weight in respect the level of services on offer⁸. When you look at those villages that are comparable in population (and larger) which have average or low levels of second home ownership - they all have significantly less services than Blakeney.
149. In conclusion, there appears to be no correlation between high levels of second homes and a negative impact on the provision of services in Blakeney, therefore, it is suggested the erosion of services in Blakeney cannot be used as an evidential basis for the introduction of a principle residence policy.

House prices in Blakeney

150. There are a number of complex and interrelated factors which have an influence on houses prices in Blakeney. The attractive and environmentally constrained location of the village, the

⁸ See attached extract from Settlement Profile paper and Village Assessment summary.

broad range of services that are available, attractiveness to the retirement market, the buoyancy of the holiday and second homes market and the general demand versus the lack of supply – are all factors that work together on the housing market and potentially increase house prices.

151. It is not clear from the scant evidence presented in the Plan that by restricting a small amount of second homes in the village through the introduction of this policy that it would actually influence (decrease) house prices in the village. Without further evidence therefore, the case that second homes have had such a significant impact on house prices that it warrants a principle residence policy has not been made.

Unintended consequences.

152. The unintended consequence of the policy could be to impact on the overall viability of a development considering that a significant element of the house buying market may have been excluded from purchasing a property, which could have a knock on impact on sale values and saleability. If the viability of a development is tested and pushed to the margins then there is the potential to adversely impact on the delivery of affordable housing, which is often one of the elements that is negotiated down in marginal viability cases. The policy could actually impact on the viability to such a degree it could prevent development from taking place at all. The Plan is silent on these issues and it is suggested that you should certainly explain that the potential impact on viability has taken into account when assessing whether the policy is appropriate, proportionate and should be introduced.

153. A further unintended effect of the introduction of such a policy is that it does create a 2-tier housing market in which new dwellings developed under this policy will have a potentially lower market value than the existing unfettered housing stock (which would pre-date the introduction of any prime occupancy restriction). This situation is inequitable to new home buyers and unintentionally **places a premium on the value of unfettered existing housing** (which will be the majority) and may well increase house prices in the unrestricted stock and in the village as a whole.

154. There is no evidence that the policy will actually reduce the percentage of second homes. The demand will still be there - as a person will simply be able to purchase one of the 100's of houses in Blakeney that are unrestricted.

Clarity and effectiveness of Policy 2

155. In para 6.56 the extremely modest influence of this policy is acknowledged. Notwithstanding the lack of evidence, this must raise questions as to the need for such a policy.

156. The Policy 2 wording is a **copy of Policy H2 in the St Ives Neighbourhood Plan**. It may be tempting to take a policy out of a 'Made' local plan and transpose it into the Plan, however, this suggests that there has not been a locally focused approach to the development of this policy in the Plan. It also goes some way to confirm, for reasons stated above, that the policy is not underpinned by relevant and up-to-date, locally derived, evidence.

157. The specific exclusion of replacement dwellings undermines this policy. Blakeney has been subject to a high volume of planning applications for replacement dwellings which are substantially larger than the relatively modest existing dwellings (often bungalows within sizable plots) and which are subsequently used as second homes.

Conclusions

158. The justification for Policy 2 does not present a clear, robust, evidence base that is derived from local intelligence and data. It simply does not adequately consider the pattern of house

prices, the growth of second homes and the alleged disenfranchisement of local people from the local housing market. It fails to provide a robust correlation between any relevant factors and second home ownership. No balanced information or evidence has been produced concerning both the negative and positive effects of second homes in the village.

159. This policy does not contribute, in a meaningful way, to delivering sustainable development. The policy is conflict with policies in the Core Strategy. Therefore, when also taking into account the lack of a robust and locally derived evidence base it is clear that **Plan has not had regard to national policies and advice** contained in guidance issued by the Secretary of State - in producing this policy. **Therefore this policy does not meet the Basic Conditions tests.**

Recommendations

160. **Policy 2 should be removed from the Plan.**

Policy 3: Change of use from Residential to Holiday Accommodation

161. The stated 'Ambition' in the Plan is: ***Change of use from Residential to Holiday Accommodation seeking to limit the loss of homes to holiday lets.***

162. This policy and justification appears to have been **copied from the North Northumberland Coast Neighbourhood Plan**. As with Policy 2, this policy must be informed by appropriate and proportionate evidence that is locally derived in relation to the issue that the policy is intending to influence and should be justified on the specific local circumstances. The North Northumberland Neighbourhood Coast Plan had its own evidence base and local context and, in fact, had a comprehensive 'Housing Evidence Paper' which fully justified the inclusion of this and other policies which is why the examining Inspector was minded to accept the soundness of the policy in the NP. It is clear that the policy in the Plan is not underpinned by relevant and up-to-date, locally derived, evidence.

Evidential basis of Policy 3

163. There appears to be no evidence presented in the Plan as to what the actual issue facing Blakeney that requires the introduction of this policy - other than a single statement regarding affordability. This statement at 6.71 is not compelling evidence, it is merely one particular statistic that has been extrapolated to make a spurious correlation between the number of holiday units and the affordability and supply of homes in Blakeney. For reasons stated previously, the issue around house prices and supply in Blakeney is complex and there is no clear justification or evidence to explain what influence holiday accommodation has on the local market and affordability.

164. Most of the justification at 6.84 to 6.86 has been **copied from the North Northumberland Coast Plan**. As previously stated, North Northumberland produced a 'Housing Evidence Paper' to support the inclusion of such policies and it is not appropriate to copy sections of 'justification' from one plan to another without having a similar significant evidence base to support it.

165. The Plan has not provided or considered any balanced evidence on the economic impact of tourism and overnight stays on the Blakeney economy.

Clarity and effectiveness of Policy 3

166. **The policy implies a level of control that cannot be imposed and as such is misleading to the public.** The application of proposed Policy 3 is likely to be considerably limited, if it is able to be implemented and apply at all. This has been explained to the Steering Group and the consultant

on a number of occasions. As acknowledged in the 'evidence and justification' section for this policy, in the majority of cases a change of use from residential to holiday accommodation does not require planning permission. The explanation previously sent to the Steering Group on the 'Moore' case fully detailed the issues.

167. An analysis on the Council's planning database suggests that there have only been 3 applications for change of use from residential to holiday accommodation in the past 20 years in Blakeney. There have been no applications for change of use from Residential to Sui Generis. The Plan is proposing a policy that will have very little impact in land use planning terms. This is not appropriate or proportionate.

168. Points 1 & 2 in the policy is already being applied through existing Core Strategy policies. This policy does not add anything that would not be currently applied through EN 4: Design or CT 5: The Transport Impact of New Development or CT 6: Parking Provision (including the Parking Standards at Appendix 3).

169. It is not clear what 'new purpose-built holiday accommodation' has to do with this policy? It is a separate matter and if it has been highlighted by the evidence as being an important issue then it probably should have its own policy.

Conclusions

170. No evidence has been provided as to the impact that any proposals have had on Blakeney. It appears that the Steering Group are adamant on including this policy as they are 'being seen to be doing something' irrespective of the evidence or no matter how ineffectual the policy may be.

171. This policy does not contribute, in a meaningful way, to delivering sustainable development. Furthermore, when also taking into account the lack of a robust and locally derived evidence base **this policy has not had regard to national policies and advice** contained in guidance issued by the Secretary of State. **Therefore this policy does not meet the Basic Conditions tests.**

Recommendation

172. **Policy 3 should be removed from the Plan.**

Policy 4: Change of use of Holiday Accommodation to residential

173. **The purpose of this policy is to control the change of use from holiday accommodation to residential dwellings.**

174. The stated 'Ambition' in the Plan is: ***Change of use from Holiday Accommodation to Residential - seeking to ensure any usage change increases the number of principal homes.***

175. This is another policy that appears to have been **copied from the North Northumberland Coast Plan**. The Blakeney Plan must to be informed by appropriate and proportionate evidence that is locally derived in relation to the issue that the policy is intending to influence and should be justified based on the specific local circumstances. As previously stated in relation to Policies 2 & 3, it may be tempting to take a policy out of a 'Made' local plan and transpose it into the Plan, however, without the supporting evidence base it is not appropriate.

Evidential basis of Policy 4

176. The evidence presented is lacking depth and explanation and it is not clear that there is a direct correlation between the information presented and the policy. As with Policy 3 little or no evidence has been presented to suggest that there is a need for the introduction of this policy

beyond the statement that its intention is to “boost the supply of homes occupied as a Principle Residence”.

177. An initial trawl of our records suggests that there has been 1 change of use application from holiday to residential in the past 20 years and there may only be around 5 properties in Blakeney which may have a holiday use restriction. This is an extremely, limited selection of properties that might be affected by such a policy (if it applies at all – see below).

Clarity and effectiveness of Policy 4

178. **The policy implies a level of control that cannot be imposed and as such is misleading to the public.** The application of proposed Policy 4 is likely to be considerably limited, if it is able to be implemented and apply at all. Planning permission is generally not required for change of use from holiday accommodation to residential in most circumstances. This has been explained to the Steering Group and the consultant on a number of occasions.

179. Does such an application for a narrow change of use actually need to be controlled with a ‘Principle Residence Restriction’, especially as a change from holiday accommodation to residential dwelling **would have a positive effect on the housing stock?** This policy would, in those rare circumstances where permission is required, prove to be a serious disincentive.

180. The same issues that are highlighted in the justification of Policy 2 (in relation to Principle Residences) apply to this policy. The evidence, as presented does simply not make the case.

181. The final sentence is poorly written and could be considered to conflict with the purpose of the policy text above.

Conclusions

182. Again, it appears that the Steering Group are adamant on including this policy as they are ‘being seen to be doing something’ no matter how ineffectual.

183. No evidence has been provided as to the impact that such development has had on Blakeney. No evidence has been produced to support the introduction of such a policy and the effects that such would have.

184. This policy does not contribute, in a meaningful way, to delivering sustainable development. Furthermore, when also taking into account the lack of a robust and locally derived evidence base **this policy has not had regard to national policies and advice** contained in guidance issued by the Secretary of State. **Therefore this policy does not meet the Basic Conditions tests.**

Recommendation

185. **Policy 4 should be removed from the Plan**

Policy 5: Extensions to Holiday Accommodation

186. The stated ‘Ambition’ in the Plan is: ***Extensions to Holiday Accommodation – seeking to reduce the impact any extension to holiday accommodation has on residents.***

187. This is another policy that appears to have been **copied from the North Northumberland Coast Plan.** The Plan must be informed by appropriate and proportionate evidence that is locally derived in relation to the issue that the policy is intending to influence and should be justified based on the specific local circumstances. As stated above, it may be tempting to take a

policy out of a 'Made' local plan and transpose it into the Plan, however, without the supporting evidence base it is not appropriate.

Evidential basis of Policy 5

188. 6.91 attempts to provide the context for the policy, however, the statement it is not backed up with any evidential basis. Furthermore, this justification text has been **taken, almost verbatim from the North Northumberland Coast Plan** and it must be questioned how the Plan can justify the requirement for the policy in Blakeney. As previously stated, North Northumberland Coast produced a 'Housing Evidence Paper' to support the inclusion of such policies and it is not appropriate to copy sections of 'justification' from one plan to another without having a similarly robust evidence base to support it.

Clarity and effectiveness of Policy 5

189. **The policy implies a level of control that cannot be imposed and as such is misleading to the public.** The application of proposed Policy 5 is likely to be limited, if it is able to be implemented and apply at all. Extensions to holiday accommodation are generally allowed through Permitted Development rights (unless the dwelling forms part of the small percentage of holiday accommodation that is sui generis or has an occupancy restriction condition).

190. There is an inconsistency in the 'justification' text and the wording of the policy. At 6.90 the text suggest that the policy would only apply to sui generis use, however, this is not reflected in the policy text.

191. What is meant by sufficient outdoor amenity space for holiday occupants? Some holiday apartments and units may not have any outdoor space at all and would be considered sufficient in the context of the type of holiday accommodation provided.

192. Bullet 2 may be considered unreasonable. Application of the policy in relation to car parking could be seen as unreasonable in the historic heart of Blakeney, where many properties do not have off street car parking. Holiday cottages are often occupied by a family group often arriving in more than one car – how can this policy be enforced? Parking is provided free of charge off site and weekly passes available - the policy simply cannot be applied.

193. There is an inconsistency in language: holiday accommodation in the title and holiday lets in the body. Presumably, this policy only applies to holiday accommodation that is formally let?

Conclusions

194. There is little to be gained from including a policy that will be ineffectual. Remember plans need to be aspirational but realistic. It would be better to explain in the Plan the difficulties of adopting such an approach rather than include a policy for the sake of it.

195. No evidence has been provided as to the impact that such development has had on Blakeney. No evidence has been produced to support the introduction of such a policy and the effects that such would have.

196. This policy does not contribute, in a meaningful way, to delivering sustainable development. Furthermore, when also taking into account the lack of a robust and locally derived evidence base **this policy has not had regard to national policies and advice** contained in guidance issued by the Secretary of State. **Therefore this policy does not meet the Basic Conditions tests.**

Recommendation

197. **Policy 5 should be removed from the Plan.**

Design Policies

198. The design related policies (6, 7, 8 & 9) are repetitious, confusing with potential conflicts between them. A single design policy should be produced that covers the issues that need to be addressed taking into account the evidential basis and community aspirations.
199. Much of the 'heritage' and conservation related information is located under the 'Natural Environment' section and should be moved to form part of the justification of the design policies.
200. The Plan should consider, and take fully into account, the Government's recently published design guidance. **The National Design Guide** sets out the characteristics of well-designed places and demonstrates what good design means in practice. This guide forms part of the government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.
201. The Plan does not present a comprehensive appraisal of the existing suite of design and conservation related policy and guidance documents, including **Section 12 of the NPPF, Core Strategy Policies EN 4, EN 5 & EN 8, The North Norfolk Design Guide and the July 2019 Blakeney Conservation Area Appraisal and Management Plan**. An assessment of the existing policy and guidance would have clearly identified where there are gaps (taking into account local evidence) and inform locally derived specific policies to add local distinctiveness.
202. Given the existing detailed policy and guidance on design, including the comprehensive and specific guidance for Blakeney in the 2019 Conservation Area Appraisal and Management Plan, the Plan has not presented a clear rationale for a great deal of the content of policies 6 to 9.

Policy 6: Design of New Development

203. The stated 'Ambition' in the Plan is: ***Design of New Development – seeking through good design principles to facilitate high quality and well-designed development. It is particularly concerned with ensuring the infrastructure of multiple or single new developments meets high standards.***
204. It is not clear why is the policy thought to be necessary and what the Plan is trying to achieve that is not already in the existing policy and guidance. The comments below relate to the 4 'design' related policies: 6, 7, 8 & 9. No reference is made to the North Norfolk Design Guide which will cover many of the principles set out in this policy and is a key document in this policy.
205. Within the sections referring to landscape proposals, reference should be made to the requirement for a 10% net gain in biodiversity resulting from all development which is set out in the Government's draft Environment Bill (Policy Statement July 2019).

Evidential basis for Policy 6

206. The approach in relation to Design adds nothing to the existing policy base and is a lost opportunity to specify the local distinctiveness and character that the Plan would want developers to take account of and define the necessary characteristics that the existing strategic approach calls for. Much of the policy approach repeats the design elements in existing policies and is a lost opportunity for the neighbourhood plan and unnecessary. Much of the comments below have previously been highlighted to the steering group and consultant previously.
207. There is little in the way of evidence in relation to Blakeney's architectural or building heritage. The Conservation Area Appraisal is not mentioned and there is not a clear explanation of how design has influenced the place setting of Blakeney. There are a number of areas of widely

different character ranging from the historic heart to the post war and modern development. It is not realistic for a development that is some way from the Conservation Area to be expected to preserve or enhance the character of the CA.

208. The evidence/policy approach does not really address:

- What creates a strong sense of place with regard materials in Blakeney – this should be specific and clear.
- Heritage assets are covered in the Core Strategy and in the NPPF and the policy approach does not add anything further to Core Strategy or NPPF.
- Parameters of massing etc., are covered in the Core Strategy and are detailed in the NNDC Design Guide – what is meant by unacceptable in the Blakeney context?
- Highway safety is the remit of the highway authority and will be considered by them – at best this is an aspiration.
- What is meant by mitigate visual impact of the development? Landscape impact is covered in the Core Strategy and emerging Local Plan. Tree retention, hedgerows and landscaping are all covered in the LP and Design Guide. Is the character of Blakeney dependent on existing tree coverage?
- Reference to a 3rd Party checklist should not be incorporated into policy. National policy can only implement the nationally described technical standards. These can only be evoked through a Local Plan. You may express support for the use of a check sheets but it will not be possible to require its use.
- Secure by design is requirement of the policy. It is not clear how the Plan expects that new homes will introduce measures to enhance the safety and security of village. If the development has a neutral effect on the wider ‘security’ of the village – should it be turned down?
- Outdoor lighting does not require planning permission as such the policy implies a level of control that cannot be imposed and is misleading.

209. It is not clear why the Plan has introduced the issue around connections to the public sewerage system. The Plan does not present any evidence on this matter and relies on a statement (at 6.127) that there has been a problem elsewhere in Norfolk. There is no evidence of a problem in Blakeney and this is supported by the information from Anglian Water in their consultation responses to the proposed site in Blakeney. This ‘issue’ and policy line appears to be copied from the Aylsham Plan where it did appear there was evidence that connections to the sewerage system was a local issue.

Policy 7: Improving Design of New and Replacement Homes

The stated ‘Ambition’ in the Plan is: ***Improving Design of New or Replacement Homes - this policy seeks to ensure new homes are designed to a high standard.***

210. See overarching comments, above, in relation to shortfalls of the suite of ‘design policies’.

211. This policy appears to duplicate elements of Policies 8 & 9 in relation to density, scale, height, etc. and is similarly a duplication of existing Core Strategy policy, NPPF and Building Regs. Extensions to dwellings may be Permitted Development in many cases.

Policy 8: Infill Development

212. The stated 'Ambition' in the Plan is: ***Infill Development – seeking to ensure infill development is appropriate in terms of the size and character of new homes and will complement the existing development.***
213. See overarching comments, above, in relation to shortfalls of the suite of 'design policies'.
214. It would be helpful if the plan could have provided evidence or examples where there has been recent developments that are considered overdevelopment or have affected the character. There is a picture of a site at 'The Chase' which is described as being 'High density replacement homes' – but no explanation as to why such development is an issue or what impact it has on Blakeney.
215. The removal of permitted development rights cannot be applied in a blanket fashion as suggested in the policy. A view will be made on each proposal as to whether there are individual circumstances which suggest permitted development rights should be withdrawn. The policy and supporting text needs to add wording in order to guide officers as the circumstances where permitted development rights could be withdrawn. e.g. further development may have an undesirable effect on amenity (which will need to be established in a case by case basis).
216. What is a 'redevelopment site'? Is it a brownfield site or is it a replacement home site? If it is brownfield – the Plan should say so and be mindful of the up-to-date guidance on the matter including issues such as 'permission in principle'.

Policy 9: Existing Dwelling Replacement

217. The stated 'Ambition' in the Plan is: Existing Dwelling Replacement – seeking to counteract overdevelopment and negative impact on existing residents.
218. See overarching comments, above, in relation to shortfalls of the suite of 'design policies'. Again, appears to be a great deal of duplication between this policy and the other 'design' policies in the plan.
219. The removal of permitted development rights cannot be applied in a blanket fashion as suggested in the policy. A view will be made on each proposal as to whether there are individual circumstances which suggest permitted development rights should be withdrawn.
220. The policy references increase in height, but does not reference any increase in area. Would an existing dwelling replacement also be considered 'infill' under Policy 8? Application of this policy could see a potential for 'over development' of a site which is not in line with the Plans ambitions.

Conclusions in relation to the 'Design' Policies (6, 7, 8 & 9)

221. If the Plan's aim is to influence design or it is a concern, then a single policy should be used to outline the detail and meaning of the key components of design that are identified as important in the context of the village and wider parish (the Plan doesn't distinguish between the two). Such an approach would include elements of all of the policies so as to avoid the repetition. It is better to have one solid meaningful and applicable policy than numerous conflicting policies.

222. The approach could detail the local context that should be reflected, specify materials that reflect the local texture of building, detail the form and layout that would be acceptable, include such things as how development should reflect the street frontage, etc.
223. A background paper should be produced that reviews the existing policy requirements contained in the Core Strategy and Design Guide and also the new local plan and new design guide. Please note that the new Local Plan REQUIRES development to accord with it – i.e. Comply (with the Design Guide) or Justify (why an alternative approach is taken). This is a strategic approach that needs to be respected in the Plan. This is a change from the old policy which stated developers to have regard to the Design Guide and it is an attempt to increase the design quality of development in North Norfolk. There is therefore an opportunity through the Plan to identify specific design requirements over and above those conditioned in the strategic policy and new design guide as long as they are justified remain reasonable and does not place an onerous burden on developers.
224. The following are words that encapsulate the local context and are design principles and the Plan should use the policy to define the relevant local meaning of each.
- Context
 - Urban structure
 - Density and mix
 - Building type
 - Details and materials
 - Urban grain – e.g. nature and extent of sub division
 - Height and massing
 - Façade and interface: the relationship with the street e.g. stepped back from road/ path, directly onto the street front gardens, include access to off street parking sufficient for the no of adults occupying
 - street scape and landscape – paths, connections,

Recommendations

225. As currently evidenced, justified and presented Policy 6, Policy 7, Policy 8 and Policy 9 should be significantly reworked and consolidated into a single effective design policy.

Policy 10: Drainage and Flooding

226. The stated ‘Ambition’ in the Plan is: ***Drainage and Flooding – seeking to ensure new development does not cause flood related problems, especially associated with surface water run-off or sewerage.***
227. The chapter should draw attention to climate change mapping and all sources of flood risk and specifically include references to the SFRA mapping rather than the EA mapping.
228. The policy approach is unnecessary. If a flooding policy is required then the issue first has to be identified that is not already covered by existing policy then the policy should focus on address the local distinctive issue. National policy already restricts development in flood zones by use, no further development is likely to take place in any tidal zone. There appears to be no evidence in the plan to justify the inclusion of the policy to address known issues in Blakeney.
229. Disproportionate for all development, need to align with requirements of local validation list. FRA are set out in national policy

230. The policy seeks to duplicate an approach already included in the Core Strategy and emerging Local Plan. Much of flood risk policy is prescribed in national policy and guidance and there is no requirement to include such a policy in the Plan.
231. Given its generality the policy has the potential of adding a layer of confusion and complexity that is not warranted.

Conclusions

232. Remove the policy or make it site specific. e.g. if allocating sites and/or there is a need to address a particular flooding issue.
233. LLFA may advise that it is prudent to include flood policies however it is more useful to do so in relation to site specific proposals. The approach you have taken is a duplicate of what is required and adds no further detail to that that is already contained in the Local Plan. It is not locally distinctive and runs the considerable risk of being delated at examination.
234. This policy does not contribute, in a meaningful way, to delivering sustainable development. The policy is an unnecessary duplication of existing local and national policy. Furthermore, when also taking into account the lack of a robust and locally derived evidence base **this policy has not had regard to national policies and advice** contained in guidance issued by the Secretary of State. **Therefore this policy does not meet the Basic Conditions tests.**

Recommendation

Policy 10 should be removed from the Plan

Theme 2: Natural Environment

235. A large section of the 'justification' under the Natural Environment relates to the Built Environment (Heritage at 6.197 to 6.208) and should be moved to support the 'design' policies.

Policy 11: Biodiversity and Accessibility

236. The stated 'Ambition' in the Plan is: ***Biodiversity and Accessibility – seeking to enhance the rural coastal setting and provide habitats for wildlife whilst improving access to the coastline and countryside.***
237. There is no need to refer to all new development – just simply 'development'.
238. In reference to specific biodiversity improvements it is suggested the following wording is included:
- Development should result in a net gain in biodiversity, retaining landscape features and ensuring enhanced habitats as a result of development.
 - The principle of ecological connectivity should be a consideration of all development
239. The reference to 'green infrastructure' is entirely appropriate but should be justified by a reasoned strategy that includes mapping of identified green infrastructure opportunities in Blakeney. The suggested approach is detailed, above, at paras. 56 to 67 of this representation. Such an approach would give this policy and Policy 13 a more robust evidence and assessment based justification.

240. The situation in planning terms is complicated and the Council is currently working with Habitat Regulation Assessment consultants and compiling evidence to inform an approach that will seek to enhance Green Infrastructure in order to remove the pressures off sensitive European sites that surround Blakeney. This is a cross boundary approach with other LPA's around the mitigation measures required due to visitor impacts. The emerging Local Plan will have a specific policy on this and it is likely that all development will be required to contribute financially (once the full scale of management priorities and enhancements to G.I. are fully costed).

241. The health and wellbeing benefits of access to the coast, countryside and natural environment are not disputed and it is encouraging to see this recognised in the Plan policy. However, improving access to the coastline and countryside may not be appropriate in all locations or at certain sensitive times of the year (for example the ground nesting bird season). This should be reflected in the policy wording.

242. The statement that "landscape proposals must form an integral part of any development design, with particular trees and hedgerows retained unless, following surveys, their value is deemed low in accordance with established practice", we question the use of the word 'particular' and would suggest omitting this. Why not seek to retain all trees and hedgerows? Furthermore, what is the established practice that is referred to? Is this the British Standard (BS5837)? If so, mention it specifically. A 'low' value tree might be better referred to as a category of C or below.

Conclusions

243. This is a duplication of Core strategy and emerging Local Plan policies and as currently presented the policy is not required.

Recommendations

244. **As currently evidenced, justified and presented Policy 11 and Policy 13 should be significantly reworked and consolidated into a single effective Green Infrastructure policy.**

Policy 12: Preserve Dark Night Skies

245. The stated 'Ambition' in the Plan is: ***Preserve Dark Night Skies – seeking to maintain the 'dark skies' that characterise Blakeney through the implementation of good design principles in the planning process.***

246. A suggested addition to this section (at 6.226), to add weight, would be to introduce text such as "The North Norfolk Coast AONB boasts some of the darkest skies in the country which are a defining feature of one of the identified special qualities of this AONB, namely a sense of remoteness, tranquillity and wildness".

247. At para. 6.237 the correct title is "The Campaign to Protect Rural England".

248. The Plan should take into account the latest guidance produced by the MHLG which can be found here: <https://www.gov.uk/guidance/light-pollution>. This new comprehensive guidance looks at how to consider light within the planning system. The guidance covers:

- What light pollution considerations does planning need to address?
- What factors can be considered when assessing whether a development proposal might have implications for light pollution?
- What factors are relevant when considering where light shines?
- What factors are relevant when considering when light shines?
- What factors are relevant when considering how much the light shines?

- What factors are relevant when considering possible ecological impacts of lighting?
- What other information is available that could inform approaches to lighting and help reduce light pollution?

Clarity and effectiveness of Policy 12

249. The policy, as written, does try to add some further detail to policy EN 13, however, there are elements of the policy that are covered by permitted development rights or are the responsibility of the Highway Authority. Furthermore, the language used is not precise and is open to interpretation.
250. The policy needs to tighten up the wording in relation to the control of the light pollution and it is not the internal lights that are the problem it is the openings and widows that allow the light to escape causing the pollution. Would large windows, a roof light or 'atria' be acceptable in a sensitive location with blinds or curtains? This could not be controlled in the future.
251. Point 1 of the policy in relation to 'reducing the impact' should, it is suggested, say 'minimise the impact of the development on light pollution'. This would tighten up the wording of this policy. The suggestion of the submission of a 'statement of intention' would, therefore, be supported – if the text was amended accordingly.
252. Extensions may not require planning permission and adding external lighting to existing buildings will not require planning permission.
253. The lighting of 'public thoroughfares' is a highways issue (covered by highways permitted development rights) and the lighting of public areas may not always require planning permission.

Recommendation

254. **Notwithstanding the lack of evidence, this policy can be seen to add to the existing Local Plan policy and, if amended as suggested, could be supported.**

Policy 13: Open Space Preservation

255. The stated 'Ambition' in the Plan is: ***Open Space Preservation – seeking to recognise the importance of these areas to the village for recreational, amenity and visual value. The policy is not seeking 'Local Green Space' designation.***
256. Open Space is defined in the NPPF as "All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity."
257. Open Space (including Local Green Space and public rights of way) is covered in paras 96 to 101 of the NPPF.
258. The NPPF states:
- Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Para. 96*
- The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable*

development and complement investment in sufficient homes, jobs and other essential services. Para. 99.

Evidential basis for Policy 13

259. The importance, and protection, of public open space is acknowledged in the Plan, however, a number of the sites in 'Table 2' are already protected by existing designations (although it is difficult to fully ascertain where these sites are, and their extents, without a plan). Site's 4, 9, 11, 16 and 17 are currently designated in the Core Strategy as 'Open Land Areas'. Sites 1 & 14 are car parks. There appears to be no other associated, or ancillary, community use associated with these car parks and it is suggested that they should not be considered public open spaces. Site 3 appears to be agricultural land in the countryside and further evidence is required as to why this should be considered open space.

260. The NPPF requires there to be a robust and up-to-date assessment of public open space to support plan making. The Nation Planning Guidance also details the criteria for designating Local Green Space.

261. It appears that the Plan is not designating any of these sites detailed in the table as LGS. The criteria, definition and methodology (outlined at 6.253 to 6.255) for considering sites as open space doesn't appear to be followed through with a robust and up-to-date assessment of the sites in Table 2.

262. See further detail on our suggested approach this at paras. 56 to 67 above.

Clarity and effectiveness of Policy 13

263. This policy adds very little to current development plan in Policy CT1, beyond the list of sites in the table. It does add in the notion of development having 'community support'. However, the nature and level of this support is not defined or quantified. Is it the majority support of the village, is it the support of the Parish Council? Would any support (in the face of no wider objection) be acceptable? The arbiter of the application of this element of the policy would have to be the planning authority and it is difficult to apply without further qualification or explanation.

264. Although the Plan states that they are not designating the sites as 'Local Green Space', by having a policy that seeks to preserve the listed open space sites – the Plan is, in effect, applying an open space designation.

265. An opportunity has been missed in relation to Open Space and Green Infrastructure as detailed at paras. 56 to 67.

Recommendations

266. **As currently evidenced, justified and presented Policy 11 and Policy 13 should be significantly reworked and consolidated into a single effective Green Infrastructure policy. See paras. 56 to 67 for our suggested approach in relation to Green Infrastructure. An adoption of this approach would be seen to add to the existing Local Plan policy and, if amended as suggested, would be acceptable. However, if the policy is to remain - further justification and evidence is required (with mapping) to support the sites included.**

Policy 14: Sustainability of Open Spaces

Evidential basis for Policy 14

267. The stated 'Ambition' in the Plan is: ***Sustainability of Open Spaces – seeking to ensure appropriate steps are taken to ensure open spaces (play areas, formal and informal recreational areas, etc.) are managed, maintained and funded in a sustainable way.***

268. It is a laudable aim at 6.261., however, there is no evidence presented in the Plan that the lack of funding for maintenance or folding of management companies has been a particular problem or issue in Blakeney.

269. The general approach laid out in this policy is considered to be is too prescriptive. This element of development would be secured via a S106 agreement and would require site by site negotiations. This is more of an issue that is covered through the planning process, rather than something that can be effectively managed at NP level

270. Suggest that wording is amended to:

Where new development provides elements of green infrastructure and public open space, effective future management and maintenance will be secured via a S106 agreement.

Clarity and effectiveness of Policy 14

271. Policy 14 appears to be a copy of Policy 8 in the Aylsham Neighbourhood Plan. Which, as previously stated in relation to other copied policies, the Aylsham plan would have had its own locally derived evidence base and may well have had a clear rationale for the inclusion of such a policy.

272. Policy CT 2 in the Core Strategy does cover the prospect of securing developer contributions for the maintenance of public open space, however, it could be accepted that this policy adds further detail to that policy. It is suggested that all 3 management mechanism would need to demonstrate that there is appropriate funding provided and it is suggested that the finance for the maintenance should cover 15yrs and not the 10yrs in the policy. This is in line with the general practice at NNDC.

Conclusion and recommendation

273. **Notwithstanding the lack of evidence, this policy can be seen to add to the existing Local Plan policy and, if amended as suggested, would be acceptable.**

Theme 3: Local Economy and Tourism.

Policy 15: Local Employment

274. The stated 'Ambition' in the Plan is: ***Local Employment – seeking to protect existing and encourage creation of local employment that is appropriate to Blakeney, which will strengthen and improve sustainability of the local economy.***

Evidential basis for Policy 15

275. There isn't a great deal of evidence presented to support this section. The statement at 6.270 is not supported by evidence.

276. If the Plan is considering introducing policies in relation to jobs and the economy it should have look to produce 'economic evidence paper' or study. This would explore in detail (and with a Blakeney focus) the issues around the economy, employment, tourism, service provision, the

housing market and the other factors that influence the overall economic sustainability of Blakeney. A comprehensive evidence base which considers all of the economic influences in Blakeney could have gone some way in justifying a number of the policies.

Clarity and effectiveness of Policy 15

277. It is not clear what the development proposals are that would be *'appropriate to a coastal village'* and there are concerns that the policy is potentially seeking to restrict development to a limited number of employment uses such as farming, agriculture or traditional industries. As stated above there is no analysis of the economic activity in Blakeney and whether the suggested restrictions are corroborated by the evidence.

278. A development that creates 'home working' opportunities could be a residential dwelling with a study or part of the dwelling which could be used for an office, studio, salon, etc. As long as such a development meets criteria 1 to 3 the Plan would support it. It could also apply to any employment related development outside the settlement boundary. This permissive approach may be in conflict with other policies in the Plan and the Core Strategy, in particular, Policy SS 5.

Conclusions

279. No substantive evidence has been presented to support the inclusion of the policy and the policy as written, lacks clarity and conflicts with Core Strategy policies and other policies in the Plan.

280. This policy does not contribute, in a meaningful way, to delivering sustainable development. Furthermore, when also taking into account the lack of a robust and locally derived evidence base **this policy has not had regard to national policies and advice** contained in guidance issued by the Secretary of State. **Therefore this policy does not meet the Basic Conditions tests.**

Recommendation

281. **Policy 15 should be removed from the Plan.**

Policy 16: Retention of Business Premises for Blakeney

282. The stated 'Ambition' in the Plan is: ***Retention of Business Premises for Blakeney – seeking to retain the limited number of existing buildings used for commercial activities.***

Evidential basis for Policy 16

283. The information presented at 6.280 to 6.282 **does not provide an evidence base** in relation to the need to retain businesses in Blakeney as expressed in the 'Ambition'. No local or specific Blakeney data has been presented. In fact the policy does not seem to flow from the reasons/justifications listed which appear to describe matters relating to tourism.

Clarity and effectiveness of Policy 16

284. The header of this section is titled *"Retaining Local Services and Retail"*, the justification discusses *tourism*, the Ambition mentions *"Retention of Business Premises..."* and the text of the policy describes *"commercial premises"*. This is a confusing and muddled approach – is it local services, business or commercial premises that the Plan is seeking retention?

285. An interpretation of the policy could also suggest that the change of use between any use class would be acceptable as long as the proposal retains the 'commercial premises'. As the policy seeks to retain the commercial premises – but does not explicitly state there is an aim to retain

commercial use or business use. There could be an interpretation that the fabric of the commercial premises could be retained whilst the use is changed to residential or some other non-employment generating use.

286. The qualifying criteria uses “or” and not “and” – was the intention? For example, a change of use application from a shop (or other service considered important to the village) to a less desirable ‘commercial’ use would be supported by the Plan if it only met one of the qualifying criteria.

287. The permissive and especially imprecise approach in the policy is in conflict with other policies in the Blakeney Plan and the Core Strategy, in particular, Policy SS 5.

Conclusions

288. No substantive evidence has been presented to support the inclusion of the policy. The policy as written, lacks clarity and conflicts with Core Strategy policies and other policies in the Plan.

289. This policy does not contribute, in a meaningful way, to delivering sustainable development. Furthermore, when also taking into account the lack of a robust and locally derived evidence base **this policy has not had regard to national policies and advice** contained in guidance issued by the Secretary of State. **Therefore this policy does not meet the Basic Conditions tests.**

Recommendation

290. **Policy 16 should be removed from the Plan.**

Policy 17: Tourism

291. The stated ‘Ambition’ in the Plan is: ***Tourism – seeking to balance the provision of facilities in Blakeney for the benefit of residents, the local community and visitors whilst minimising the social and environmental impact.***

292. The policy and justification should make reference to the Norfolk Recreational Avoidance and Mitigation Strategy (RAMS) which is currently in draft form and we can provide further details on this work. Mitigation for all development will come through the Local Plan due to issues identified in the HRA. To date the Plan has not been informed by such so it is hard to see there is the evidence to support the approach.

Evidential basis for Policy 17

293. The Plan has not presented a balanced evidence based assessment into all the benefits, and dis-benefits, of tourism (including second homes and holiday accommodation) on the local economy and housing market. On the one hand the Plan is suggesting a number of negatively worded policies which seek to restrict the availability of holiday accommodation and on the other hand, in this policy, is welcoming development that has the potential to expand tourism in the parish.

294. A detailed report was been produced in 2017 that looked at the Economic Impact of Tourism in North Norfolk (here: <https://www.north-norfolk.gov.uk/media/3681/economic-impact-of-tourism-north-norfolk-report-2017.pdf>) and it is suggested that this evidence should have been referenced or built upon to provide a Blakeney focus.

Clarity and effectiveness of Policy 17

295. Point 1 & 2. Environmental Impact Assessments will not be required for the majority of tourism related developments. The thresholds for when an EIA is required is contained in National regulations and cannot be imposed by the Plan.
296. Point 3. Is it not more appropriate to point to the Conservation Area Appraisal and Design Guide rather than the Landscape Character assessment?
297. The policy currently suggests that as long as development meets the criteria in the policy – all tourism development is acceptable. This could potentially include the building of holiday accommodation and second homes. An open interpretation of this policy would be in conflict with the Plan Policies 2,3,4,5?

Conclusion

298. The policy conflicts with National Policy, Core Strategy Policies on tourism, and related development, at EC7, EC8 & EC10. In particular, the policy, as currently written, conflicts with the sequential test in EC7.
299. This policy does not contribute, in a meaningful way, to delivering sustainable development. Furthermore, when also taking into account the lack of a robust and locally derived evidence base **this policy has not had regard to national policies and advice** contained in guidance issued by the Secretary of State. **Therefore this policy does not meet the Basic Conditions tests.**

Recommendation

300. **Policy 17 should be removed from the Plan.**

Implementation, Delivery and Monitoring.

301. The Plan does not mention in this section any review mechanisms. Given the NNDC are likely to produce a new Local Plan in the next 2 to 5 years it is likely that a number of the Plan policies will be out of date or superseded. The Plan, in line with guidance, and to reflect potential change in policy or circumstances should include reference to a future review – which could be of the whole Plan or individual policies.

Appendix 3: Health Check Report



Blakeney NEIGHBOURHOOD DEVELOPMENT PLAN 2020 - 2040
(Examination Version December 2020)

**Pre-examination Review into the Blakeney Neighbourhood Development Plan 2020-
2040**

Timothy Jones, Barrister,

Independent Examiner,

No 5 Chambers

12th July 2021.

Part 1 – Process

	Criteria	Source	Response/Comments
1.1	Have the necessary statutory requirements been met in terms of the designation of the neighbourhood area?	North Norfolk District Council (“NNDC”) and documents supplied	They have
1.2	If the area does not have a parish council, have the necessary statutory requirements been met in terms of the designation of the neighbourhood forum?	N/A	N/A
1.3	Has the plan been the subject of appropriate pre-submission consultation and publicity, as set out in the legislation, or is this underway?	The Consultation Statement	Yes
1.4	Has there been a programme of community engagement proportionate to the scale and complexity of the plan?	The Consultation Statement	Yes
1.5	Are arrangements in place for an independent examiner to be appointed?	NNDC	The plan has not yet reached this stage where this is needed, but the appointment should not be left until a tight timetable limits the choice of examiner.
1.6	Are discussions taking place with the electoral services team on holding the referendum?	NNDC	The plan has not yet reached this stage. While a matter for the examiner, nothing in the papers that I have seen suggests to me that the referendum electorate will need to be extended beyond the parish.
1.7	Is there a clear project plan for bringing the plan into force and does it take account of local authority committee cycles?	NNDC	None is apparent to me

1.8	Has an SEA screening been carried out by the LPA?	NNDC	Screening documents were undertaken on the December 2020 edition of the Plan and copies provided. If the plan were to alter then a further update may need to take place.
1.9	Has an HRA screening been carried out by the LPA?	NNDC	Screening documents have been undertaken on the December 2020 edition of the Plan and copies provided. If the plan were to alter then a further update may need to take place.

Part 2 – Content

	Criteria	Source	Response/Comments
2.1	Are policies appropriately justified with a clear rationale?	This is dealt with in the report below.	Except to the extent detailed in the report below, policies are appropriately justified.
2.2	Is it clear which parts of the draft plan form the ‘neighbourhood plan proposal’ (i.e. the neighbourhood? <i>development plan</i>) under the Localism Act, subject to the independent examination, and which parts do not form part of the ‘ plan proposal’, and would not be tested by the independent examination?	My reading of the draft plan	Yes.
2.3	Are there any obvious conflicts with the NPPF?	This is dealt with in the report below.	Except to the extent detailed in the report below, policies are appropriately justified.
2.4	Is there a clear explanation of the ways the plan contributes to the achievement of sustainable development?	My reading of the draft plan.	Yes.
2.5	Are there any issues around compatibility with human rights or EU obligations?	My reading of the draft plan.	There are no EU obligation issues. Except to the extent that restrictions on property rights must be fully justified, there are no human rights issues.
2.6	Does the plan avoid dealing with excluded development including nationally significant infrastructure, waste and minerals?	My reading of the draft plan	Yes.
2.7	Is there consensus between the local planning authority and the qualifying body over whether the plan meets the basic conditions including conformity with strategic development plan policy and, if not, what are the areas of disagreement?	My reading of the draft plan and NNDC	No. There are some tensions between NNDC and the Qualifying Body. I deal with these below. I would encourage each to seek to resolve the differences.

2.8	Are there any obvious errors in the plan?	My reading of the draft plan.	Except to the extent detailed in the report below, there are no obvious errors.
2.9	Are the plan's policies clear and unambiguous and do they reflect the community's aspirations?	My reading of the draft plan.	Yes, but to the extent detailed in the report below there are problems with some policies.

Introduction

1. I have been instructed by North Norfolk District Council (“NNDC”) to undertake a pre-examination review, often known as a health check, of the draft Blakeney Neighbourhood Development Plan (“the Draft Plan”), which has been produced by Blakeney Parish Council (“BPC”), and also to provide independent commentary on its effectiveness as a material consideration as part of the Development Plan should it pass the tests and what changes and options the Parish may like to consider prior to submission in order to reduce the risk of material modifications through the examination process. These are distinct requirements.
2. I am a member of the planning bar and am independent of NNDC, BPC and, to the best of my knowledge and belief of those who may be affected by the Draft NDP. I have been trained and approved by the Neighbourhood Planning Independent Examiner Referral Service (“NPIERS”) and have extensive experience both as a planning barrister and as a neighbourhood plan examiner. I do not have an interest in any land anywhere in Norfolk.
3. The village of Blakeney is relatively sustainable *“being well-served by its variety of shops and amenities”*. It has a primary school, doctor’s surgery, some public transport, church, some local employment and a limited selection of other services, and acts as a limited service hub for nearby villages.¹ It is identified in the emerging Local Plan settlement hierarchy as one of five ‘Large Growth Villages’.² The level of growth that is appropriate is moderated by the facts that Blakeney is in the North Norfolk Coast Area of Outstanding Natural Beauty and close to European Designated Habitat Sites. There is particular concern about the impact of the demand for second homes on house prices causing them to rise beyond the reach of many younger people with average house prices beyond the reach of those on average incomes and the lack of affordable housing for local people. I have no doubt that this concern is justified.
4. A health check involves consideration of a variety of factors which may be divided into two broad categories: compliance with formal and procedural requirements; and compliance with basic conditions and human rights. To some extent this is similar to the examiner’s role; but a health check is purely on paper with no site visit and does not involve consideration of representations.
5. Unless otherwise stated all reference to a paragraph in this report are to a paragraph of the Draft Plan.

Statutory requirements (other than basic conditions and human rights)

6. I am satisfied of the following matters:

¹ Paragraph 5.28.

² Paragraph 5.27.

- (1) The Draft NDP area is the parish of Blakeney. This was designated as a neighbourhood area for the purposes of neighbourhood planning on 30th November 2017. BPC, a parish council, is authorised to act in respect of this area (Town and Country Planning Act 1990 (“TCPA”) s61F (1) as read with the Planning and Compulsory Purchase Act 2004 (“PCPA”) s38C (2)(a));
 - (2) The Draft NDP does not include provision about development that is excluded development (as defined in TCPA s61K), and does not relate to more than one neighbourhood area (PCPA s38B (1));
 - (3) No other neighbourhood development plan has been made for the neighbourhood area (PCPA s38B (2));
 - (4) There is no conflict with PCPA s38A and s38B (TCPA Sch 4B para 8(1)(b) and PCPA s38C (5)(b)); and
 - (5) The Draft NDP specifies the period for which it is to have effect (namely to 2040), as required by PCPA s38B(1)(a).
7. Section 2 of the draft Basic Conditions Statement is correct.

Basic Conditions and Human Rights

8. The basic conditions are specified in the Town and Country Planning Act 1990 (“TCPA”) Sch 4B para 8(2) as varied for neighbourhood development plans, namely:
- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Plan;
 - (d)³ The making of the Plan contributes to the achievement of sustainable development;
 - (e) The making of the Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - (f) The making of the Plan does not breach, and is otherwise compatible with, EU obligations; and
 - (g) Prescribed conditions are met in relation to the Plan and prescribed matters have been complied with in connection with the proposal for the Plan.
9. There is one prescribed basic condition:⁴ *“The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.”* Chapter 8 comprises regulations 105 to 111.
10. The combined effect of TCPA Sch 4B para 8(6) and para 10(3)(b) and of the Human Rights Act 1998 means that I must consider whether the Draft NDP is compatible with

³ The omission of (b) and (c) results from these clauses of para 8(2) not applying to neighbourhood development plans (PCPA s38C (5)(d)).

⁴ Sch 2 of the General Regulations prescribes this.

Convention rights. ‘*Convention rights*’ are defined in the Human Rights Act 1998 as (a) Articles 2 to 12 and 14 of the European Convention on Human Rights (“the Convention”), (b) Articles 1 to 3 of its First Protocol, and (c) Article 1 of its Thirteenth Protocol, as read with Articles 16 to 18 of the Convention. The Convention rights that are most likely to be relevant to town and country planning are those under the Convention’s Article 6(1), 8 and 14 and under its First Protocol Article 1.

11. Having considered the basic conditions and human rights, examining inspectors have three options, which they must exercise in the light of their findings. These are: (1) that the Draft NDP proceeds to a referendum as submitted; (2) that the Draft NDP is modified to meet basic conditions and then the modified version proceeds to a referendum; or (3) that the Draft NDP does not proceed to referendum. If they determine that either of the first two options is appropriate, they must also consider whether the referendum area should be extended. In practice and within reason they will seek to avoid the third option, but their power to do so is limited by the requirement to be fair to those involved. The more that a draft NP gets seriously wrong, the more likely it is that option (3) will be recommended. Leaving matters that are obviously problematic to be sorted out by the examining inspector carries this risk. It also carries a risk that the modification recommended by the examining inspector will be different from the alteration that the qualifying body would have made had it recognised and responded to the problem.

12. Basic condition (a) national policies and advice contained in guidance issued by the Secretary of State should only be departed from if there are clear reasons, which should be explained, for doing so.⁵ The principal document in which national planning policy is contained is the National Planning Policy Framework (February 2019) (“the NPPF”). There is a difference of approach among examiners to the issue of duplication of policies, with some advising deletion on the ground that this is contrary to Planning Policy Guidance advice⁶ and others leaving them in on the ground that this does no harm. My advice is that if retention serves a purpose, such as giving coherence to a plan as a whole and enabling the reader to have a clearer picture of the overall policy that applies in a particular situation, repetition can be acceptable; but if it serves no purpose PPG advice should be followed. Where the former applies this should be made clear. Without an explanation, policy that merely repeats national or district policy is likely to be recommended for deletion by the examiner.

⁵ R. (Lochailort Investments Limited) v. Mendip District Council [2020] EWCA Civ 1259, Lewison LJ, paras 6, 31 and 33, 2nd October 2020.

⁶ See, for example the Corpusty and Saxthorpe examiner’s report paragraph 7.22 – there is a slight error. It is not legislation, but PPG advice.

13. Basic condition (d) requires consideration of an NP as a whole. Individual policies that are acceptable in themselves may have a combined effect that prevents the achievement of sustainable development.

14. Basic condition (e) requires the making of the Plan to be in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). The adjective ‘general’ allows a degree of (but by no means unlimited) flexibility and requires the exercise of planning judgement. The draft NDP “*need not slavishly adopt every detail*”.⁷ This condition only applies to strategic policies - there is no conformity requirement in respect of non-strategic policies in the development plan or in respect of other district or county documents that do not form part of the development plan, although such documents may be relevant to other basic conditions. Emerging local plans are often in this latter category. I have not found any breach of basic condition (e) in the draft Plan..

15. Basic condition (f) requires consideration of EU obligations, none of which have changed in substance since the UK left the EU. In general a substantial number of obligations can have an effect, including those under the Strategic Environmental Assessment Directive (2001/42/EC), the Environmental Impact Assessment Directive (2011/92/EU), the Habitats Directive (92/43/EEC), the Wild Birds Directive (2009/147/EC), the Waste Framework Directive (2008/98/EC), the Air Quality Directive (2008/50/EC), the Water Framework Directive (2000/60/EC), and the General Data Protection Regulation (2016/679/EU). In practice these often add nothing to the other basic conditions. I have paid particular attention to the fact that the saltmarsh habitat immediately north of the village is of international importance, having SAC, SPA and Ramsar designation.⁸ Basic condition (g) also relates to EU-derived law. I have not found any breach of basic conditions (f) and (g) in the Draft Plan.

16. Human rights emphasise: the importance of justifying interferences with homes and property; and fairness to those on whom the Draft Plan would restrict what would otherwise be their rights and their reasonable expectations.

Housing Provision

17. There is no legal requirement that neighbourhood plans allocate land for housing. As the examiner of the Corpusty and Saxthorpe said: “*A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area.*” If a NP does not allocate land for housing, this does not in any way reduce that amount of housing that will have to be provided in the neighbourhood. It means that this will be decided not by the neighbourhood, but by the district council (or, as often happens, by planning inspectors determining planning appeals). An example of how local

⁷ Wiltshire Council v Cooper Estates Strategic Land Ltd [2019] EWCA Civ 840, para 3.

⁸ Paragraph 6.208 and Map 9.

people can feel when the matter is left to the district is recorded on page 23 of the Consultation Statement. Where a Draft Plan does not allocate land for housing, particular care is needed to ensure that its policies taken as a whole do not prevent or impede needed development.

Allocation for social housing

18. Policy 1 begins: *“In order to meet the housing needs of the parish, proposals which make provision by way of a section 106 agreement for affordable housing will be made available first to eligible households with a local connection to the parish of Blakeney...”*

19. NP policies must relate to planning matters and this is not a planning matter. Further the Community Infrastructure Levy Regulations 2010 reg 122(2)(a) provides *“Subject to paragraph (2A),⁹ a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is— (a) necessary to make the development acceptable in planning terms”*. Policy 1 is almost certain to be rejected by an examiner. Since there is no policy that could achieve the same thing, it is unlikely that he or she would do substantially more than delete the policy and relevant supporting text. In my opinion (although I recognise that some examiners take a different view) the qualifying body can properly record the community’s aspiration that affordable housing should meet local needs; although this should not be done in such a way as to imply (wrongly) that it was a matter for the neighbourhood plan or the parish council.

New Homes

20. Policy 2 seeks to address a real and substantial problem as explained in the draft NDP and, for this reason I particularly regret having to give somewhat negative advice in respect of it. It begins, *“New open market housing, excluding replacement dwellings, will be required to have a restriction to ensure its first and future occupation is restricted in perpetuity to ensure that each new dwelling is occupied only as a Principal Residence”*. NPs can include such policies where the evidence justifies them and where the examiner concludes that they will achieve their intended purpose. Examples include the St Ives’ NDP¹⁰ (which was upheld by the High Court) policies H1 and H2; the St Minver NPD.¹¹ (The Welsh Government which faces a similar problem on parts of its coast, have taken a different approach, imposing through legislation a double council tax – that however is a matter for Parliament, not for neighbourhood planning.) The efficacy of such policies is a matter of debate and the Draft Plan contains a link that challenges the nature of research by those who challenge their efficacy.¹² While there may be force in the criticisms that the article concerned includes, there remains

⁹ Which is not relevant to the issues that this report addresses.

¹⁰ <https://www.cornwall.gov.uk/media/qb2howiw/st-ives-neighbourhood-development-plan.pdf>

¹¹ <https://www.cornwall.gov.uk/media/usdc03a2/st-minver-neighbourhood-development-plan.pdf>

¹² Paragraph 6.66.

the issue whether the policy will reduce the number of second homes or simply shift demand, making those who want a second home buy existing properties and so increase their prices more than they would otherwise be. If that is the case, local people could find the old houses in the village centre taken over as second homes while they could only afford the new houses. The result in time would then be the creation of a ‘ghost’ village centre, the opposite of the aim to preserve the character of the village. It must be remembered that it is up to the qualifying body to provide evidence that supports the policy. Without that evidence, criticisms of those who oppose such policies will not be enough to support retention of the policy in the Draft Plan. I have not seen any evidence that the policy will achieve its desired effect and advise its reassessment. Indeed I have not seen any evidence that the policy will cause any reduction in the overall proportion of second homes.

Holiday Let Accommodation

21. Policy 4, Change of use from Holiday Let Accommodation to residential states:

“Proposals for the change of use or removal of occupancy restrictions from holiday accommodation use to Principal Residence housing, will be supported where the unit proposed for change of use, to residential (C3) or removal of occupancy restriction is suitable for permanent occupation.

Future occupation shall be as Principal Residence in accordance with Policy C2 of the Blakeney Neighbourhood Plan.

This policy does not apply to the change of use, or replacement of chalets, static caravans, other buildings or structures which are not suitable for permanent occupation.”

22. The references to ‘Principal Residence’ in the first two paragraphs of this policy give rise to the same concerns as those that apply to policy 2 and should be reassessed.

23. The last paragraph in part asserts that chalet and static caravans are not suitable for permanent occupation. I have not seen any evidence to justify such a broad assertion and would be most surprised if there is any. It is a matter of general knowledge that many people occupy chalet and static caravans as permanent homes apparently happily and I have no reason to believe that these are in general unsuitable for permanent occupation. When a chalet or a mobile home becoming permanent accommodation this counts towards meeting housing need and so reduces the level of need for “bricks and mortar” housing and for development on greenfield sites. The treatment of chalet and static caravans is not addressed in the draft Basic Conditions Statement. An acceptable alternative would be *“This policy does not apply to the change of use, or replacement of, buildings or structures which are not suitable for permanent occupation.”*

24. Paragraph 6.102 is inaccurate in stating that sui generis holiday lets do not benefit from permitted development rights. This can easily be corrected by replacing “permitted development rights” with “those permitted development rights that only apply to dwellinghouses”.

Open spaces

25. The Draft Plan does not seek to create local green spaces,¹³ but does, through its policy 13, seek to protect certain open spaces. An important distinction is that while an LGS should “be capable of enduring beyond the end of the plan period”,¹⁴ there is no such requirement for a designated open space. Open space designation is widespread and any examiner will be familiar with the concept. It needs to be justified. There should be no problem with publicly owned land such as the Pastures that was bought to provide open space¹⁵ and unlikely to be a problem with other areas of land whose main use is recreation. I would not anticipate any problems with a registered village green, with National Trust land that is held as open country rather than part of the grounds of a stately home or with a green within a housing development that is designed as such¹⁶. The designation is not in my experience used for car parks, although where an area of land that is predominantly recreational includes a car park that is ancillary to this use, that may be included. I can see no justification for the inclusion of car parks in the Draft Plan and note that none of the policies in the draft Basic Conditions statement supports making car parks designated open spaces. I advise their deletion. Where land is not a green designed within a development, but appears to be a natural infill site, its designation is unlikely to survive the examination. In considering proposed green spaces, examiners, who are entitled to exercise planning judgment, will often be greatly influenced by their site visit.

26. As a matter of law, planning policies cannot require transfer of ownership. This in effect would be the imposition of taxation without parliamentary authority. The second and third numbered paragraphs of policy 14 should therefore be deleted. It would however be acceptable to include within the supporting text the following or similar words: “One way in which the objectives of policy 14 can be achieved is by a transfer of the land to the ownership of the parish council or the district council with a sufficient capital payment to cover continuing maintenance.”

27. There is a minor error in paragraph 5.25 of the draft Plan (‘where’ should be ‘were’). Page 112 is inaccurate in respect of the Localism Act 2011: “that became” should be replaced with “relevant parts of which became”.

¹³ Paragraph 6.265.

¹⁴ NPPF paragraph 99. This was considered in R. (Lochailort Investments Ltd) v Mendip District Council [2020] EWCA Civ 1259, 2nd October 2020.

¹⁵ Paragraph 6.242 and the photographs on pages 82 and 87.

¹⁶ From the map the green in Kingsway looks like this..

The Basic Conditions Statement

28. Paragraphs 1.5, 1.6, 3.32 and 3.34 of the draft Basic Conditions Statement ('the draft BCS') are wrong. There has been no SEA and no HRA. Neither were needed.
29. If the advice in this report is followed the BSC will require major consequential alteration to reflect altered policies in the draft Plan.
30. The word 'algin' should be replaced by 'align' (page 11, twice).
31. Paragraphs 3.11 to 3.17 of the draft BCS deal with provisions that have nothing to do with neighbourhood plans. They should be deleted.
32. Paragraph 3.37 is in the wrong place. Human Rights derive from the European Convention on Human Rights, which is a Council of Europe, not an EU, document.
33. Paragraph 3.39 is wrong. The prescribed condition mentioned in paragraph 9 above applies and should be addressed.
34. Subject to the above, the draft BCS is adequate.

The Consultation Statement

35. The Consultation Statement records extensive consultation, more extensive than in many neighbourhood plans. This is likely to impress an examiner.
36. Paragraph 1.7's reference to Aylsham is, no doubt, an error.
37. The final sentence in column 1 of the first box on page 14 is incomplete.
38. Subject to the above and with the still-to-be-completed parts completed, the Consultation Statement is in my view adequate, although it could be more detailed and some examiners might be more critical. In particular consultation statements often give more detail on methodology and on how feedback was considered.

HRA and SEA Screening

39. There are no problems with the HRA/SEA Screening Assessment, which was prepared by NNDC.

Miscellaneous matters

40. The general rule is that the examination of the issues by the examiner is to take the form of the consideration of the written representations without a hearing. A hearing only takes place if the examiner considers that oral representations are necessary to ensure (1) adequate examination of the issue or (2) a person has a fair chance to put a case. The first is mainly limited to plans where there are competing development sites. I have yet to come across the second, but it might apply where people with a significant interest lack adequate literacy in English. On the papers I have seen a hearing seems unlikely in this case.

41. Site visits are more common and, are often unaccompanied. Unaccompanied sites visits are limited to points to which the general public has rights of access, such as roads, pavements, public footpaths and bridleways and many beaches, or an implied right of access such as supermarket car parks, churchyards and cemeteries. It can help inspectors to have suggested viewpoints for a site visit.

42. It is regrettable that there is some tension between NNDC and BPC. I very hope that these can be resolved by BPC recognising the expertise and professional of the relevant officers of NNDC and NNDC recognising the importance in neighbourhood planning of localism and of keeping demands on time and money proportionate. I am confident that each council will recognise and respect the hard work that has gone into consideration of the contents of the draft Plan and associated documents.

TIMOTHY JONES
No. 5 Chambers,
Birmingham - London – Bristol - Leicester
www.no5.com

12th July 2021.

North Norfolk Council

via email

Date: 24th March 2022

Dear, Mr. Chris Brown,

Norfolk Constabulary

Community Safety
King's Lynn
Norfolk

Tel: 01553 665263

Email: steven.gower@norfolk.police.uk

www.norfolk.police.uk
Non-Emergency Tel: 101

Pre-Submission Consultation
Blakeney Parish Neighbourhood Plan; Blakeney Parish Council, The Parish Office,
Langham Road, Blakeney. Norfolk. NR25 7PG.

Thank you for your e-mail inviting comments on the above matter. I have spoken to the Parish Clerk and also forwarded your request to the Constabularies Head of Estates (Mr. Duncan Potter) for his thoughts.

As a Designing Out Crime Officer my role within the planning process is to give advice on behalf of Norfolk Constabulary in relation to the layout, environmental design and the physical security of buildings, based upon the established principles of 'Crime Prevention through Environmental Design'.

The Government has reiterated that designing out crime and designing in community safety should be central to the planning and delivery of new development. Specifically the Planning Practice Guidance on Design reminds practitioners that local authorities are duty bound to adhere to Section 17 of the Crime and Disorder Act 1998 and exercise their functions with due regard to their likely effect on crime and disorder, and do all that they reasonably can to prevent crime and disorder.

The National Planning Policy Framework July 2021 also requires that:

“Planning policies and decisions should aim to achieve healthy, inclusive and safe places which... are safe and accessible so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion....

Furthermore, The Charter for Social Housing Residents (Social Housing White Paper) explains that: ***“A home should provide safety, security and dignity. An opportunity to put down roots and contribute to our community so we can enjoy social and civic lives.”***

Also, that: ***“We also know we need to do more to prevent acquisitive crime in social housing, such as burglary and theft. The £25m Safer Streets Fund³⁴ aims to prevent such crimes from happening in the first place. The fund is investing in crime prevention plans in 52 communities across England and Wales many of which include social housing, and also include activity to tackle anti-social behaviour. “***

Secured by Design



And: ***In addition, our National Design Guide, published in 2019, refers to the importance of designing out crime when developing new homes, and Government’s forthcoming guidance on producing local design codes will set out how homes and neighbourhoods must be designed with safety and security in mind by applying the principles of Secured by Design. This includes using passive design measures, such as ‘eyes on the street’ and appropriate layouts for homes.”***

I would therefore encourage the Council to consider requesting that all future planning applications work towards achieving the full Association of Chief Police Officers Crime Prevention Initiative **Secured by Design** Awards.

Secured by Design aims to achieve a good standard of security for buildings and the immediate environment. It attempts to deter criminal and anti-social behaviour within developments by introducing appropriate design features that enable Natural Surveillance and create a sense of ownership and responsibility for every part of the development.

These features include secure vehicle parking, adequate lighting of common areas, defensible space and a landscaping and lighting scheme which when combined, enhances Natural Surveillance and safety. Experience shows that incorporating security measures during a new build or refurbishment reduces crime, fear of crime and disorder. The aim of the Police Service is to assist in the Design process to achieve a safe and secure environment for residents and visitors without creating a “fortress environment”.

All new developments should provide a venue that makes the most from the proven crime reduction methodologies of Secured by Design gained from over thirty years policing experience and supported by independent academic research.

There are Residential, Commercial, Hospital and Educational Developments Design Guides available from www.securedbydesign.com which explain all of the crime reduction elements of these schemes. They are separated into sections; Section 1: Deals with the development layout and design and all external features and Section 2: Provides the detailed technical standards for various elements of the buildings.

The interactive design guide <https://www.securedbydesign.com/guidance/interactive-design-guide> is also a very good and self-explanatory tool that can walk you through the various elements of designing out crime in a visual manner. I have presented this guide to the Parish Clerk.

The Constabulary is consulted by all of the Counties Planning Authorities with regards to this subject and offers appropriate advice. **Key issues are:**

Creating a sense of place

The main entrances to any development should ideally have a brick pillar style entrance; this is proven to create a “symbolic barrier” to give the impression that the area beyond is Private to the general community and deter casual intrusion by non-residents. To support this a change in road surface such as a simple strip of granite sets reinforces the message and creates a sense of place. Defensible space has the simple aim of designing the physical environment in a way which enables the staff and residents to control the areas around their home. This is achieved by organising all space in such a way that staff and residents may exercise a degree of control over the activities that take place there. A key principle of Crime Prevention Through Environmental Design is to restrict access to unobserved areas putting all visitors to the on view street scene.



Permeability

It can be a challenge to balance connectivity and access in a manner that does not compromise the safety and security of the residents. Excessive permeability is a design feature that is consistently linked to higher crime rates. It is important to limit access to residents and their legitimate visitors. Care needs to be taken to provide appropriate access for new developments.

Of course any new development does have an impact on the surrounding environment. Often new homes carefully consider and incorporate vehicular and pedestrian routes that are visually open, direct and well used with high levels of natural surveillance and modern lighting.



Connecting a new development to an adjacent traditional or period design requires careful thought. Older designs can often be intimidating to walk along and also run in between and at the rear/sides of homes. The lower level of use they experience for their current development and their existing design may be something that is tolerated but the increased demand from a further development of new homes will require consideration regarding their vulnerability.

Currently existing footpaths that are intimidating to use and do not have the benefit of today's design features, are being recorded by the public as such, on the streetsafe platform.

Lighting

To work in harmony with high levels of Natural Surveillance, a carefully designed Lighting plan to cover all vulnerable areas should be in place. This will help to deter and reveal potential offenders and a uniform spread of white light to meet the updated British Standard **BS5489-1:2020** is required.

Secured by Design supports the Institution of Lighting Professionals (ILP) in encouraging a variable controlled lighting level. Please note/ Bollard lighting is purely for wayfinding and can be easily obscured. It does not project enough light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided as the sole means of lighting. Lighting is required to each dwelling elevation that contains a doorset and can also assist in identifying the door and operating locking mechanisms.



Secured by Design has not specified PIR activated security lighting for several years following advice from the ILP and police concern regarding the increase in the fear of crime (particularly amongst older people) due to repeated PIR lamp activations. Research has proven that a constant level of illumination is more effective at controlling the night environment.

Lighting design should be coordinated with a CCTV installation (when specified) and the landscape designed to avoid any conflicts and to ensure that the lighting is sufficient to support a CCTV system. A good lighting system is one designed to distribute an appropriate amount of light evenly with Uniformity Values of between 0.25 and 0.40 using lamps with a rating of at least 60 on the Colour Rendering Index. A Uo value of 0.4 or 40% is recommended to ensure that lighting installations do not create dark patches next to lighter patches where our eyes would have difficulty in adjusting quickly enough for us to see that it was safe to proceed along any route.

It is recognised that some local authorities have '**dark sky**' policies and deliberately light some of their rural, low crime areas to very low levels of illumination. Some are currently experimenting with switching off streetlamps in low crime areas between certain hours of the night to save energy costs and reduce CO2 emissions. If such policies exist, then these must be brought to the attention of the DOCO at the time of application. Secured by Design supports the Institution of Lighting Professionals (ILP) in discouraging 'switch off' unless a full risk assessment has been carried out, and the ILP also recommends that 'switch off' never be implemented purely for cost saving. A variable controlled lighting level is always the preferred option in addition to one which does not disadvantage disabled and older people who may have a sensory impairment and require well-lit routes to enable easy wayfinding and to make other users more easily visible. Attention to position and location of lighting to improve illuminance at ground level can avoid user casting shadows onto the surface whilst minimising light pollution

Natural Surveillance

The new designs should avoid blank windowless elevations to promote developments that increase Natural Surveillance and deter inappropriate loitering. This is essential to maximise overlooking from active windows over access routes and amenity space.



Secured by Design



The landscaping plans need to provide all specified shrubs and hedges that have a maximum growth height of one metre, whilst all trees should be “up pruned” to a minimum height of two metres to maintain a clear field of vision around the site. An environment that provides a “see and be seen” style will reduce crime and anti social behaviour. The proposal should then provide a design that continues with clear lines of sight and the avoidance of alcoves, recessed areas or opportunities for offenders to loiter in anonymity.

Parking

The provision for car parking should ideally be adjacent to the buildings with active windows overlooking and have appropriate levels of Natural Surveillance. It is always important to ensure that the vehicle owners are provided with a view of their vehicle to offer the best protection. This feature may become more relevant with the increase of electric charging of vehicles.

Having blank elevations adjacent to hard surfaced driveways does not provide appropriate surveillance and these can be ideal future “kick walls” for ball games or encourage inappropriate loitering and the potential for anti social behaviour or graffiti. Of course first floor level or frosted bathroom windows do not provide appropriate active windows for important surveillance.

For larger sections of parking It would be a wise move to consider the design criteria for car parking laid down in the police owned ‘ParkMark’ initiative. Further information can be found at www.parkmark.co.uk

Cycling

The securing of cycles left unattended must be considered within the design of any new development. The position of any cycle storage area requires the same level of attention as for car parking and again should be positioned with active windows overlooking and have appropriate levels of Natural Surveillance.

Often cycle storage areas are very low on the list of priorities in a new scheme and get tucked away in a corner making them vulnerable to crime. Careful thought is required regarding the positioning of a cycle store to truly promote cycling. The cycle stand must facilitate the locking of both wheels and the crossbar. Hooped rings set into the ground do not provide for this. There are several secure cycle options detailed in the “member companies” section of Secured by Design. These professional structures have been security tested to achieve accreditation.

These structures should always be the default standard used today.



Secured by Design



I would prefer to avoid canopies for cycle storage areas unless they are completely secure buildings with appropriate access control measures installed. Canopies have been used in the past as gathering points or shelter areas where a potential offender's presence is legitimised. This provides opportunity for crime.

I would also advocate promoting both cycle security and cycle marking/registration. The Constabulary and indeed every Police Force in the United Kingdom uses the **BikeRegister** database to search for stolen and recovered cycles. You can register your cycle on to this National Police Approved Data Base for free. You can also pay a fee and upgrade this registration with marking systems and labels to reduce the risk of becoming a victim. **You are 83% more likely to have your cycle stolen if it is not marked!**

How does **BikeRegister** work?



1

Register your bike

Add your bike details to our National Police-approved database for free



2

Mark & Protect

Mark & Protect your bike with one of our security marking kits



3

Apply warning label

Reduce your risk of theft by warning thieves that you use BikeRegister

Boundary treatments

It has become popular to set back some boundary treatments from the street scene but this does offer a recessed area where a potential opportunist offender could be concealed. It is essential to reduce these opportunities and place boundaries closer to the front elevation/building line.



Secured by Design



Care also needs to be taken to avoid providing a stepping platform opportunity from low demarcation fencing that is adjacent to any rear perimeter treatments.

Terraced homes are a particular challenge to provide access to their rear gardens and yet the safety and security provided by a robust perimeter boundary. Some robust shared alleygates across the development will need incorporating to provide for this essential measure to reduce the risk of burglary. Some **85%** of house burglaries occur at such vulnerable positions.



Formal Surveillance

Although Closed Circuit Television is not a universal solution to security problems. It can help deter crime and assist in the management of a venue if it is monitored continuously and appropriately recorded.



The provision of CCTV is most effective when it forms part of an overall security plan. It is essential that developers are very clear about the objectives they wish to meet and establish a policy for its use and operation before it is installed.



It is important to seek independent advice before approaching an installer and to develop a comprehensive **Operational Requirement** for the system, which can be supplied to installers during the tendering process. An operational requirement will be used for the design, performance specification and functionality of the CCTV system.

In effect, it is a statement of problems, not solutions and will highlight the areas that must be observed by the system and the times and description of activities giving cause for concern.

A useful reference to help achieve this goal is the CCTV Operational Requirements Manual 2009 ISBN 978-1-84726-902-7 Published April 2009 by the Home Office Scientific Development Branch.

If you should wish to discuss any of my comments, or require some assistance with Secured by Design principles, then please do not hesitate to contact me.

I am very keen to help in any way I can to provide future developments that reduce the opportunity for crime and the fear of crime, creating a safer more secure and sustainable environment for future residents.

Yours sincerely

Steve Gower

Steve Gower
Designing Out Crime Officer
Norfolk Constabulary

cc Mr. Duncan Potter via e-mail.
& Tracey Bayfield Parish Clerk via e-mail.



Blakeney Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

Blakeney Parish Council have submitted a Draft Neighbourhood Development Plan to North Norfolk District Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended). In accordance with Regulation 16, North Norfolk District Council is now inviting representations on the Draft Plan, supporting documents and the evidence base.

Responses to this consultation are invited between **Monday 28 March** and **Monday 9 May, 2022**.

PART A and Part B MUST be completed in full.

Part A: Personal Details

In order for your representations (comments) to be taken into account when the Neighbourhood Plan is submitted for Examination, and also to keep you informed of the future progress of the Neighbourhood Plan, your contact details are needed. Please fill in your contact details below:

Personal Details			
Title: Mr	Name: Anthony Faulkner		
Please tell us the capacity in which you are commenting on the Plan:			
I am a resident in the Neighbourhood Area (the parish)	<input checked="" type="checkbox"/>	I am a Statutory Consultee	<input type="checkbox"/>
I work in the Neighbourhood Area (the parish)	<input type="checkbox"/>	Other (please specify)	<input type="checkbox"/>
I represent a Resident's Association	<input type="checkbox"/>	
Organisation Name (if responding on behalf of your organisation)			
Address: [REDACTED]			
Postcode: [REDACTED]			
Telephone: [REDACTED]	Email: [REDACTED]		

Please note: All responses to this consultation will be forwarded with the Plan and supporting documentation to an independent examiner who will consider whether the Plan meets certain legal and procedural requirements. For these reasons the information you provide (including your name, and organisation if you represent one) will be made publically available and may be published on the council's web site. Other personal information including email and property address details will not be published or made available for public inspection and will be processed in accordance with the General Data Protection Regulations and the Data Protection Act 2018. For more information on how we process your data please see our [Data Protection](#) and [Privacy Policies](#)

Oral Examination

The majority of Neighbourhood Plan examinations are dealt with by written representations (in writing only). However, should it be decided that there is a need for an oral examination (a public hearing), please state below whether you would like to participate by ticking the relevant box.

No, I do not wish to participate at an oral examination

Yes, I wish to participate at an oral examination

Please note the Examiner will decide whether an oral examination is necessary. If this is the case, please outline why you consider that your participation at the hearing would be necessary.

Future Notification & Next Stages

Following the consultation period and examination, the Draft Neighbourhood Plan (including any proposed modifications) will be put to a public referendum to determine if the Plan should be accepted. If satisfied that the Plan meets all the necessary legal requirements North Norfolk District Council will approve the Plan for use. If you would like to be notified of the Council's decision to "make" (adopt) the plan, please tick this box.

Please notify me

Thank you for completing this form - your participation is appreciated.

Please return via email to planningpolicy@north-norfolk.gov.uk or by post to Planning Policy, North Norfolk District Council, Holt Road, Cromer, NR27 9EN. **Representations must be received no later than Monday 9 May 2022. Late representations may not be accepted.**

Signature:

Print Name: ANTHONY FAULKNER

Date: 04/04/2022

For official use only

Date received: 04/04/2022

Ref No: BNP03

Part B: Representation Details

You are invited to make comments on the proposed Neighbourhood Plan, supporting documents and evidence base. In doing so, you may wish to address whether or not the draft Neighbourhood Plan meets the basic conditions, set out below, and other matters that the independent examiner is required to consider under [paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990](#) (as amended).

Basic Conditions

Only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be 'made'.

The relevant basic conditions for Neighbourhood Plans are:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan). [Read more details.](#)
- b) The making of the neighbourhood plan contributes to the achievement of sustainable development. [Read more details.](#)
- c) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). [Read more details.](#)
- d) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations. [Read more details.](#)
- e) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. [Read more details.](#)

In the table below please complete each column to show:

- which part of the Neighbourhood Plan or supporting document your representation relates to
- whether your response is an objection to the plan, supporting the plan, or providing neutral comments
- details of what you are supporting, objecting or commenting on, and why
- details of any changes you think necessary. If seeking textual amendments please include your proposed revised wording for policies or supporting text, including the justification for it along with any available supporting evidence.

Please note: your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations. **Further submissions will only be at the request of the examiner, based on the matters he or she identifies for examination.**

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
The complete document	The complete document	Support	I consider this document to be excellent, well researched and prepared and will provide a good basis for the future of Blakeney.	I really have no suggestions for any changes.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change

Please use additional rows / additional sheets of paper to add further comments.

Planning Policy Team
North Norfolk District Council
Council Offices
Holt Road
Cromer
Norfolk
NR27 9EN

Our Ref: 22_06320_P

12th April 2022

Dear Sir/Madam

RE: Draft Neighbourhood Development Plan for Blakeney Parish

Thank you for consulting the Water Management Alliance on the draft Regulation 16 Blakeney Neighbourhood Plan 2020-2040. Blakeney Parish is near to the Internal Drainage District (IDD) of the Norfolk Rivers Internal Drainage Board (IDB) and is partially within the Board's Watershed Catchment (meaning water from the site will eventually enter the IDD). Maps are available on the Board's webpages showing the Internal Drainage District (https://www.wlma.org.uk/uploads/179-NRIDB_Index.pdf) as well as the wider watershed catchment (https://www.wlma.org.uk/uploads/NRIDB_Watershed.pdf). There are no Board Adopted Watercourses within the Parish; responsibility for ordinary (riparian) watercourses rests with each landowner. Further guidance on riparian responsibility is available on the gov.uk website (<https://www.gov.uk/guidance/owning-a-watercourse>).

We strongly support Policy 10 (p.72) which aims to reduce flood risk by ensuring that any new development does not cause flooding issues (The Blakeney Neighbourhood Plan 2020-204 Examination Version, July 2021). We also support that all new developments should have appropriate arrangements for the disposal of foul waste. As mentioned in the Neighbourhood Plan, the regulator for watercourses within the area is Norfolk County Council in its role as the Lead Local Flood Authority, and the Environment Agency is responsible for Main Rivers.

We recommend that a drainage strategy, which has been considered in line with the Planning Practice Guidance SuDS discharge hierarchy, is supplied for all new proposed developments within the Neighbourhood Plan.

If it is proposed that a site disposes of surface water via infiltration, we recommend that the viability of this proposal is evidenced. As such we would recommend that any infiltration based surface water disposal strategies are supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater. If on-site material were to be considered favourable then we would advise infiltration testing in line with BRE Digest 365 (or equivalent) to be undertaken to determine its efficiency.

If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge proposed to a watercourse within the watershed catchment of the Norfolk Rivers IDD then we request that this be in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4. Resultantly we recommend that any surface water discharge to a watercourse attenuated to the Greenfield Runoff Rate wherever possible.

The reason for our recommendation is to promote sustainable development within the Board's Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 167 of the [National Planning Policy Framework](#)). For further information regarding the Board's involvement in the planning process please see our [Planning and Byelaw Strategy](#), available online.

We trust that these comments are helpful towards the drafting of the Neighbourhood Plan. The Board's officers are available to respond to queries and provide advice which may arise throughout the drafting of the Plan.

Yours sincerely,

Ella

Ella Thorpe
Sustainable Development Officer
Water Management Alliance

Date: 21 April 2022
Our ref: 387370
Your ref: Blakeney Neighbourhood Plan – Draft Submission Consultation



North Norfolk District Council
planningpolicy@north-norfolk.gov.uk

BY EMAIL ONLY

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Sir or Madam

Blakeney Neighbourhood Plan – Draft Submission (Regulation 16) Consultation

Thank you for your consultation on the above dated 23 March 2022

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England does not have any specific comments on this draft neighbourhood plan.

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours faithfully

Dominic Rogers
Consultations Team

Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural environment information sources

The [Magic](#)¹ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)².

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)³. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)⁴.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty (AONB)**, the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](#)⁵ website and also from the [LandIS website](#)⁶, which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework](#)⁷ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)⁸ sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

¹ <http://magic.defra.gov.uk/>

² <http://www.nbn-nfbr.org.uk/nfbr.php>

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

⁴ <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

⁵ <http://magic.defra.gov.uk/>

⁶ <http://www.landis.org.uk/index.cfm>

⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807247/NPPF_Feb_2019_revised.pdf

⁸ <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)⁹), such as Sites of Special Scientific Interest or [Ancient woodland](#)¹⁰. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)¹¹) or protected species. To help you do this, Natural England has produced advice [here](#)¹² to help understand the impact of particular developments on protected species.

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 171. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)¹³.

Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

You may also want to consider enhancing your local area in other ways, for example by:

⁹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹⁰ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

¹¹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

¹³ <http://publications.naturalengland.org.uk/publication/35012>

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#) ¹⁴).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

¹⁴ <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

PART A

Personal Details

Mr Roger Thompson

I am a resident in Blakeney full time.

[REDACTED]

Tel [REDACTED]

Email [REDACTED]

ORAL EXAMINATION

I am willing to have an oral discussion /debate

I do not think it “necessary” but will do so if it is helpful. I have lived in many villages country wide and been a “second homer “in some. Hence my experience is “hands on”. My background is International Construction of mega projects (=USD billions many times). After retirement we live in Norfolk for sanity!! !. However after “retirement” I worked full time acting in the International Commercial Tribunal in Paris as an Expert Witness and the High Court in London. Much private Consultancy work followed mainly in South Korea, thereafter. The biggest project was cleaning up Seoul ‘s air pollution prior to the 1988 Olympics.

I wish to be informed of any developments of “The Blakeney Plan”

PART B

I follow the syntax of your questionnaire, your downloaded copy was not computer editable.

ALL POLICIES ARE SUPPORTED WITH COMMENTS. Thus:

Policy 1 This complex issue needs much more attention since the local economy drives the issue of local homes being affordable in a high demand national and local market The issue is a long term strategy for LOCAL prosperity. This area I and others who are/were much concerned by the lack of forward thinking tried and failed to make progress. This is history and lengthy! I touch on it later.

Policy 2 ,3,4,5. A potentially very difficult policy set to achieve. Second homers have the resources to make lengthy legal challenge. Legal opinion is crucial. The danger is wishful thinking in the Blakeney case.

The implication here is that NNDC can monitor the day by day private usage of property. Owners can let privately on a personal basis without using Blakeney Cottages or the like. Such “visitor” presence is not examinable unless nuisance is caused. This may touch Human rights issues. Tread carefully!

Policy 6 Many issues here. The support infrastructure of Blakeney is poor. Water pressure and quality, sewage, surface water need a full engineering assessment in coordination with the Companies responsible. I was involved many years ago with a Blakeney PC Chairman who shared my background and perspective. We talked real world!! Some benefit arose but there is much to be done. The cost is re-engineering the infrastructure would be very high and I see little chance of real progress!. The other sections of Policy 6 are sound.

There should be an attempt to provide “vernacular architectural guide lines” showing real detail of flint work, brick quoins, pantile roofs, chimney and stack designs and gable profiles. This would encourage architects and their paymasters to make things fit the village landscape. Failure to do this results in the notable eyesore opposite Cley Church. This is a Planning disaster which is an offense to the dignity of Newgate Green and all therein. Wooden WW2 Air-raid shelter lookalikes don't fit!!! It smacks of the Second Home Virus “ WOW , Look at me!”

The dark skies lighting issue must accommodate the reasonable security needs of properties. Short time cut-off and motion sensors are conventional technology and available at reasonable cost. Fuel Oil thefts are of particular concern

Policy 7 Infill developments pose big threats to the inadequate Blakeney infra structure. An example is Kimberly on New Road, Blakeney. 7 x 3 bedroom houses replace one. Given that modern equipment (dishwashers, washing machines, tumble driers etc will installed by the developer or owner the increase in infrastructure load will be potentially 7 to 10 times that of the previous site requirements.

Anecdotally no properties in The Butts have mains sewage, the inadequacy of the Saxlingham Road sewer installation gave insufficient fall and the costs of a pumped system prohibitive.

Policy 8 The prevention of further development of new sites is welcome as a feature of initial development permission.. Note that TPO's have a role in this in some potential developments

Policy 9 See comments above

Policy 10. Experience away from the tidal risk areas indicate inadequate infrastructure again. By example attempts to reduce the flow of surface water down Saxlingham Road have been successful. A roll was installed at the entrance to The Butts, stopping it becoming a flow channel for Saxlingham Road and drain clearance on the bend to New Road have worked. However the cutting of several drain ditches in Blakeney Long Lane/ Saxlingham Road has created traffic Hazards since many visitors have little narrow road courtesy. Either they themselves opt for the verge or force others to and hit a ditch usually overgrown by the umbellifer “alexanders”. These are known colloquially as “Tank Traps” and are a danger.

Policy 11 Accessibility is critical. In 1995/7 I formed The Blakey Esker Group with neighbours and Prof Murray Gray from University College London and the Royal Geological Society. Money was raised, the land acquired, cleaned of toxic agrochem waste and asbestos and made over to NCC as a Local Nature rReserve and SSSI. Much better signage and interpretation data is now needed to inform visitors of the nature and unique character of the site and its origins. Action is needed. An attempt to provide a wildlife study area for local children failed as did a display of flintwork by local craftsmen.

Policy 12 See above P6.

Policy 13. Policy 14 Two VERY important policies. Open spaces are a critical asset for Blakeney. They must be properly maintained, and the current policies on dog access kept in place. Seating could be increased with benches following the current designs to facilitate elderly walkers taking a breather. Such would do no damage the landscape and “sweep” of the boundaries. Tree presence at the edges enhances the rurality and de-emphasises the trend to “urbanism”.

Policies 15 and 16 Local employment. I agree fully with what is stated BUT I think HEADS ARE IN SAND! Blakeney deserves more choice and advancement prospects for its young than tourism can offer.

I cite a FAILED attempt to remedy this. Many years ago I, together with Chairman of UKSPA (UK Science Parks Association) and Senior Bursar of St Johns College Cambridge attempted to establish a Science Park in North Norfolk. It would spin off in time new industries in the area and VITALLY would have links to local schools with apprenticeship and training schemes, such being a condition of the agreement of tenants with the sponsors. I was a Visiting Lecturer to the Business School at Cranfield at the time and they wished to join the scheme and help in the educational and business promotion aspects. Money was at hand.

The scheme crashed on local grounds and the money went to SWEDA (South West England Development Association) and now manifests itself at the Bath and Bristol Science Park, a very successful enterprise. This is kind of action North Norfolk and its children need, not just tourism. We made no attempt at resuscitation!

In the case of my own company (Thompson Associates Ltd) there was no spin off locally apart from IT support, the spin off was with other international oriented organisations established elsewhere.

Policy 17 Tourism creates a demand on infrastructure services. (Power, Communications, water, sewage, waste gathering and collection, roads, parking walkways and footpaths etc) I sense that Blakeney is at or close to its limit on many of these and is in danger of choking on its own success. This needs a thorough and numerate study and a costed business plan in concert with adjacent village. What role NNDC plays in this I have no idea and suggest the ideas should be home grown not imposed by Cromer. This is the essence of Section 7 and should be greatly encouraged.

Affordable homes is a challenging issue since their cost is beyond local control. The greater the proportion of well paid jobs there are in the local economy the easier home purchase will be. Thus the key lies in the commercial profile of the area which I have commented on above. In short “get the commerce and money into the area and the rest will follow... in time.”

Section 7 cites the need for a navigable Channel. I was my great pleasure many years ago to facilitate such a project with the help of a harbour designer colleague with whom I was working on a megaproject in Libya. Unlike the “NN Science Park” this succeeded and the channel was dredged despite opposition from Blakeney residents and the National Trust. Advanced technology was used to assess the problem together with assistance from the Delft Hydraulics Lab in Holland. The situation in Wells is significant because Wells Harbour had a dredger which worked at Blakeney. We even proposed that Blakeney had its own dredger and located one for sale on the Thames. No local

interest followed. Things have changed in Wells recently due to reassignment of Wind Farm maintenance services. Blakeney needs much more consensus this time round. Good luck.

Second Homes. I deal with this since it is high profile issue running through much local debate currently.

The implication of the BLDP is that these will be treated in accord with the policies therein. However it is a topic capable of separate consideration.

Do second homes "squeeze local people out of the housing market" is an ever present question. On its face the answer is "Yes" but if the local economy supported income levels consistent with the national trends in house and land costs it is "No". Furthermore the enhancement of Blakeney as a high quality tourist visitor area adds greatly to the desirability for those who can afford it to buy second homes here and thus the tourist policy has a counter-productive element..

There is no optimal compromise between these 2 factors.

Can Planning Laws prevent outsiders buying locally? This requires careful legal consideration but I suspect it is MOST UNLIKELY that a lawful way can be found to operate against the interests of people wishing to buy here who are not "local" whatever that means.

Do second homers add or detract from the local community? Again a much asked question. Obviously the time spent on community activity is reduced if one is not here. My own experience indicates that arriving here on a Friday night via M11 or Liverpool Street and Norwich causes one to simply want to sit on Cley Beach and look at the sea (in my case with Binoculars) for a few hours to prepare for the return trip. Thus the expectation of a high Community input each weekend is quite unrealistic. They do however greatly value the superb seafood available here in season and regard that a huge reward for the M11 and / or Liverpool St. They add to the local longshore economy.

Many second homers become residents after retirement and try to add value by "giving something back" Those in this area of Blakeney are charming and desirable neighbours.

Holiday Cottages. Again the BNP proposes to treat these according to its set of policies. The issue is separable for consideration. The occupants bring money into the area and this is highly beneficial. The appearance of the village is enhanced by proper landlord maintenance. Providing the issues covered in the rest of th policies are properly handld the Holiday Cottage business is a key pat of the village life. The relationship between owner occupancy and holiday cottage letting is a critical legal issue and I suspect any Planning Law can be readily circumvented by a paying guest strategy.

Chris Brown
Project Support Officer
North Norfolk District Council
By Email

Direct Dial: 01223 582746

Our ref: PL00461942

3 May 2022

Dear Mr Brown,

Ref: Blakeney Neighbourhood Plan Regulation 16 Consultation

Thank you for inviting Historic England to comment on the Regulation 16 Submission version of this Neighbourhood Plan.

We do not consider it necessary for Historic England to provide detailed comments at this time. We would refer you if appropriate to any previous comments submitted at Regulation 14 stage, and for any further information to our detailed advice on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>

We would be grateful if you would notify us on eastplanningpolicy@historicengland.org.uk [<mailto:eastplanningpolicy@historicengland.org.uk>](mailto:eastplanningpolicy@historicengland.org.uk) if and when the Neighbourhood Plan is made by the council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed plan, where we consider these would have an adverse effect on the historic environment.

Please do contact me, either via email or the number above, if you have any queries.

Yours sincerely,

Edward James
Historic Places Advisor, East of England
Edward.James@HistoricEngland.org.uk

cc:

Norfolk and Waveney Integrated Care
System
ICS Estates Department

Your Ref: Consultation (Reg 16)
Draft July 2021
Our Ref: Blakeney NP

Email: nwccg.icsestates@nhs.net

Planning Policy Team,
NNDC, Council Offices,
Holt Road,
Cromer,
Norfolk
NR27 9EN

5th May 2022

By email: planningpolicy@north-norfolk.gov.uk

Dear Sir / Madam,

Blakeney Neighbourhood Plan (Submission Version) Consultation

I write following the above consultation on behalf of the Norfolk and Waveney Integrated Care System, incorporating Norfolk & Waveney CCG, Norfolk Community Health and Care NHS Trust (NCHC), Norfolk and Norwich University Hospital NHS Foundation Trust, and Norfolk and Suffolk NHS Foundation Trust.

The local Primary Care Network (PCN), North Norfolk Primary Care (NNPC) as a GP alliance for North Norfolk, covering Blakeney is a collaboration between primary, secondary, community, social, voluntary, and mental health care providers which helps to integrate primary care with wider health and community services to benefit patients.

The Blakeney Surgery (a branch of Holt Medical Practice) serves a registered population of circa 1,000 patients from the village and surrounding areas. The Blakeney Surgery utilises the Norfolk and Norwich Hospital for most of its secondary care. The Norfolk Community Health & Care (NCH&C) Trust provide community nursing and therapy services for Blakeney, and Norfolk and Suffolk NHS FT cover the mental health needs, with many of these services delivered into patients homes, remotely or from central resources. The EEASt of England Ambulance Service (EEASt) provide services to the whole of Norfolk and Waveney.

Blakeney is currently serviced by The Blakeney Surgery (a branch of Holt Medical Practice). In terms of premises space any current capacity, which is already low, will quickly be absorbed through new developments in the area.

We have reviewed the information available and note **core aim 6**: 'Protect and improve existing infrastructure, services, and facilities and to improve access to key services'. Healthcare is a key service for residents and fully support the ambition to improve infrastructure especially in regard to health care facilities as this will be essential to the wellbeing of residents.

The local GP practice is close to capacity. As a Health care system, we welcome the following comments set-out in the plan:

Page 57 - 6.143: Through planning obligations and via S106 agreements or use of planning conditions development will be expected to contribute towards improving local services and infrastructure, including contributions towards new infrastructure.

Page 57 - 6.144: Nationally it is recognised there is a rapidly ageing population. Locally the picture is more dramatic with the age structure of Blakeney's population being considerably older, with just over 38% of the population aged 65 years or over when compared with 24% for Norfolk and only 18% for England. This has significant issues for planning and plan-making.

Page 105 - 8.4: The success of the Blakeney Neighbourhood Plan will depend on the co-ordinated activities of a number of statutory bodies and agencies. It is essential that necessary infrastructure related to the needs of new development be provided in a timely manner and as growth is delivered.

Page 105 - 8.5: Housing and other developments will be expected to contribute towards improving local services and infrastructure through either the payment of planning obligations or planning conditions (S106/CIL)

Page 106 - 8.14: New or improved infrastructure will generally be funded and delivered through S106/CIL.

The ICS recognises and supports the extent to which the plan identifies the use of S106 agreements or CIL from the developer to contribute towards the funding and improving of local services and infrastructure, including contributions towards new infrastructure (6.143, 8.5 and 8.14).

Statement 6.144 identifies the demographic differences in this area. This statement is welcome and supported. The identified population aged 65 years and over with the addition of further residents from local developments will have a significant impact for Health care provision and must be planned for to help mitigate this impact.

Additionally, evidence shows that residents aged 65 years and over account for over 1/3 (35%) of Category 1 ambulance activity and 52% of all activity.

The Norfolk and Waveney ICS, as per the Planning in Health protocol, will provide a single health response to all planning applications, reiterating the importance by which planning applications are sent to us so that mitigation can be sought through CIL/S106 contributions. The exact nature and scale of the contribution and the subsequent expenditure by health care providers will be calculated at an appropriate time as and if schemes come forward over the plan period. This will support Page 105 - 8.4: The success of the Blakeney Neighbourhood Plan will depend on the co-ordinated activities of a number of statutory bodies and agencies.

The Norfolk and Waveney ICS would also welcome supporting the comments made on pages 57, 105 and 106, to seek contributions towards local services and infrastructure through S106 or CIL contributions, which is also supported specifically for Health care provision through the North Norfolk local plan, (January 2020) 'Contributions will be sought on the advice of the Norfolk and Waveney Sustainable and Transformation Partnership where it is advised as a result any specific proposal developer funding to specific health care projects such as contributions towards new doctor's surgery / medical facility are required to enable surgeries and other services to expand and address the needs arising from growth'.

We would welcome the addition of a statement, to confirm that Blakeney Parish Council will support the ICS in ensuring suitable and sustainable provision of Healthcare services for the residents of Blakeney. It should also be noted that, if unmitigated, the impact of developments on healthcare within the Blakeney area would be unsustainable, including that of Primary Care, Community Care, Mental Healthcare, and the Acute Trusts.

If you have any queries or require further information, please do not hesitate to contact the ICS Estates team.

Yours faithfully

Thomas Clare
N&W ICS Estates Planning Liaison & Policy Lead

Blakeney Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

Blakeney Parish Council have submitted a Draft Neighbourhood Development Plan to North Norfolk District Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended). In accordance with Regulation 16, North Norfolk District Council is now inviting representations on the Draft Plan, supporting documents and the evidence base.

Responses to this consultation are invited between **Monday 28 March** and **Monday 9 May, 2022**.

PART A and Part B MUST be completed in full.

Part A: Personal Details

In order for your representations (comments) to be taken into account when the Neighbourhood Plan is submitted for Examination, and also to keep you informed of the future progress of the Neighbourhood Plan, your contact details are needed. Please fill in your contact details below:

Personal Details			
Title: Mr	Name: Thomas Clare		
Please tell us the capacity in which you are commenting on the Plan:			
I am a resident in the Neighbourhood Area (the parish) <input type="checkbox"/>		I am a Statutory Consultee <input checked="" type="checkbox"/>	
I work in the Neighbourhood Area (the parish) <input type="checkbox"/>		Other (please specify) <input type="checkbox"/>	
I represent a Resident's Association <input type="checkbox"/>		
Organisation Name (if responding on behalf of your organisation)			
Norfolk and Waveney Integrated Care System (NHS)			
Address: N&W CCG, Lakeside, 400 Old Chapel Way, Norwich			
Postcode: NR7 0WG			
Telephone:	Email: nwccg.icsestates@nhs.net		

Please note: All responses to this consultation will be forwarded with the Plan and supporting documentation to an independent examiner who will consider whether the Plan meets certain legal and procedural requirements. For these reasons the information you provide (including your name, and organisation if you represent one) will be made publically available and may be published on the council's web site. Other personal information including email and property address details will not be published or made available for public inspection and will be processed in accordance with the General Data Protection Regulations and the Data Protection Act 2018. For more information on how we process your data please see our [Data Protection](#) and [Privacy Policies](#)

Oral Examination

The majority of Neighbourhood Plan examinations are dealt with by written representations (in writing only). However, should it be decided that there is a need for an oral examination (a public hearing), please state below whether you would like to participate by ticking the relevant box.

No, I do not wish to participate at an oral examination

Yes, I wish to participate at an oral examination

Please note the Examiner will decide whether an oral examination is necessary. If this is the case, please outline why you consider that your participation at the hearing would be necessary.

Future Notification & Next Stages

Following the consultation period and examination, the Draft Neighbourhood Plan (including any proposed modifications) will be put to a public referendum to determine if the Plan should be accepted. If satisfied that the Plan meets all the necessary legal requirements North Norfolk District Council will approve the Plan for use. If you would like to be notified of the Council's decision to "make" (adopt) the plan, please tick this box.

Please notify me

Thank you for completing this form - your participation is appreciated.

Please return via email to planningpolicy@north-norfolk.gov.uk or by post to Planning Policy, North Norfolk District Council, Holt Road, Cromer, NR27 9EN. **Representations must be received no later than Monday 9 May 2022. Late representations may not be accepted.**

Signature: Thomas Clare

Print Name: Thomas Clare

Date: 05/05/2022

For official use only

Date received: 05/05/2022

Ref No: BNP08

Part B: Representation Details

You are invited to make comments on the proposed Neighbourhood Plan, supporting documents and evidence base. In doing so, you may wish to address whether or not the draft Neighbourhood Plan meets the basic conditions, set out below, and other matters that the independent examiner is required to consider under [paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990](#) (as amended).

Basic Conditions

Only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be 'made'.

The relevant basic conditions for Neighbourhood Plans are:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan). [Read more details.](#)
- b) The making of the neighbourhood plan contributes to the achievement of sustainable development. [Read more details.](#)
- c) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). [Read more details.](#)
- d) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations. [Read more details.](#)
- e) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. [Read more details.](#)

In the table below please complete each column to show:

- which part of the Neighbourhood Plan or supporting document your representation relates to
- whether your response is an objection to the plan, supporting the plan, or providing neutral comments
- details of what you are supporting, objecting or commenting on, and why
- details of any changes you think necessary. If seeking textual amendments please include your proposed revised wording for policies or supporting text, including the justification for it along with any available supporting evidence.

Please note: your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations. **Further submissions will only be at the request of the examiner, based on the matters he or she identifies for examination.**

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
Core aim 6	'Protect and improve existing infrastructure, services, and facilities and to improve access to key services'	Support	Healthcare is a key service for residents and fully support the ambition to improve infrastructure especially in regard to health care facilities as this will be essential to the wellbeing of residents.	
Page 57 - 6.143	Through planning obligations and via S106 agreements or use of planning conditions development will be expected to contribute towards improving local services and infrastructure, including contributions towards new infrastructure.	Support	The ICS recognises and supports the extent to which the plan identifies the use of S106 agreements or CIL from the developer to contribute towards the funding and improving of local services and infrastructure, including contributions towards new infrastructure	

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
Page 57 - 6.144	Nationally it is recognised there is a rapidly ageing population. Locally the picture is more dramatic with the age structure of Blakeney's population being considerably older, with just over 38% of the population aged 65 years or over when compared with 24% for Norfolk and only 18% for England. This has significant issues for planning and plan-making.	Support	Statement 6.144 identifies the demographic differences in this area. This statement is welcome and supported. The identified population aged 65 years and over with the addition of further residents from local developments will have a significant impact for Health care provision and must be planned for to help mitigate this impact.	
Page 105 - 8.4	The success of the Blakeney Neighbourhood Plan will depend on the co-ordinated activities of a number of statutory bodies and agencies. It is essential that necessary infrastructure related to the needs of new development be provided in a timely manner and as growth is delivered.	Support	The Norfolk and Waveney ICS, as per the Planning in Health protocol, will provide a single health response to all planning applications, reiterating the importance by which planning applications are sent to us so that mitigation can be sought through CIL/S106 contributions. The exact nature and scale of the contribution and the subsequent expenditure by health care providers will be calculated at an appropriate time as and if schemes come forward over the plan period.	

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
Page 105 - 8.5	Housing and other developments will be expected to contribute towards improving local services and infrastructure through either the payment of planning obligations or planning conditions (S106/CIL)	Support	The ICS recognises and supports the extent to which the plan identifies the use of S106 agreements or CIL from the developer to contribute towards the funding and improving of local services and infrastructure, including contributions towards new infrastructure	
Page 106 - 8.14	New or improved infrastructure will generally be funded and delivered through S106/CIL	Support	The ICS recognises and supports the extent to which the plan identifies the use of S106 agreements or CIL from the developer to contribute towards the funding and improving of local services and infrastructure, including contributions towards new infrastructure	

Please use additional rows / additional sheets of paper to add further comments.

Date: 5 May 2022
Your Ref: 014/2018/001_job000040
Our Ref:
Email: john@johnlongplanning.co.uk
Tel: 01508 538218

North Norfolk District Council
Council Offices
Holt Road
Cromer
Norfolk
NR27 9EN

Via email only: planningpolicy@north-norfolk.gov.uk

Dear Sir/Madam

Blakeney Neighbourhood Plan: Blakeney Hotel comments

I am instructed by Blakeney Hotel to advise them on planning and related matters. I have reviewed the submission draft Neighbourhood Plan (March 2022), and discussed its key content as it relates to Blakeney Hotel and its land interests with the Hotel's Owner. A response form has been completed on behalf of the Hotel's Owner and is submitted with this covering letter. The Hotel's main concern is to do with land in the Hotel's ownership adjacent to the area known as 'The Pastures' and its inclusion in the Neighbourhood Plan as Open Space.

Main Concern: The Pastures

The Hotel is strongly opposed to the Neighbourhood Plan's proposals for The Pastures and objects to the way in which the Plan describes and delineates The Pastures. The Hotel considers that the Plan's description, delineation and treatment of The Pastures does not accurately reflect the area's actual true character, its use and accessibility. In particular, it does not acknowledge the presence of the area of land that the Hotel owns and controls at the northern end, i.e. the area enclosed by fencing; and the differences in terms of character, appearance, function and ownership of this area relative to other parts of The Pastures. The Hotel strongly suggests that the Plan's 'designation' of The Pastures excludes the 'fenced off' area owned and controlled by the Hotel, as it does not meet the Plan's description of open space, both in terms of character and function.

I trust the Hotel's submission as set out in the completed response form will be given due regard as part of the assessment of the Neighbourhood Plan's soundness.

Yours sincerely

John Long

John Long BA (hons) DipTP, MRTPI
Director

Blakeney Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

Blakeney Parish Council have submitted a Draft Neighbourhood Development Plan to North Norfolk District Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended). In accordance with Regulation 16, North Norfolk District Council is now inviting representations on the Draft Plan, supporting documents and the evidence base.

Responses to this consultation are invited between **Monday 28 March** and **Monday 9 May, 2022**.

PART A and Part B MUST be completed in full.

Part A: Personal Details

In order for your representations (comments) to be taken into account when the Neighbourhood Plan is submitted for Examination, and also to keep you informed of the future progress of the Neighbourhood Plan, your contact details are needed. Please fill in your contact details below:

Personal Details			
Title: Ms	Name: Blakeney Hotel		
Please tell us the capacity in which you are commenting on the Plan:			
I am a resident in the Neighbourhood Area (the parish) <input type="checkbox"/>		I am a Statutory Consultee <input type="checkbox"/>	
I work in the Neighbourhood Area (the parish) <input checked="" type="checkbox"/>		Other (please specify) <input type="checkbox"/>	
I represent a Resident's Association <input type="checkbox"/>		
Organisation Name (if responding on behalf of your organisation) Blakeney Hotel			
Address: Blakeney Hotel The Quay Blakeney Holt Norfolk Postcode: NR25 7NE			
Telephone: 01263 740797			

Please note: All responses to this consultation will be forwarded with the Plan and supporting documentation to an independent examiner who will consider whether the Plan meets certain legal and procedural requirements. For these reasons the information you provide (including your name, and organisation if you represent one) will be made publically available and may be published on the council's web site. Other personal information including

email and property address details will not be published or made available for public inspection and will be processed in accordance with the General Data Protection Regulations and the Data Protection Act 2018. For more information on how we process your data please see our [Data Protection](#) and [Privacy Policies](#)

Oral Examination

The majority of Neighbourhood Plan examinations are dealt with by written representations (in writing only). However, should it be decided that there is a need for an oral examination (a public hearing), please state below whether you would like to participate by ticking the relevant box.

No, I do not wish to participate at an oral examination

Yes, I wish to participate at an oral examination

Please note the Examiner will decide whether an oral examination is necessary. If this is the case, please outline why you consider that your participation at the hearing would be necessary.

To explain the impact of the Neighbourhood Plan has on the Hotel's current and future operations, particularly the designation of land in the Hotel's ownership at the Pastures as 'Village Open Space'.
--

Future Notification & Next Stages

Following the consultation period and examination, the Draft Neighbourhood Plan (including any proposed modifications) will be put to a public referendum to determine if the Plan should be accepted. If satisfied that the Plan meets all the necessary legal requirements North Norfolk District Council will approve the Plan for use. If you would like to be notified of the Council's decision to "make" (adopt) the plan, please tick this box.

Please notify me

Thank you for completing this form - your participation is appreciated.

Please return via email to planningpolicy@north-norfolk.gov.uk or by post to Planning Policy, North Norfolk District Council, Holt Road, Cromer, NR27 9EN. **Representations must be received no later than Monday 9 May 2022. Late representations may not be accepted.**

Signature: John Long on behalf of Blakeney Hotel

Print Name: John Long on behalf of Blakeney Hotel **Date:** 5 May 2022

For official use only

Date received: 05/05/2022

Ref No: BNP09

Part B: Representation Details

You are invited to make comments on the proposed Neighbourhood Plan, supporting documents and evidence base. In doing so, you may wish to address whether or not the draft Neighbourhood Plan meets the basic conditions, set out below, and other matters that the independent examiner is required to consider under [paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990](#) (as amended).

Basic Conditions

Only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be 'made'.

The relevant basic conditions for Neighbourhood Plans are:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan). [Read more details.](#)
- b) The making of the neighbourhood plan contributes to the achievement of sustainable development. [Read more details.](#)
- c) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). [Read more details.](#)
- d) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations. [Read more details.](#)
- e) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. [Read more details.](#)

In the table below please complete each column to show:

- which part of the Neighbourhood Plan or supporting document your representation relates to
- whether your response is an objection to the plan, supporting the plan, or providing neutral comments
- details of what you are supporting, objecting or commenting on, and why
- details of any changes you think necessary. If seeking textual amendments please include your proposed revised wording for policies or supporting text, including the justification for it along with any available supporting evidence.

Please note: your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations. **Further submissions will only be at the request of the examiner, based on the matters he or she identifies for examination.**

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
	Policy 6 Design of Development	Object	<p>Blakeney Hotel support the Policy aspirations to expect high quality design. However, as written the Neighbourhood Plan Policy requires <u>all development</u> to also provide a mix of types to include one and two bedroom homes, irrespective of the nature of the development proposed. Blakeney Hotel suggest that this element of the policy should only apply to residential development, rather than 'all development'. If the entirety of Policy 6 is aimed at residential development alone, then this should be clarified in the policy. Or, alternatively the residential elements of the policy should be incorporated into Policy 7: Improving Design of New and Replacement Homes.</p>	<p>The Neighbourhood Plan Policy 6 should be changed to confirm that the Policy applies to only residential development, or that elements relevant to residential are moved to Policy 7 and the policy rewritten to confirm which elements are applicable to 'all development' and which element are applicable to certain types of development.</p>
	Policy 10 Drainage and Flooding	Neutral/Comment	<p>Blakeney Hotel support the Policy aspirations for 'relevant' proposals to be supported by information concerning flood risk, and to not increase the risk of flooding elsewhere. However, the Policy as written applies to <u>all development</u>, and requires a flood risk assessment to be submitted for <u>all development</u> irrespective of whether or not the development would be affected by, or affect surface water or foul water.</p> <p>Also, the majority of the Policy's other requirements are already covered in the Adopted and emerging Development Plan (North Norfolk Local Plan) and National Planning Guidance, and do not need to be repeated in the Neighbourhood Plan.</p> <p>The Policy element related to an 'Environmental Permit', should be moved to the Policy's reasoned justification, which would benefit from more explanation about the need and purpose of the 'Environmental Permit'.</p>	<p>The Neighbour Plan Policy 10 should be changed to confirm that it only applies to relevant development that is affected by flood risk or affects surface water or foul water and remove elements already included in other Development Plan policies and National Planning Policy.</p> <p>Further information about the purpose of the 'Environmental Permit' requirement and how it relates to planning decisions should be included in the Policy's reasoned justification.</p>

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
	Policy 11 Biodiversity and Accessibility	Object	<p>Blakeney Hotel support the Policy aspirations to seek improvements to biodiversity. However, as written it requires any (all) development to include landscape proposals, irrespective of the nature of the development proposed.</p> <p>Not all development proposals will be able to or need to include a landscape proposal, or enhance local green infrastructure/create network links etc.</p> <p>Further clarification is necessary to explain in more detail that only relevant proposals need to provide landscape proposals; and also set out how new development can enhance local green infrastructure. For instance, would contributions paid in response to the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) meet this Policy requirement.</p>	<p>The Neighbourhood Plan Policy 11 should be changed to confirm that it only applies to relevant development; and that landscape proposals are only required for appropriate development. Also, confirm whether payment of the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) tariff meets the requirement to enhance the existing local green infrastructure</p>
	Policy 13 Open Space Preservation	Object	<p>The Blakeney Hotel owns an area of land adjacent to the area known as 'The Pastures' in Blakeney which is sectioned off from the rest of 'The Pastures' area by a substantial fence.</p> <p>The boundary is clearly shown on the OS map base underlying the Neighbourhood Plan's map (which is an extract of the Council's Local Plan map). A plan and photographs of the area is submitted with this representation.</p> <p>The Neighbourhood Plan does not differentiate between the Hotel's fenced off area of land and the publicly accessible areas of The Pastures and proposes to designate the land in the Hotel's ownership as 'Open Space (as defined in Table 2 of the Neighbourhood Plan), and include it within the wider Pastures 'Open Space' designation.</p> <p>The Blakeney Hotel strongly objects to the Neighbourhood Plan's inclusion of land in its ownership adjacent to The Pastures, Blakeney within the Open Space designation.</p>	<p>The Neighbourhood Plan Policy 13 should be changed to exclude land in Blakeney Hotel's ownership at The Pastures from the Blakeney 'Open Space' designation; and should be shown as either 'White land' with no restrictive designation; or is specifically allocated for Hotel use, including parking.</p> <p>The Blakeney Hotel is content that the rest of The Pastures retains its Open Space designation as it is different in form, use and character of the Hotel's land and properly meets the designation's definition.</p>

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p>The Blakeney Hotel considers that the area of land in its ownership does not meet the definition of 'Open Space'.</p> <p>Importantly, it is not an area of publicly accessible open space and is enclosed by a substantial fence and gate and signage prohibiting public access.</p> <p>Neither does it form an important visual part of the wider open space area (known as The Pastures), rather it has a completely different character and function than the rest of The Pastures. It is not an open grassed area; it is not defined by hedges and trees (it is defined by a wooden fence/gate); it has no mature trees within it. Overall, it does not make a positive contribution to the landscape character of the wider area.</p> <p>The Hotel wishes to use the land in connection with the Hotel, for instance for car parking at busy times, and/or when the main car park is flooded during high tide events. This use would not be permissible under Policy 13, unless it had community support; and is considered to be of sufficient benefit to the community which clearly outweighs the loss of the existing open space.</p> <p>This designation and policy requirement significantly restricts the Hotel's ability to make use of the land to support its operations.</p> <p>The Hotel previously used the area of land within the fenced area for car parking and applied for planning consent for an overspill car parking associated with the Hotel to regularise the situation.</p> <p>The planning application for the change of use of the area to car parking was prepared and submitted to North Norfolk District Council. The application was supported by North Norfolk District Council Officers and recommended for approval. Unfortunately, the Officer's recommendation was overturned and the Planning Committee refused the</p>	

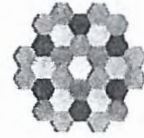
Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p>application, following representations from the Parish Council.</p> <p>However, the application demonstrated that principle of change of use of this area was considered acceptable by North Norfolk Council Officers.</p> <p>Whilst not successful at Planning Committee, or supported by the Parish Council at the time, more recent dialogue with Parish Council representatives have indicated that there may be potential for discussions about Parish Council support for parking on the area (as proposed in the previous application), subject to a sensitive landscaping scheme.</p> <p>The Neighbourhood Plan's proposed designation of the land as Open Space would prejudice this positive position being taken forward in the event that the Parish Council formally confirm their support for a change of use to allow parking in this area.</p> <p>In conclusion, the proposed designation of Hotel owned land adjacent to The Pastures is not appropriate, as it is not based on evidence (i.e. ownership, accessibility, character, appearance and use of the land); and is not effective as the area of Hotel owned land is not considered to make an important contribution to the appearance of the wider open space area and the Hotel has no intention of allowing the public to use the area for informal recreation. The area is needed to support the effective running of the Hotel by providing a potential location for car parking at busy times and/or when the Hotel's main car park is flooded during high tide events.</p> <p>A similar representation has been made to the emerging North Norfolk Local Plan which identifies the land as an 'Open Land Area'.</p>	

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
	Policy 17 Tourism	Neutral/comment	<p>Blakeney Hotel understand the Policy's aspirations, but consider that the policy requirements repeat existing policies in the Adopted and emerging Development Plan (North Norfolk Local Plan) and National Planning Guidance.</p> <p>The Hotel suggest it is not necessary to include these caveats, as the information will be provided to support development proposal pursuant to the existing Local Plan policies in any case. It does not appear to add anything extra to the Development Plan.</p>	The Neighbourhood Plan Policy 17 should be changed to remove the policy as it adds nothing to the existing Development Plan.

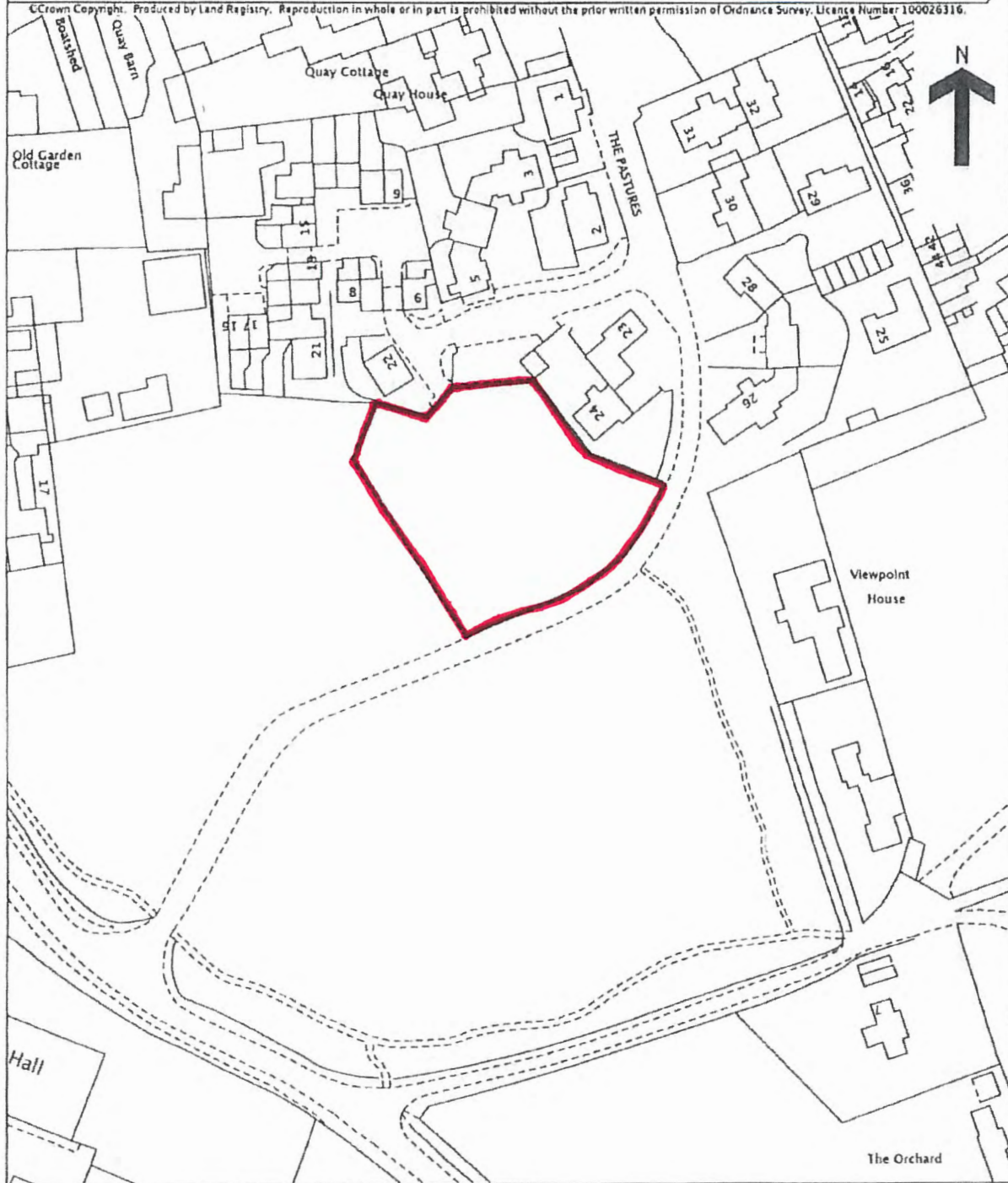
Please use additional rows / additional sheets of paper to add further comments.

Land Registry
Official copy of
title plan

Title number NK400054
Ordnance Survey map reference TG0243NE
Scale 1:1250 enlarged from 1:2500
Administrative area Norfolk : North Norfolk



© Crown Copyright. Produced by Land Registry. Reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number 100026316.



This official copy is incomplete without the preceding notes page











Norfolk County Council

Norfolk County Council Comments on the: Blakeney Neighbourhood Plan (Reg 16) 05 May 2022

1. Preface

- 1.1 The officer-level comments below are made without prejudice, the County Council reserves the right to make to any further comments the County Council may have on future iterations of the emerging Neighbourhood Plan.
- 1.2 The County Council welcomes the opportunity to comment on the emerging Neighbourhood Plan and recognises the considerable amount of work and effort which has been put into developing the Plan to date.

2. Corporate Property Service

- 2.1 At present the former playing field site, the land edged red on the plan, see appendix 1, is held by NCC's Children's Services portfolio and, in conjunction with the land edged blue, is used to provide the required playing field provision to the local school. Any disposal or development of either parcel should not be undertaken without the school's long-term access to a playing field being guaranteed in some way. If this can be achieved then NCC would wish this site to be used in the most appropriate manner to deliver the aims of the Neighbourhood Plan in relation to the social, economic and environmental needs of the village.
- 2.2 Should you have any queries with the above comments please contact Simon Waters (Commercial Estates Surveyor) at simon.waters@norfolk.gov.uk.

3. Lead Local Flood Authority (LLFA)

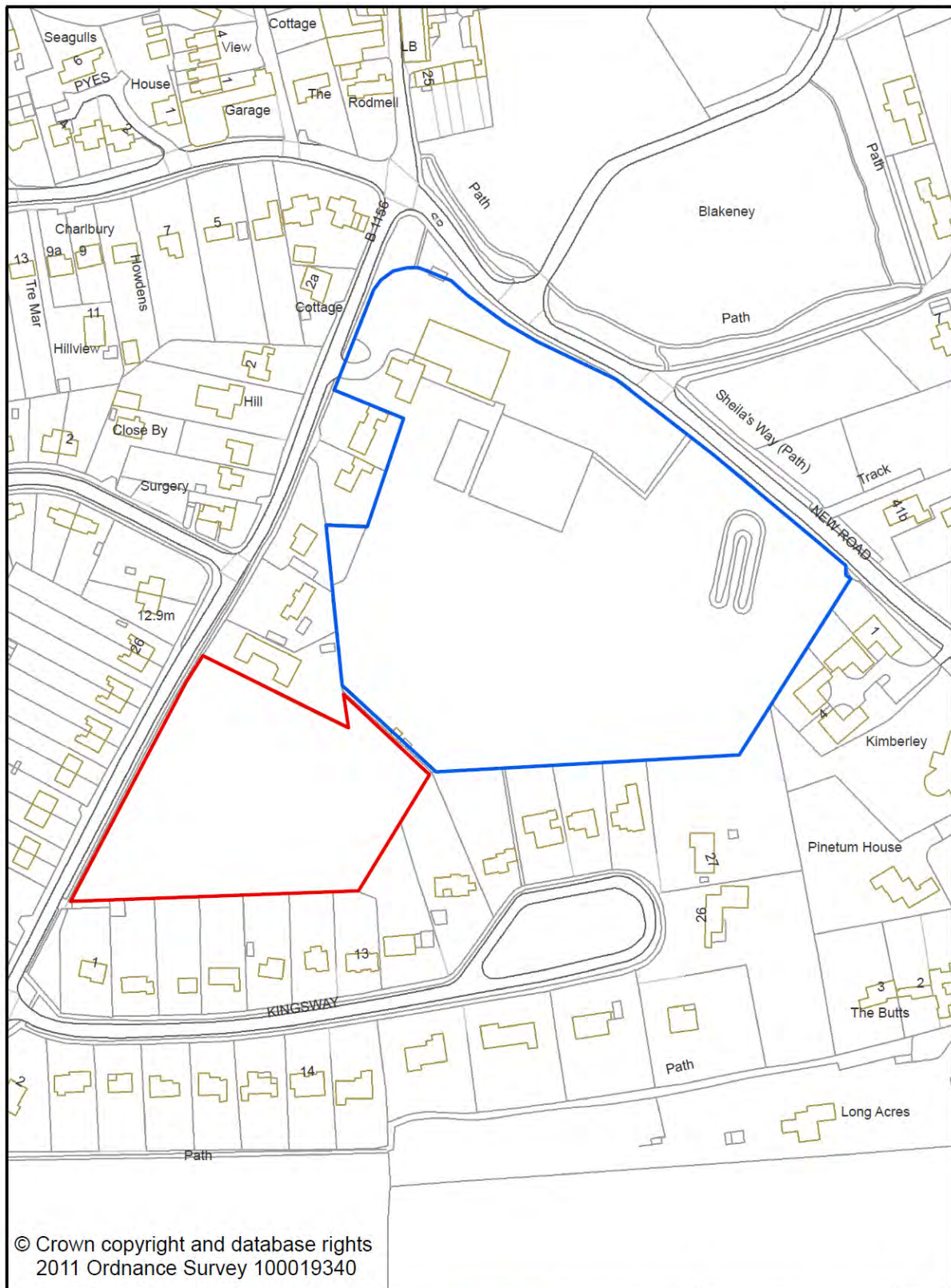
- 3.1 The LLFA welcome the inclusion of Policy 10 (page 66) in the Plan. References to surface water flooding have been made throughout the Plan with references to supporting documents.
- 3.2 It is recommended the [Norfolk LLFA Statutory Consultee Guidance for Planning Document: Version 4, March 2019](#) is referenced in Section 6.172 (page 67).
- 3.3 Should you have any queries with the above comments please contact the Lead Local Flood Authority at llfa@norfolk.gov.uk.

4. Natural Environment





- 4.1 Policy 11 Biodiversity & Accessibility:
Paragraph 1: the County Council recommends revising the wording regarding net gain to clarify that "development must demonstrate how it delivers a **minimum 10%** net gain in biodiversity..."

- 4.2 Paragraph 2: The removal of category C (or below) trees may not always be appropriate for biodiversity; it is therefore recommended that the policy clarifies that development proposals are supported where appropriate by an Arboricultural Impact Assessment (AIA) and carried out in accordance with BS5837:2012 *Trees in relation to design, demolition and construction*.
- 4.3 Should you have any queries with the above comments please contact James Fisher (Principal Ecologist) at james.fisher@norfolk.gov.uk or call 01603 365972.

Appendix 1 – Red line plan for Blakeney Playing Fields



© Crown copyright and database rights
2011 Ordnance Survey 100019340

Blakeney: NCC Freehold =  Parish Land covered by Licence = 	 Norfolk County Council	Date created: 18/10/2019	
		Scale: 1:2,000	

Blakeney Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)

Consultation Response Form



Blakeney Parish Council have submitted a Draft Neighbourhood Development Plan to North Norfolk District Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended). In accordance with Regulation 16, North Norfolk District Council is now inviting representations on the Draft Plan, supporting documents and the evidence base.

Responses to this consultation are invited between **Monday 28 March** and **Monday 9 May, 2022**.

PART A and Part B MUST be completed in full.

Part A: Personal Details

In order for your representations (comments) to be taken into account when the Neighbourhood Plan is submitted for Examination, and also to keep you informed of the future progress of the Neighbourhood Plan, your contact details are needed. Please fill in your contact details below:

Personal Details			
Title: Mrs	Name: Gemma Harrison		
Please tell us the capacity in which you are commenting on the Plan:			
I am a resident in the Neighbourhood Area (the parish)	<input type="checkbox"/>	I am a Statutory Consultee	<input checked="" type="checkbox"/>
I work in the Neighbourhood Area (the parish)	<input type="checkbox"/>	Other (please specify)	<input type="checkbox"/>
I represent a Resident's Association	<input type="checkbox"/>	
Organisation Name (if responding on behalf of your organisation) Cley Parish Council			
Address: [REDACTED]			
Postcode: [REDACTED]			
Telephone: [REDACTED]		Email: clerk.cley@gmail.com	

Please note: All responses to this consultation will be forwarded with the Plan and supporting documentation to an independent examiner who will consider whether the Plan meets certain legal and procedural requirements. For these reasons the information you provide (including your name, and organisation if you represent one) will be made publically available and may be published on the council's web site. Other personal information including email and property address details will not be published or made available for public inspection and will be

processed in accordance with the General Data Protection Regulations and the Data Protection Act 2018. For more information on how we process your data please see our [Data Protection](#) and [Privacy Policies](#)

Oral Examination

The majority of Neighbourhood Plan examinations are dealt with by written representations (in writing only). However, should it be decided that there is a need for an oral examination (a public hearing), please state below whether you would like to participate by ticking the relevant box.

No, I do not wish to participate at an oral examination

Yes, I wish to participate at an oral examination

Please note the Examiner will decide whether an oral examination is necessary. If this is the case, please outline why you consider that your participation at the hearing would be necessary.

Future Notification & Next Stages

Following the consultation period and examination, the Draft Neighbourhood Plan (including any proposed modifications) will be put to a public referendum to determine if the Plan should be accepted. If satisfied that the Plan meets all the necessary legal requirements North Norfolk District Council will approve the Plan for use. If you would like to be notified of the Council's decision to "make" (adopt) the plan, please tick this box.

Please notify me

Thank you for completing this form - your participation is appreciated.

Please return via email to planningpolicy@north-norfolk.gov.uk or by post to Planning Policy, North Norfolk District Council, Holt Road, Cromer, NR27 9EN. **Representations must be received no later than Monday 9 May 2022. Late representations may not be accepted.**

Print Name: GEMMA HARRISON

Date: 6TH May 2022

For official use only

Page 12

Date received: 06/05/2022

Ref No: BNP11

Part B: Representation Details

You are invited to make comments on the proposed Neighbourhood Plan, supporting documents and evidence base. In doing so, you may wish to address whether or not the draft Neighbourhood Plan meets the basic conditions, set out below, and other matters that the independent examiner is required to consider under [paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990](#) (as amended).

Basic Conditions

Only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be 'made'.

The relevant basic conditions for Neighbourhood Plans are:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan). [Read more details.](#)
- b) The making of the neighbourhood plan contributes to the achievement of sustainable development. [Read more details.](#)
- c) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). [Read more details.](#)
- d) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations. [Read more details.](#)
- e) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. [Read more details.](#)

In the table below please complete each column to show:

- which part of the Neighbourhood Plan or supporting document your representation relates to
- whether your response is an objection to the plan, supporting the plan, or providing neutral comments
- details of what you are supporting, objecting or commenting on, and why
- details of any changes you think necessary. If seeking textual amendments please include your proposed revised wording for policies or supporting text, including the justification for it along with any available supporting evidence.

Please note: your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations. **Further submissions will only be at the request of the examiner, based on the matters he or she identifies for examination.**

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p>Cley Parish Council have looked at the Blakeney Neighbourhood Plan, Cllrs have considered the proposed policies and would like to submit this consultation response in support of the whole document.</p> <p>Cley Parish Council believe the Neighbourhood Plan if adopted would go some way to protect and enhance the parish of Blakeney.</p>	

Blakeney Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

Blakeney Parish Council have submitted a Draft Neighbourhood Development Plan to North Norfolk District Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended). In accordance with Regulation 16, North Norfolk District Council is now inviting representations on the Draft Plan, supporting documents and the evidence base.

Responses to this consultation are invited between **Monday 28 March** and **Monday 9 May, 2022**.

PART A and Part B MUST be completed in full.

Part A: Personal Details

In order for your representations (comments) to be taken into account when the Neighbourhood Plan is submitted for Examination, and also to keep you informed of the future progress of the Neighbourhood Plan, your contact details are needed. Please fill in your contact details below:

Personal Details			
Title: Mr	Name: Alistair Lindop		
Please tell us the capacity in which you are commenting on the Plan:			
I am a resident in the Neighbourhood Area (the parish)	<input checked="" type="checkbox"/>	I am a Statutory Consultee	<input type="checkbox"/>
I work in the Neighbourhood Area (the parish)	<input type="checkbox"/>	Other (please specify)	<input type="checkbox"/>
I represent a Resident's Association	<input type="checkbox"/>	
Organisation Name (if responding on behalf of your organisation)			
Address: [REDACTED]			
Postcode: [REDACTED]			
Telephone: [REDACTED]		Email: [REDACTED]	

Please note: All responses to this consultation will be forwarded with the Plan and supporting documentation to an independent examiner who will consider whether the Plan meets certain legal and procedural requirements. For these reasons the information you provide (including your name, and organisation if you represent one) will be made publicly available and may be published on the council's web site. Other personal information including email and property address details will not be published or made available for public inspection and will be processed in accordance with the General Data Protection Regulations and the Data Protection Act 2018. For more information on how we process your data please see our [Data Protection](#) and [Privacy Policies](#)

Oral Examination

The majority of Neighbourhood Plan examinations are dealt with by written representations (in writing only). However, should it be decided that there is a need for an oral examination (a public hearing), please state below whether you would like to participate by ticking the relevant box.

No, I do not wish to participate at an oral examination

Yes, I wish to participate at an oral examination

Please note the Examiner will decide whether an oral examination is necessary. If this is the case, please outline why you consider that your participation at the hearing would be necessary.

I think it should be clear to the Examiner that the designation of my private garden as an open space is inappropriate but if for any reason this is to be determined following oral examination then I feel I can offer the best insight into my garden.

Future Notification & Next Stages

Following the consultation period and examination, the Draft Neighbourhood Plan (including any proposed modifications) will be put to a public referendum to determine if the Plan should be accepted. If satisfied that the Plan meets all the necessary legal requirements North Norfolk District Council will approve the Plan for use. If you would like to be notified of the Council's decision to "make" (adopt) the plan, please tick this box.

Please notify me

Thank you for completing this form - your participation is appreciated.

Please return via email to planningpolicy@north-norfolk.gov.uk or by post to Planning Policy, North Norfolk District Council, Holt Road, Cromer, NR27 9EN. **Representations must be received no later than Monday 9 May 2022. Late representations may not be accepted.**

Signature:



Print Name: ALISTAIR LINDOP

Date: 8.5.22

For official use only

Date received: 08/05/2022

Ref No: BNP12

Part B: Representation Details

You are invited to make comments on the proposed Neighbourhood Plan, supporting documents and evidence base. In doing so, you may wish to address whether or not the draft Neighbourhood Plan meets the basic conditions, set out below, and other matters that the independent examiner is required to consider under [paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990](#) (as amended).

Basic Conditions

Only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be 'made'.

The relevant basic conditions for Neighbourhood Plans are:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan). [Read more details.](#)
- b) The making of the neighbourhood plan contributes to the achievement of sustainable development. [Read more details.](#)
- c) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). [Read more details.](#)
- d) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations. [Read more details.](#)
- e) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. [Read more details.](#)

In the table below please complete each column to show:

- which part of the Neighbourhood Plan or supporting document your representation relates to
- whether your response is an objection to the plan, supporting the plan, or providing neutral comments
- details of what you are supporting, objecting or commenting on, and why
- details of any changes you think necessary. If seeking textual amendments please include your proposed revised wording for policies or supporting text, including the justification for it along with any available supporting evidence.

Please note: your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations. **Further submissions will only be at the request of the examiner, based on the matters he or she identifies for examination.**

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
P 32	Policy 1 Ambition	Object	<p>The ambition of this policy explains that it is <i>“seeking to create the opportunity for residents of Blakeney or those with connections to Blakeney who are on the housing list, to have priority to access affordable housing in Blakeney.”</i></p> <p>I am surprised that Policy 1 is not aiming to increase the supply of affordable housing, rather, the aim is to ensure that any forthcoming affordable housing in Blakeney is allocated to <i>“local connections”</i> rather than to households from further afield in North Norfolk. I thought this plan was about development, this is not about development.</p> <p>In April 2018 residents of Blakeney were consulted about the emerging Neighbourhood Plan via the Village Questionnaire (Consultation Statement p 79-80). This questionnaire saw <i>“Objective no 6: Ensure appropriate and affordable housing available for local people”</i> ranked the highest out of 13 Neighbourhood Plan objectives. I would be surprised if the respondents to this questionnaire understood that this objective was not about increasing the supply of <i>“...appropriate and affordable housing available for local people...”</i> but was trying to allocate the affordable housing to people with a local contact. I believe that people expected the Neighbourhood Plan to try to increase the amount of affordable housing available.</p> <p>I am disappointed that the plan is not proposing any of the routes which could have led to an increase in affordable home provision. For example, the plan could have considered allocating exception sites or establishing a community land bank. Any affordable housing resulting from this type of approach could have been allocated according to some type of “parish level” allocations policy.</p> <p>It is clear from the Consultation Statement that this type of approach was put forward by consultees (I was one of them) but the response from the Steering Group was: Consultation Statement p 236 <i>“...At this time landowners are extremely reluctant to release land for exception sites as the emerging Local Plan is incomplete and does not allocate sufficient sites to meet the District identified need...”</i> p 237 goes on to say <i>“...landowners are holding onto their land as the opportunity still exists for them to realise a bigger financial reward for their asset than would be achieved through exception site development”</i>. I can find no evidence that either a) exception sites were seriously considered as a way of achieving affordable homes for local people or that b) any attempt was made to find potential exception sites – just the above assertions that (to paraphrase) landowners are not interested in selling land for exception sites.</p> <p>I would also note that the Neighbourhood Plan has expressed neither support nor opposition to the NNDC Local Plan preferred site, BLA04, where a development of 30 new dwellings is anticipated. If the Neighbourhood Plan had supported this site, thus increasing the likelihood of its final selection and reducing the element of uncertainty around where new housing might be located, it could have provided an incentive for the owner of BLA04 to have offered an exception site adjacent to the preferred site.</p>	I think the routes of allocating exception sites and other ways of delivering more affordable housing should have been pursued. Without this, I believe Policy 1 should be removed from the plan as it is misleading.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p>The identification of exceptions sites has, disappointingly, been relegated to point 5 of Section 7 of the plan, “Community Projects and Action” which includes “Exception Sites for Affordable Homes” as a project. It details the stages of this project including investigating forming a Community Land Trust, contacting landowners and assessing locations, etc. This would appear to fit with my belief that the Neighbourhood Plan doesn’t want to support any development site over another (preferred or exception sites) because it knows support of any site would be controversial and could lead to objections to the plan. This is the same course of action as taken by Blakeney Parish Council who did not express a preference for any development site during consultation on the emerging Local Plan.</p> <p>Further, I would point out that there is a danger that the Neighbourhood Plan could lead to the delivery of even fewer affordable homes in Blakeney because:</p> <p>a) the proposed restriction of properties to principal residence usage (Policy 2) reduces the attractiveness (to developers) of new market development and, therefore, makes the associated Section 106 affordable housing less likely.</p> <p>b) I have seen reference recently to further calls on potential Section 106 agreements, such as support for the Blakeney doctor’s surgery and financial support for the ongoing maintenance of any associated green space.</p> <p>To summarise, I believe this policy is misleading because it is not seeking to deliver more affordable housing, just to allocate to local connections.</p>	
P 41	Policy 1 (policy wording)	Object	I recognise that the main thrust of Policy 1 is to allocate any new affordable housing, that is delivered via a Section 106 agreement, to households with a “local connection” to Blakeney. My understanding is that allocation of this type of housing is largely determined at district level in response to housing need rather than to parish level local connections. Thus, I fail to see how Policy 1 will have an impact on housing allocation.	As this policy will not lead to additional affordable housing, I suggest it is removed from the plan.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
P 49	Policy 5 (policy wording)	Object	<p>I recognise that this policy is attempting to prevent properties which are used as holiday lets from being extended to a degree that makes them a nuisance for nearby residents.</p> <p>Looking at the policy wording, I note that it requires outdoor amenity space to be <i>“sufficient”</i>; also that there is <i>“sufficient car parking space in the curtilage of the dwelling”</i>; and that <i>“the extended property will not significantly add to noise...”</i>.</p> <p>These criteria, using words like <i>“sufficient”</i> and <i>“significantly”</i>, seem to be vague and inadequately defined. I would add that the Local Plan provides much more specific and measurable criteria against which any proposals will be judged irrespective of whether it is a holiday let or an occupied dwelling.</p> <p>In addition, many houses in Blakeney have no car parking space, does this mean that they cannot be extended if they are holiday lets?</p> <p>This policy wording would make it easier to challenge a planning application to extend holiday accommodation than to challenge a planning application to extend a principal dwelling (this seems to be the purpose of the policy).</p> <p>I would point out that extending a holiday let property could be valuable to the economy of the village thus Policy 5 seems to contravene Policy 17.</p>	Remove from plan.
P50-68	Policies 6-9	Object	<p>I have found it difficult to understand in what way the 4 policies which address design are different to one another and I have also found little in them that is specific to Blakeney and is not just repetition of the Local Plan. I thought that there might be some clarity in respect of Policy 9 – <i>“Existing Dwelling Replacement”</i>. But then I noticed that Policy 7 also refers (in the heading) to <i>“... Replacement Homes”</i>. I also thought that Policy 6 seemed to apply to developments of several homes (it refers to a <i>“..mix of types... one and two bedrooms... local needs...”</i> then I noticed that the ambition of paragraph 6.111 <i>“...is particularly concerned with ensuring... multiple or single new developments meets high standards.”</i> Clearly it’s impossible for a development of a single dwelling to provide a mix of types, etc. At this point I gave up trying to understand the differences. I wish the Examiner the best of luck in understanding the nuances and I make some specific comments on details of these policies below:</p> <p>Policy 6 includes some very vague references which, I believe, will be almost impossible to assess. For example, Point 2 mentions taking <i>“every opportunity... to reinforce a strong sense of place...as defined in the North Norfolk Landscape Character Assessment...”</i>: how will it be decided that <i>“every”</i> opportunity has been taken? And why the <i>“Landscape Character Assessment”</i>, surely the Conservation Area Assessment is more relevant to developments in the village?</p>	Remove Policies 6-9 inclusive from the plan.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p>Policy 6, point 5 refers to “...unacceptable loss of light or overshadowing...” etc. My understanding is that the Local Plan Design Guide deals with these issues with clarity (including measurements, angles, etc) not just loose words like “unacceptable”.</p> <p>Policy 6, point 6 says “roads and parking....should minimise effects on pedestrians...” surely, to “minimise effects” there should be no roads or parking? What about stipulating proper pavements in all new developments?</p> <p>Policies 6 and 7 both require developments to meet certain sewerage standards prior to occupation. No one could argue with this, but is it related to “design”?</p> <p>Policy 7, point 2 requires development to “...enhance the visual quality of the landscape...” This seems especially challenging.</p> <p>Policy 7, point 2 also refers to “...does not have a significant detrimental impact on amenity views of surrounding countryside and coastline...” but it is unclear which views from which locations are being protected.</p> <p>Policy 7, point 3 suggests that the scale of new homes should be appropriate to the plot. This appears to be vague enough that a developer could always argue that it is appropriate but, equally, an objector could always argue the opposite.</p> <p>Policy 8, point 1 refers to infill being acceptable if it “Fills a small, restricted gapwithin the built-up area... where closely surrounded by buildings”. It sounds as though a very fine line is drawn between this acceptable development and the “overdevelopment” which this policy is seeking to avoid (see paragraph 6.171).</p> <p>Policy 8, point 3 introduces more vague terms like “...unneighbourly development...unsuitable access... inconsistent with the character of the neighbourhood...” I would suggest that these are not measurable and add no Blakeney specific detail to the Local Plan policies.</p> <p>Policies 8 and 9 require developments “... not to detract from the AONB...”. Surely this is a given and does not need to be mentioned in the Neighbourhood Plan?</p> <p>Policy 9 seems only to be concerned with the height of a replacement dwelling (it seems to ignore scale and massing). Again, this is less detail than the Local Plan specifies.</p> <p>To summarise, the design policies seem to be lacking in clarity and do not seem to add “Blakeney” detail to the Local Plan and the Design Guide which are both clearer and more specific. I, therefore, see no place for these policies. I also think these policies add confusion.</p>	

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
P 169 & P 72	Policy 10 Ambition & Policy Wording	Object	<p>This policy, in the Regulation 14 Version was dealing with flooding caused by the development itself, ie excessive surface water run-off from any new development and inadequacies in sewerage capacity to deal with new development. It would appear that, further to comments at Regulation 14 stage, the words “and tidal” have been added to the end of the ambition and point 1 of the policy.</p> <p>Clearly, tidal flooding does not arise from new development and I believe that it is misleading to suggest that the measures proposed in this policy would help to prevent tidal flooding. I appreciate that tidal is the type of flooding that most concerns people in Blakeney but this policy, as written, does not address it. I suggest that the removal of reference to “tidal flooding” would make this policy make some sort of sense.</p> <p>The issues of flooding are comprehensively covered by the NPPF and the Local Plan so I’m not really clear why this policy is needed.</p> <p>Given the forecast rise in sea levels over the next 50-100 years I think the Neighbourhood Plan needed to be thinking ahead about the impact of this on the village.</p>	Remove this reference to “tidal flooding” or remove policy from the plan.
P83	Policy 11 Policy wording	Object	<p>The Ambition of Policy 11 is “<i>Biodiversity and Accessibility – seeking to enhance the rural coastal setting and provide habitats for wildlife whilst improving access to the coastline and countryside.</i>” This sounds like a very laudable ambition, who could argue against “<i>seeking to enhance the rural coastal setting</i>”? or against “<i>...improving access to the coastline and countryside</i>”? I certainly wouldn’t argue against this. However, I can’t see how the policy wording would actually achieve this ambition except, perhaps to “<i>provide habitats for wildlife</i>”.</p> <p>Policy 11 states that “<i>Development must demonstrate how it delivers a ‘net gain’ in biodiversity...</i>” This would be easy to achieve for development taking place on, say, a former arable field but it may be difficult to achieve for any type of infill or replacement development where there is already a higher level of biodiversity, for example part of a garden.</p> <p>Furthermore, the policy states that “<i>Development must demonstrate how it delivers... improved connections with existing open spaces in and around Blakeney.</i>” Again, this might be possible for development on a greenfield site outside the village but the possibility of being able to “<i>...improve connections with existing open spaces...</i>” for a development situated within the village will surely be dependent on its exact location and scale?</p> <p>It seems to me that most developments within the settlement will fail on one or both of the above requirements whereas greenfield development probably would be able to meet these requirements.</p> <p>I support the requirement that “<i>Landscape proposals must form an integral part of any development design.</i>”</p>	Remove the bulk of this policy but retain the requirement for landscape proposals to be an integral part of any development.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
P 87	Policy 12 Policy wording	Object	<p>I am fully supportive of the ambition to preserve dark skies and I would go further in seeking to reduce the existing light pollution in Blakeney (particularly that caused by the existing, outdated street lights and by some outside lighting on residential and commercial premises). However, I recognise the limitations of planning policy in trying to control this type of issue.</p> <p>My criticism of Policy 12 is that it refers, in two places, to lighting only being used where “...<i>necessary for safety and security</i>...”. I feel that it will be difficult to argue against any external lighting if it claims to be “<i>necessary for safety and security</i>”.</p> <p>I would also add that it is surprising that Policy 6, point 11 provides detailed specification of what standards new proposals for external lighting should meet but that these details are not provided in Policy 12.</p>	<p>I would suggest that the 4 lighting requirements specified in Policy 6, point 11 should be included here. Also, a 5th point should be added: “the light source should not be visible from outside the boundary of the property on which it is sited”.</p> <p>(I am suggesting this because there are plenty of examples of lighting which meet the requirements in Policy 6 point 11 but the light source is visible from hundreds of metres away.)</p>
P 88	Policy 13 Ambition Para 6.270	Object	<p>The ambition of this policy is “<i>seeking to recognise the importance of these areas to the village for recreational, amenity and visual value. The policy is not seeking Local Green Space designation.</i>”</p> <p>Local Green Space is a designation provided by the NPPF enabling Neighbourhood Plans to protect demonstrably special open spaces. As stated in the ambition, Policy 13 is not seeking Local Green Space designation. This seems to be a very odd decision and I haven’t found any explanation for it in the plan. In an attempt to understand the decision, I searched all the published minutes of the Neighbourhood Plan Steering Group to find when the matter was discussed. The only reference I could find to the term “local green space” related to a decision in January 2019 to circulate (to members of the Neighbourhood Plan Steering Group) the list of areas which Blakeney Parish Council submitted to NNDC (in July 2017) for consideration as Local Green Spaces in response to NNDC’s request for suggestions. I can find no reference to discussion and/or decision not to seek Local Green Space designation.</p> <p>I am disappointed that Local Green Space designation has not been used. It is clear that some of the proposed Open Spaces are important and highly valued, both in terms of their own qualities and in terms of the contribution that they make to the wider area. I am aware that Local Green Space is a designation which should be “capable of enduring beyond the life of the plan”. I note that concern about “enduring beyond the life of the plan” has been cited as one of the reasons why Local Green Space was not used (p 171 of the Consultation Statement notes “...<i>many [of these areas] are in private ownership and at this time it is not possible to know</i></p>	<p>I would suggest that assessments should have been done to identify the open spaces which do meet the criteria of Local Green Space and these should have been proposed for designation. The areas which did not meet these criteria should have been removed from the list.</p>

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p><i>how to be capable of enduring beyond the end of the plan period.</i>”). I feel this is a missed opportunity and I seriously question the validity of the Neighbourhood Plan if it does not have the confidence to designate areas in Blakeney like the Pastures or Mariners Hill for longer than the life of the plan.</p> <p>I would also note that this ambition refers to “...the importance of these areas...” I can find no assessment of the “importance” of each area proposed, just an assumption that all areas on the list are of importance.</p>	
89	Policy 13 Para 6.282 Para 6.283 Para 6.284 Para 6.285	Object	<p>Paragraph 6.282 notes that the identified open areas have “<i>been assessed based on the following definitions.</i>” The three following paragraphs are the “<i>definitions</i>”. I would note that no evidence is provided of the “<i>assessment</i>” which seems to have involved no more than ticking the appropriate box and the “<i>definitions</i>” should have been defined clearly. I expand below:</p> <p>Paragraph 6.283, Historic: this paragraph is incomprehensible. It does not clearly explain the reasons why an area may be designated as an Open Space of historic importance. It just makes a number of observations such as “...<i>The relationship of buildings and open spaces within the Blakeney Conservation Area is essential in creating the special character of the village...</i>”. It does not identify the qualities which make an area “<i>of historic importance</i>”. How does this “<i>definition</i>” help to assess whether a space is “<i>of historic importance</i>”?</p> <p>Paragraph 6.284, Amenity: this paragraph starts by making a reference to “...<i>open spaces... provide important amenity...</i>” but does not, in any way define or assess the amenity of the various areas. As is the case under “<i>Historic</i>” above, no detail is provided in respect of: the function of any of the areas; what type of amenity is provided; and in what way it is “<i>important</i>”. Instead, the “<i>definition</i>” just notes that a number of open spaces do provide important amenity. It goes on to note how important car parks are in “...<i>breaking up the street scene, maintaining the character and urban balance...</i>” Seriously??? This appears to be stating that the car parks on the High Street are an essential part of the character of the High Street and need to be designated as open spaces.</p> <p>Paragraph 6.285, Strategic: it’s not clear what “<i>designated and non-designated open spaces</i>” means at the beginning of this paragraph. The definition notes that both types of space “...<i>allow views across a wider area enhancing the village perception, character and countryside feel.</i>” Does it mean that, in order to be deemed to be “...<i>of Strategic Importance...</i>” a space must allow views across it? And/or provide a view of the village? It doesn’t say this with any clarity. I would add that, even if this is the intended definition of “<i>strategic</i>”, it seems a very thin reason for such a high degree of protection and it appears to have been applied inconsistently. For example, although most fields surrounding the village allow “<i>perception of the village</i>” only some have been designated. (A previous planning application seems to have increased the likelihood of an area being designated.)</p>	I feel that the vagueness of the definitions and the lack of assessment of the spaces makes it impossible to form a view as to which spaces really are important. Thus I feel the policy should be removed.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			To summarise, the “ <i>definitions</i> ” of Historic, Amenity and Strategic are not definitions but seem to contain a series of vague statements. Further, no assessments of the areas have been provided to show in what way they are important, be it Historic, Amenity or Strategic.	
P 90	Policy 13 6.286	Object	<p>Paragraph 6.286 explains that “<i>community support</i>” which is referred to in the policy wording is defined as “<i>the official view given by Blakeney Parish Council.</i>” I feel that Blakeney Parish Council’s record makes it an inappropriate body to be the arbiter on whether any proposed development on a designated Open Space has “<i>community support</i>”. Evidence of their unsuitability is as follows:</p> <ul style="list-style-type: none"> a) Blakeney Parish Council has a pending (yet to be determined) planning application which proposes to use the whole of the Former School Field (Open Space Area 4) for parking for up to 365 days per year. b) Blakeney Parish Council has recently supported the proposal for a housing development on the Former School Field (Open Space Area 4) c) Blakeney Parish Council is overseeing the increased use of Blakeney’s dinghy park for car parking (without specific planning approval) d) Blakeney Parish Council supported the planning application to site a snack caravan on a car park in the High Street (one of the proposed Open Spaces of importance, Area 14). e) When presented with a proposal (backed by 80 people) to reduce the amount of parking and traffic in the historic part of the village, Blakeney Parish Council (as far as I can tell) ignored the proposal and it has never been discussed in a public meeting. <p>Is this evidence of a public body listening to the community view in order to make decisions in the community’s name?</p> <p>Given this confused thinking, I would suggest that Blakeney Parish Council is not the body which should speak for “<i>community support</i>” in respect of this policy.</p>	Blakeney Parish Council is not the appropriate body to define community support under this policy. I think this proposal should be removed from the policy.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
90-93	Policy 13 Policy wording & table of Open Spaces	Object	<p>I would like to make some comments on individual areas proposed under this policy as follows:</p> <p>I am confused that, with regard to Open Space Area 4, the Former School Playing Field, Blakeney Parish Council has (in 2022) backed a proposal to build affordable housing on this site. Blakeney Parish Council has also submitted a planning application (in June 2021) to use the entirety of the area as a full-time car park (planning decision yet to be made). It is unclear whether Blakeney Parish Council really wants to maintain this as an open area. Is this being put forward as an Open Space, a car park or a housing estate? The Neighbourhood Plan makes no reference to these development proposals and states that Blakeney Parish Council should have autonomy over whether any development on Open Space can go ahead. This is not what most people would understand by designating an Open Space</p> <p>Open Space Area 3, Field on Morston Road, seems a particularly odd inclusion in the list of proposed designated areas: it is no more than an agricultural field, there is no public access to it and views across it towards the harbour are only visible by looking through the hedge on Morston Road (and of course from the houses on the south side of Morston Road).</p> <p>Open Space Areas 1 and 14 on the High Street, Coronation Car Park and Royal British Legion Car Park respectively, also seem to be unusual inclusions on a list of Open Space proposed designations. The protection of these areas because they are seen to be “...essential in breaking up the street scene...” (paragraph 6.285) is, in my opinion, fanciful. (Particularly in the light of the recent planning application for a snack caravan to be sited on one of these car parks which was supported by the parish council.)</p> <p>Open Space Area 9, 39 New Road is my private garden and I expand later on why this should not be included in the list.</p> <p>There also seem to be some significant omissions from the table of Open Spaces:</p> <p>Firstly, I am surprised that Blakeney Carnser has not been designated as an Open Space given its importance for people enjoying the waterside. Is this because the parish council do not want to restrict their ability to site more trading caravans on the Carnser? Or maybe because they are planning to extend the car park into the dinghy park?</p> <p>Another omission is the grassed area to the east of Mariners Hill: this area of grass functions as part of the Open Space Area 8, Mariners Hill and should be included in the proposed designated area.</p> <p>The list of proposed designations in Policy 13 is strikingly similar to the list of proposed open spaces in the emerging Local Plan. The Neighbourhood Plan just seems to have added any other open area in the village.</p>	<p>One could argue that this policy could be amended by making a large number of changes outlined below but as no assessments were carried out on the proposed areas, I believe the policy should be removed from the plan.</p> <p>Possible changes: I suggest the following areas should have been considered for Local Green Space and the others should be deleted from the list: 2 Duckpond 4 Former School Playing Field 8 Mariners Hill (but note change to boundary below) 11 Parish Playing Field (note change to boundary below) 13 Red House (adjacent land) (note, I would add to this the whole area of the Quay and the Carnser (currently used as a car park) 15 Royal British Legion Bowling Green 16 The Pastures</p>

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p>However, unlike the Local Plan which carried out and published detailed assessments of each proposed area (some of which did not meet the grade of open spaces and so are not proposed for designation) the Neighbourhood Plan process has been confined to ticking boxes based on the inadequate definitions of “importance”. (See the comment on paragraphs 6.283 – 6.285 above).</p> <p>I believe that it is not appropriate for the Neighbourhood Plan to simply copy the Local Plan as this replication of open areas (apart from the addition of a handful of rather questionable areas like car parks and fields) adds no local detail to the NNDC Local Plan. Furthermore, the lack of any assessment (in the Neighbourhood Plan) of areas proposed to be designated under Policy 13 means that this policy gives less detail than the equivalent Local Plan policy. My understanding was that neighbourhood plans are supposed to add more local detail.</p> <p>Finally, I would note that Blakeney is one of the few villages in North Norfolk which has been assessed as exceeding the recognised requirement for all types of open space (except allotments). (See North Norfolk Open Space Assessment 2020.) Thus the additional proposed designation of areas like car parks and private fields as important open areas is even more surprising.</p> <p>I would suggest that Policy 13 has evolved from a desire to “protect” Blakeney by being able to resist any type of development. Clearly such a policy would not be valid as part of a “Neighbourhood Development Plan” but perhaps this underlying objective is easier to achieve by designating every undeveloped gap (small or large) as an Open Space of importance thereby preventing development?</p>	
P92-93	Policy 13 Map 10 & Map 11	Object	<p>The maps produced in the Examination Version of the Neighbourhood Plan are the first maps of proposed Open Spaces which have been made available for people to see in this whole Neighbourhood Plan process. However, the maps provided are of such poor quality that I suggest it’s impractical and unacceptable to use them to determine the extent of each Open Space being proposed under the policy.</p> <p>I would draw attention to several further problems with the maps:</p> <ul style="list-style-type: none"> - The extent of Open Space Area 11, Parish Playing Field, is surprising. It includes a triangle of the garden of Spring Cottage. This triangle is clearly not playing fields – it offers no public access. This appears to be a drafting error which has not been picked up. (If a map of Open Spaces had been provided at one of the earlier consultations, it probably would have been picked up.) This apparent drafting error is identical to the Local Plan’s mapping of these playing fields. This reinforces my view (see above) that the Neighbourhood Plan has, literally, copied the Open Spaces put forward by the Local Plan and added some. 	Due to the extent of errors and omissions with this policy (raised elsewhere) this policy should be removed.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			- I would also draw attention to the open grassed area between the Manor Hotel and the eastern boundary of the proposed Mariners Hill designation. I would suggest this should have been included in Area 8, Mariners Hill.	
91	Policy 13 Table 2 Area 9, 39 New Road	Object	<p>I note the proposal to designate “39 New Road (adjacent to The Pastures), A149 Coast Road – 0.4ha” on the basis of Historic and Strategic importance.</p> <p>39 New Road is my private garden and I believe it should not be designated as an Open Space:</p> <p>Firstly, I would draw attention to the fact that I have never been contacted in connection with the Blakeney Neighbourhood Plan to inform me that my garden is proposed to be designated as an Open Space under the plan. My understanding is that, as a private owner of this area, I should have been informed that my garden was being proposed as an Open Space.</p> <p>This consultation is the first time I have seen a map which shows the full extent of the proposed designation which reaches almost to my front door and also takes in a narrow strip of my neighbour’s garden to the north. I would be interested to hear why this whole garden, including my herb bed, parking area, etc is deemed to be an Open Space?</p> <p>As outlined, I believe that my garden should not be designated as an Open Space and I would have liked to make this case with reference to the wording of Policy 13 and to the evidence and justification provided in the Neighbourhood Plan. However, as there is no published evidence or justification, this is impossible so I provide below the main reasons why the proposal is inappropriate:</p> <p>1) The Policy wording just explains that development won’t be permitted on the areas listed in Table 2 (p 91) unless, according to Blakeney Parish Council, there is “community support”.</p> <p>2) Table 2 indicates that my garden should be a designated Open Space because it is of Historic and Strategic Importance to Blakeney. There is no further evidence to explain this importance.</p> <p>3) The headings of Table 2 include “Description, Use, Location and Size”. The entry for my garden under this heading provides only the location and size. The Neighbourhood Plan seems to have avoided noting that the “Description” is a private garden and the “Use” is limited to use as a private garden by the owners – there is no other function of this area.</p> <p>4) Looking at the Neighbourhood Plan definition of “Open Space” in the glossary, I can see that my garden doesn’t fall into the category of “..space of public value, including public landscaped areas, playing fields, parks and play areas...areas of water....which can offer opportunities for sport and recreation...”. This only leaves “...or</p>	If Policy 13 is retained, Area 9, 39 New Road should be removed from the list.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p><i>act as visual amenity and a haven for wildlife</i>". My garden, like most gardens, provides wildlife habitat though this, on its own, is not a reason to designate it as other gardens don't appear to have been designated for this reason. In terms of "visual amenity" there is very limited view into the garden from any public space and also limited view across the garden (it is possible to see the neighbouring houses from the Pastures and from the Playing Fields, but little more.)</p> <p>5) Table 2 defines my garden as being "...adjacent to the Pastures...". In fact it is separated from the Pastures by Little Lane and by the hedges on either side of Little Lane.</p> <p>6) As outlined above, the "definitions" of historic and strategic mystify me and I cannot see in what way they would apply to my garden. The Neighbourhood Plan does no more than tick these boxes, so it's impossible to challenge its thinking but I have tried to assess it myself as follows:</p> <p>Historic Importance: I can't come up with anything on this one – there are no old buildings nearby (everything is post 1952) and nothing historic about the garden itself.</p> <p>Strategic Importance: If this is related to views, as noted above, there are virtually no views into the garden due to the hedges around it and little in the way of views across the garden from public space. The Blakeney Conservation Area Assessment identifies a number of important views around the village including some looking northwards from the Pastures towards the sea. It did not identify any views to do with 39 New Road.</p> <p>The three neighbouring houses to the south of 39 New Road do have views across the garden towards the harbour and Blakeney Point but this clearly would not be a valid reason for the designation. (Coincidentally, the Chair of the Neighbourhood Plan Steering Group lives in one of these houses and another member of the Steering Group, a parish councillor, lives in a second, but I'm not in a position to say whether this has any relevance.)</p> <p>To summarise, 39 New Road is a private garden, it is not an Open Space of importance and it should not be designated as such.</p>	

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
P 113	Glossary, definition of Open Space	Object	<p>The NPPF definition of “<i>Open Space</i>” (which is identical to the one given in NNDC’s emerging Local Plan) is: “<i>All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.</i>”</p> <p>It is clear from this that Open Spaces should provide amenity in the form of “<i>...important opportunities for sport and recreation...</i>”. An additional quality may also be provided in the form of “<i>...visual amenity</i>”.</p> <p>In the Glossary of the Neighbourhood Plan (page 113) there is a definition of Open Space which appears to be a slightly amended version of the NPPF definition as follows: <i>“All space of public value, including public landscaped areas, playing fields, parks and play areas. Not just land, but also areas of water such as rives, canals, lakes and reservoirs, which can offer opportunities for sport and recreation or act as a visual amenity and a haven for wildlife.”</i></p> <p>The significant amendment seems to be that the Neighbourhood Plan version requires an area to provide “<i>...opportunities for sport and recreation or act as a visual amenity...</i>” while the NPPF version uses the word “and” rather than “or”. Thus visual amenity alone is not enough for an area to be an “open space” under the NPPF definition but it is enough for the Neighbourhood Plan version. In other words, the Neighbourhood Plan is using a lower bar to define Open Spaces but is proposing to give these areas a high degree of protection – equivalent to Local Green Space but without the assessment.</p> <p>Thus this policy is inconsistent with the NPPF.</p>	This policy should be removed from the plan, it is inconsistent with the NPPF.
P 95	Policy 14 Policy wording	Object	<p>I appreciate that it is important for public Open Spaces to be managed and maintained so that they may continue to be enjoyed by the community.</p> <p>However, Policy 14 seems to be referring specifically to green areas which are provided as part of new developments. (See para 6.290). Given that any new green area of this type is likely to be very small in scale (because any new development in Blakeney will, itself, be small scale) it seems surprising that Blakeney Parish Council would not be prepared to take on the maintenance itself? Blakeney Parish Council is already responsible for the maintenance of several fairly large areas of open space, thus in this context the additional cost of maintaining (probably no more than) one new small space is likely to be minimal.</p> <p>I would suggest that the work involved in ensuring “<i>the developer ... demonstrates an effective and sustainable management programme....by having an appropriate legally binding arrangement for management by an established management company with a viable management plan...</i>” could cost more work than simply taking on the maintenance! (The additional income raised from the Precept paid by the new properties on the development would surely fund the maintenance of any additional Open Space?) In addition, there can be no</p>	In my opinion there is no requirement for this policy and I would suggest it is removed from the plan.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			guarantee that such a management company will remain in business. Finally, the policy does not stipulate a length of time over which the management plan should be in place. It is surely not reasonable or practical to expect a developer and/or management company to take on this type of open-ended liability?	
P 96	Policy 15 Ambition Para 6.298	Object	In principle, I wholeheartedly support the ambition “..to protect existing and encourage creation of local employment...”. However, I feel that the qualification of “...that is appropriate to Blakeney...” risks undermining this ambition. Who will arbitrate on what is “appropriate to Blakeney” and how will they make this decision?	Omit the wording “that is appropriate to Blakeney”.
P 98	Policy 15 Policy wording	Object	<p>As outlined above in respect of the ambition, I strongly support the principle of encouraging more local employment. However, I think that the policy, as written may turn out to be a greater hurdle to “development proposals that protect existing and/or create new employment...” than no policy at all.</p> <p>The criteria of needing to be “appropriate to a coastal village or support farming and agriculture or traditional industries” provides an opportunity to oppose development which might be deemed to be leading to “inappropriate” or “non-traditional” employment.</p> <p>Similarly, the criteria that such development should “not have an adverse impact on the local environment, the integrity of the European sites or the amenities of adjacent residential properties or other land uses” gives greater potential to oppose development than the Local Plan policies (which already provide a level of protection against unneighbourly development).</p> <p>More worryingly, I feel that this policy wording, in its encouragement of “traditional” or “coastal” employment in areas like agriculture, tourism, boat management, etc. with its emphasis on low paid employment is a deterrent to higher grade employment which would be of much greater benefit to the village.</p> <p>To summarise, I am concerned that Policy 15 will not help the employment position for Blakeney.</p>	Remove the policy from the Plan.
	Policy 17	Object	After carefully reading this policy, I cannot see what effect this will have. I’m mystified what it’s all about.	Remove the policy from the Plan

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
Section 7 P 103	Community Projects & Actions		<p>This section seems to include a wide range of suggestions, presumably put forward during the consultation process. Suggestions range from the mundane <i>“Improve signage for Little Lane – to prevent vehicles getting stuck”</i> to the major project of <i>“Exception sites for affordable homes”</i>. It might have been helpful for the plan to explain that many of these aspirations are not matters which can be addressed by a Neighbourhood Plan (rather than <i>“...currently do not have a delivery or implementation method...”</i>). However, the inclusion of exception sites in this section is particularly surprising. As previously mentioned, there seems to be no reason why attention was not given within the plan to the allocation of exceptions sites for affordable housing – such developments could have been allocated according to a local connections policy and this could have addressed one of the key objectives of the plan, ie affordable homes for local people.</p>	
Overall view			<p>I recognise that the Blakeney Neighbourhood Plan has attempted to achieve the wishes and aspirations of residents, which were expressed in the early stages of the consultation, via producing this plan. There is no doubt that a desire was expressed for more affordable housing for local people, fewer second homes, more employment, high quality design, etc.</p> <p>I regret that my comments on the plan may be viewed as negative. However, as I believe I have explained in each section, my comments are not criticisms of the aims of the plan, they are trying to analyse to what extent the aims might be achieved by the policies as written – in many cases the answer is “hardly at all”.</p> <p>I think that to publish a map showing the proposed Open Spaces at this late stage of such poor quality is not acceptable as people have been unable to understand the extent of these areas and of the areas which have been omitted. A map should have been available much earlier in the process, at public consultation events.</p>	

Please use additional rows / additional sheets of paper to add further comments.

Blakeney Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

Blakeney Parish Council have submitted a Draft Neighbourhood Development Plan to North Norfolk District Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended). In accordance with Regulation 16, North Norfolk District Council is now inviting representations on the Draft Plan, supporting documents and the evidence base.

Responses to this consultation are invited between **Monday 28 March** and **Monday 9 May, 2022**.

PART A and Part B MUST be completed in full.

Part A: Personal Details

In order for your representations (comments) to be taken into account when the Neighbourhood Plan is submitted for Examination, and also to keep you informed of the future progress of the Neighbourhood Plan, your contact details are needed. Please fill in your contact details below:

Personal Details			
Title: Ms	Name: Jane Armstrong		
Please tell us the capacity in which you are commenting on the Plan:			
I am a resident in the Neighbourhood Area (the parish)	<input checked="" type="checkbox"/>	I am a Statutory Consultee	<input type="checkbox"/>
I work in the Neighbourhood Area (the parish)	<input type="checkbox"/>	Other (please specify)	<input type="checkbox"/>
I represent a Resident's Association	<input type="checkbox"/>	
Organisation Name (if responding on behalf of your organisation)			
Address: [REDACTED]			
Postcode: [REDACTED]			
Telephone: [REDACTED]	Email: [REDACTED]		

Please note: All responses to this consultation will be forwarded with the Plan and supporting documentation to an independent examiner who will consider whether the Plan meets certain legal and procedural requirements. For these reasons the information you provide (including your name, and organisation if you represent one) will be made publically available and may be published on the council's web site. Other personal information including email and property address details will not be published or made available for public inspection and will be processed in accordance with the General Data Protection Regulations and the Data Protection Act 2018. For more information on how we process your data please see our [Data Protection](#) and [Privacy Policies](#)

Oral Examination

The majority of Neighbourhood Plan examinations are dealt with by written representations (in writing only). However, should it be decided that there is a need for an oral examination (a public hearing), please state below whether you would like to participate by ticking the relevant box.

No, I do not wish to participate at an oral examination

Yes, I wish to participate at an oral examination

Please note the Examiner will decide whether an oral examination is necessary. If this is the case, please outline why you consider that your participation at the hearing would be necessary.

If the Examiner decides that an oral examination is necessary, perhaps because there are additional questions, I would like to have the opportunity to put my case forward.

Future Notification & Next Stages

Following the consultation period and examination, the Draft Neighbourhood Plan (including any proposed modifications) will be put to a public referendum to determine if the Plan should be accepted. If satisfied that the Plan meets all the necessary legal requirements North Norfolk District Council will approve the Plan for use. If you would like to be notified of the Council's decision to "make" (adopt) the plan, please tick this box.

Please notify me

Thank you for completing this form - your participation is appreciated.

Please return via email to planningpolicy@north-norfolk.gov.uk or by post to Planning Policy, North Norfolk District Council, Holt Road, Cromer, NR27 9EN. **Representations must be received no later than Monday 9 May 2022. Late representations may not be accepted.**

Signature:



Print Name: JANE ARMSTRONG

Date: 8 MAY 2022

For official use only

Date received: 08/05/2022

Ref No: BNP013

Part B: Representation Details

You are invited to make comments on the proposed Neighbourhood Plan, supporting documents and evidence base. In doing so, you may wish to address whether or not the draft Neighbourhood Plan meets the basic conditions, set out below, and other matters that the independent examiner is required to consider under [paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990](#) (as amended).

Basic Conditions

Only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be 'made'.

The relevant basic conditions for Neighbourhood Plans are:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan). [Read more details.](#)
- b) The making of the neighbourhood plan contributes to the achievement of sustainable development. [Read more details.](#)
- c) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). [Read more details.](#)
- d) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations. [Read more details.](#)
- e) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. [Read more details.](#)

In the table below please complete each column to show:

- which part of the Neighbourhood Plan or supporting document your representation relates to
- whether your response is an objection to the plan, supporting the plan, or providing neutral comments
- details of what you are supporting, objecting or commenting on, and why
- details of any changes you think necessary. If seeking textual amendments please include your proposed revised wording for policies or supporting text, including the justification for it along with any available supporting evidence.

Please note: your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations. **Further submissions will only be at the request of the examiner, based on the matters he or she identifies for examination.**

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
p 41	Policy 1 (policy wording)	Object	<p>Whilst I agree with the ambition to provide affordable homes for local people and I recognise that this ambition has a very high level of local support, I do not believe that Policy 1 will deliver the results outlined in the Neighbourhood Plan.</p> <p>The Policy itself stipulates that affordable housing, built as a result of a Section 106 Agreement “...will be made available first to eligible households with a local connection to the parish of Blakeney...”. The definition of a “local connection” is simply: resident of Blakeney, former resident of Blakeney, someone who works in Blakeney, etc. Because the definition of “local connection” is no more explicit than this (for example, no minimum period of residency is stipulated, no type of family connection is mentioned, no explanation of working in Blakeney is given) it seems to me that this low level of qualification to have a “local connection” could result in allocation to households with only a slight and/or short-term connection to Blakeney. I believe that this is not the type of deep-rooted connection to Blakeney which the community would expect to see in anyone benefiting from this policy.</p> <p>To put this into context, the NNDC policy for the allocation of rural exceptions housing to local people stipulates much more precisely defined criteria. The following are the criteria for the highest level of local connection:</p> <ul style="list-style-type: none"> - Lived in the parish or adjoining parish for at least 3 consecutive years at the point of allocation AND meet at least one of the following: - Lived for at least 5 years at any time in the parish or adjoining parishes OR - Are employed in the parish or adjoining parish (permanent employment of at least 12 months and 16 hours per week) OR -Have a family member who has lived for at least 5 consecutive years in the parish or adjoining parish at the point of allocation. <p>In summary, I don’t believe Policy 1, as worded, will deliver the ambition as the “local connection” definition is too weak.</p>	<p>For this policy to have the intended effect, the definition of “local connection” should have been more precise and designed to identify a real long-term connection with Blakeney. I think this policy should be removed from the plan.</p>
p 39	Policy 1 para 6.45 – 6.50	Object	<p>As previously noted, I support the ambition of providing affordable homes for local people. However, the estimate of the number of affordable homes which will be allocated to local people under this policy is seriously overstated in these paragraphs to the extent that, I believe, it is misleading:</p> <p>Paragraph 6.45 notes that “The emerging North Norfolk District Council Local Plan seeks to allocate 30 new dwellings to Blakeney to 2036 of which fifteen dwellings will be affordable housing under current policy.”</p> <p>Paragraph 6.50 goes on to say that “10-15 local households will initially benefit...this number is likely to increase over the lifetime of the development.”</p> <p>I would like to examine where these predictions of affordable homes for local people have come from:</p>	<p>I suggest that Policy 1 should be removed from the plan.</p> <p>The numbers in these paragraphs are confused and should have been amended.</p>

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p>1) Where does the estimate of fifteen affordable homes come from?</p> <p>The prediction of “<i>fifteen (affordable) dwellings</i>” relies on cherry picking numbers from the present and future Local Plans. It won’t happen.</p> <p>It assumes that the NNDC allocation of 30 new dwellings to Blakeney (as proposed under the emerging Local Plan) will go ahead before the emerging Local Plan is adopted so that the proportion of affordable homes provided will be as specified by the existing Local Plan which requires 50% of the dwellings on this type of site to be affordable. The emerging Local Plan will only require 35% of these dwellings to be affordable, thus 10 affordable homes out of the total of 30 new homes (not 15).</p> <p>The likelihood of a developer coming forward early in order to build 15 affordable homes and 15 market homes (as per the existing Local Plan) rather than 10 affordable and 20 market homes appears beyond remote. Thus the likelihood is that only 10 (and not 15) of the new homes will be affordable.</p> <p>2) How many of any affordable homes built will be allocated to local people?</p> <p>I should point out that the Neighbourhood Plan Steering Group’s view on allocation of affordable housing is different to NNDC’s view. The Steering Group was advised (by their consultant) that Policy 1 would ensure that all affordable housing would be allocated via the “local connections cascade”. However, NNDC have explained (both in meetings and in the Consultation Statement, see p 234) that the allocation of housing is outside the scope of neighbourhood plans and that affordable housing must be allocated according to housing need in the North Norfolk District. On p 240 of the Consultation Statement NNDC notes that “<i>..seeking to provide housing to those with a local connection across the parish, at the expense of those in general need... does not comply to equality legislation...</i>”</p> <p>I’m not in a position to say for sure which of the above views is correct but it seems to me very unlikely that all of the new affordable housing built in Blakeney will be allocated to local connections irrespective of housing need in the wider district.</p> <p>3) How is the number of local households “<i>likely to increase over the lifetime of the development</i>”?</p> <p>This question was posed during the Reg 14 Consultation and the response (on behalf of the Steering Group) was provided on p 193 of the Consultation Statement. This response was that some families, subsequent to being allocated affordable homes, will move house thus another household will benefit from the same home. This switch between referring to “<i>affordable homes</i>” to “<i>local households</i>” is confusing and misleading. Surely what matters to people is the number of affordable homes which are built and the number of local households which will benefit at any one time, not over the lifetime of the development which could be 100 years plus?</p> <p>To summarise, I feel that the numbers quoted in these paragraphs are misleading because they suggest a much greater number of local people will benefit from affordable housing in Blakeney than is likely to be the case.</p>	

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
p 42	Policy 2 para 6.58 – 6.62	Object	<p>Whilst I understand that there is concern locally that the number of second homes in Blakeney may be having a negative effect on the village, I am not comfortable with the ambition of “...seeking to safeguard the sustainability of Blakeney village by limiting the number of second homes and increasing the number of principal homes”. Firstly, this ambition draws no distinction between second homes and let holiday homes (and appears to apply to both) and, secondly, the ambition implies that limiting the number of second homes in the village will safeguard Blakeney’s sustainability.</p> <p>I believe the picture is much more complicated than this and I outline below some of the issues which I think should have been considered:</p> <ul style="list-style-type: none"> - Para 6.60 does not distinguish between “second homes” (assumed to be occupied on an occasional basis by the owners) and “holiday homes” (assumed to be let out to holiday makers). Whilst second homes which are occupied only occasionally may be felt to add little to Blakeney, holiday homes which are let out for much of the year make a significant contribution to the local economy. - My understanding is that Policy 2, as written, would prevent new builds from being used as let holiday homes as well as preventing new builds being used as second homes. I think the policy should have differentiated between these two types of holiday home. - The plan does not seem to provide any evidence of occupancy rates of either second homes or let holiday homes. I feel this is a vital part of the picture as, where there are high levels of occupancy (whether in second homes or holiday lets), there will be people in Blakeney for leisure purposes and they will probably be using the shops, cafes, pubs, bus, etc. They may also be using some of the community facilities like the tennis courts, churches, Harbour Room, play equipment, though not, of course facilities like the school, surgery or the Glaven Centre. - Anecdotal evidence based on how busy Blakeney is for much of the year would suggest that many of these holiday homes have high occupancy rates and the suggestion that their use as “non principal homes” is threatening Blakeney’s sustainability appears wrong. This high level of activity supports businesses and, therefore, employment in the village. - Compared with many villages of a similar population, Blakeney is very well served in terms of both commercial and community facilities of various types. I would suggest that this is largely a result of the number of tourists visiting the village. Many of these visitors stay in various types of holiday home without which there would be fewer visitors. - The view that Blakeney has a good level of community facilities was strongly supported via the Village Survey in 2018: when asked to rank a range of potential Neighbourhood Plan objectives, “<i>Improvement of Community Facilities....</i>” was ranked 13th (ie bottom) out of 13 Objectives. Thus, sustainability of the village does not appear to be an issue even though the number of second and holiday let homes is high. This seems to contradict the statement in paragraph 6.60 that “...<i>The number of ‘second homes’ and ‘holiday homes’ is...seen as a key sustainability issue for Blakeney.</i>” <p>To summarise, Policy 2’s ambition which implies that “...<i>limiting the number of second homes and increasing the number of principal homes...</i>” will “...<i>safeguard the sustainability of Blakeney village...</i>” appears to be unfounded and incorrect.</p>	There seems to be no evidence that Blakeney’s sustainability would be safeguarded by a reduction in second homes, thus the policy should be removed.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
p 45	Policy 2 (Policy wording)	Object	<p>Policy 2 would apply to a very small number of dwellings – only to new, open market properties. Thus, whilst, if it worked, it should prevent these few new houses being bought by anyone who does not intend to live in them, the impact on the number of non-principal dwellings in Blakeney is likely to be negligible.</p> <p>More importantly, this policy could have unintended consequences (some of which have been seen in other parts of the country where this type of policy has been introduced).</p> <p>Of particular concern is the possibility that a smaller amount of affordable housing will be delivered. This can occur because the principal home restriction is likely to make development less remunerative and, therefore, less attractive for developers. Given that the only new affordable homes anticipated by the Neighbourhood Plan are those delivered on the back of market housing development, this could be a serious negative for Blakeney and could result in fewer than the anticipated 10 affordable homes becoming a reality.</p> <p>To summarise, I believe that this policy would have a very limited impact on its key ambition to reduce the number of second homes. More seriously, I fear that it could impede the delivery of affordable housing.</p>	There is no evidence that this policy would deliver the desired outcome. Thus it should be removed.
p 46-47	Policy 3 Para 6.85-6.90	Object	<p>The preamble to this policy notes (para 6.89) that <i>“generally planning permission is not required for a change of use from residential (C3) to holiday let accommodation”</i>. NNDC’s comments on the pre-submission consultation version of the Blakeney Neighbourhood Plan (p 307 of the Consultation Statement) amplify this by stating that Blakeney has seen 3 such planning applications in the past 20 years.</p> <p>I believe, therefore, that the inclusion of this policy is misleading as it implies a greater degree of control over the establishment of holiday lets than is actually the case.</p> <p>Para 6.85 notes that Blakeney’s <i>“high proportion of holiday accommodation... is affecting the affordability and supply of homes in Blakeney.”</i> I have been unable to find evidence in the plan to support this statement but even if it is taken as read, the vanishingly small number of likely planning applications means that Policy 3 is misleading to imply that it will:</p> <ul style="list-style-type: none"> a) have any impact on the number of holiday lets; and b) have any impact on the affordability and supply of homes in Blakeney. 	This policy should be removed from the plan. Its effect would almost certainly be so small that it is misleading for it to be included.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
p 47	Policy 3 (policy wording)	Object	<p>Point 1 of Policy 3 requires proposed holiday lets to provide car parking on site. Given the large number of cottages in the older part of Blakeney which have no outside space for parking, I would suggest that this is not a reasonable requirement. Further, it's widely accepted that a number of the old properties in the High Street area are particularly suitable for holiday let purposes - very small, quirky, attractive, difficult staircases, little or no outside space and no parking. These very qualities make them less suitable as principal residences.</p> <p>If this policy proved to be effective in preventing properties without on-site parking becoming holiday lets it could lead to an increase in this type of house being used as second homes, which would not need planning permission. I would suggest that second homes, with their likely low occupancy rates, are less beneficial to the historic part of Blakeney than holiday lets with high occupancy rates.</p> <p>Point 4 of the policy requires that the proposed change will result in no net increase in occupation: I anticipate that this will be difficult to assess and I also question the value of stipulating "<i>no net increase in occupation</i>". Surely it's in the village's interest that holiday lets enjoy high rates of occupation?</p>	I think this policy should be excluded from the plan.
p 48	Policy 4 (policy wording)	Object	<p>As is the case with Policy 3 above, planning applications to change the use of holiday let accommodation to residential dwellings are rare. NNDC (p 310 of the Consultation Statement) estimates that there has been 1 in the past 20 years in Blakeney. Thus, I would suggest that including this policy in the plan is misleading as it implies a much greater degree of control than is actually the case.</p> <p>I would further note that in the unlikely event of someone considering applying for this type of change of use, the requirement for the property to become a Principal Residence (with the associated reduction in value) would be a significant disincentive. As a result, this type of holiday let is likely never to become a residence, surely this is contrary to the policy's ambition?</p> <p>Finally, I think this policy could have serious unintended consequences as it proposes to support the "<i>removal of occupancy restrictions...</i>" for units which are "<i>...suitable for permanent occupation</i>".</p> <p>I'm not aware of how many properties there are in Blakeney which have a holiday use restriction (however, there is a large mobile home site at Friary Farm and a recent development of chalets at Hilltop Retreats, Langham Road. I believe that there are currently holiday restrictions at both these sites). It seems to me that this policy would facilitate both these developments to become estates of full-time homes. It is unlikely that these chalets or mobile homes would be excluded by Para 6.101 as "<i>not suitable for permanent occupation</i>."</p>	I think this policy should be omitted from the plan.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
p 88	Policy 13 Ambition Para 6.270	Object	<p>The ambition of this policy notes that it is <i>“seeking to recognise the importance of these areas to the village for recreational, amenity and visual value.”</i> It is clearly important that the valuable open spaces within Blakeney are preserved and I fully support this part of the ambition.</p> <p>Bizarrely, the ambition goes on to say <i>“The policy is not seeking Local Green Space designation.”</i></p> <p>The National Planning Policy Framework (NPPF) at paragraph 101 states <i>“The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them.”</i> This nationally recognised designation seems to be tailor made to help neighbourhood plan groups protect special spaces in the way being proposed by Policy 13. Paragraph 103 of the NPPF goes on to say <i>“Policies for managing development within a Local Green Space should be consistent with those for Green Belts”</i>. Thus, the designation of a Local Green Space ensures that no development can take place on the area except in very special circumstances. This is strikingly similar to the level of protection which Policy 13 is proposing ie <i>“Proposals for development...will not be permitted...”</i>. There is no explanation in the plan as to why Local Green Space designation is not being sought.</p> <p>This question: “Why is the plan not seeking Local Green Space designation for these areas?” was asked several times in the Reg 14 consultation. Answers from the Steering Group provided in the Consultation Statement included the following:</p> <ol style="list-style-type: none"> 1. <i>“...many [of these areas] are in private ownership and at this time it is not possible to know how to be capable of enduring beyond the end of the plan period.”</i> p 171 Consultation Statement. It is not at all clear what this means. 2. <i>“Some of these spaces are not green...”</i> p 172 Consultation Statement. This is a fair comment in suggesting why somewhere should not be a Local Green Space, however, is it right that somewhere that is not green (eg some car parks that have been put forward under this policy) qualify as an Open Space under Policy 13? 3. <i>“Due to the nature of a number of the Open Spaces identified they would not meet the criteria to seek designation as Local Green Space.”</i> p 371 Consultation Statement. <p>I would suggest that explanation no 3 is extremely revealing: it appears that although <i>“a number of the Open Spaces would not meet the criteria to seek designation as Local Green Space”</i> the Plan is proposing to protect these spaces, in any case, as though they did meet the criteria of Local Green Space. This seems to be contrary to the NPPF.</p>	I would suggest that the open spaces should have been assessed and those which met the criteria of Local Green Space, should have been proposed for designation as such and the spaces which did not meet the criteria should have been removed from the list.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
p 88 & 89	Policy 13 Para 6.271 Para 6.279 Para 6.281	Object	<p>The paragraphs listed here in the evidence base to Policy 13 refer to various matters including the importance of footpaths and cycleways and that they should link village facilities and should also link flora and fauna habitats. The importance of existing “<i>patches of woodland</i>” is also noted.</p> <p>However, the policy itself does not appear to refer to any of the above: it does not propose any additional pedestrian or cycle linkages and none of the proposed open spaces is wooded.</p> <p>I suggest it is misleading to include these paragraphs in the evidence base as Policy 13 doesn’t deal with any of these matters.</p>	Either the unrelated “evidence” should be removed or the whole policy should be removed.
p 89	Policy 13 Para 6.283 Para 6.284 Para 6.285	Object	<p>These three paragraphs outline the type of importance to Blakeney (Historic, Amenity or Strategic) which the proposed open spaces are deemed to provide. Any one of these types of importance is an adequate reason for an open space to be accorded the Policy 13 designation.</p> <p>I was unable to understand what these paragraphs, as written, mean. They do not describe the qualities an Open Space should display in order to be proposed for designation. They seem, rather, to make general comments on the fact that Blakeney has a number of Open Spaces of different types. Therefore, in an effort to guess at the real meanings, I have paraphrased the criteria below, but it is impossible to know if I have interpreted them correctly or whether other people would interpret them differently:</p> <p>Historic: if an open area is near a building, it adds to the character of the village so it deserves to be preserved.</p> <p>Amenity: if an open area is providing a public function such as recreational space or car parking or visual amenity (for example by “<i>...breaking the street scene...</i>”) then it deserves to be preserved.</p> <p>Strategic: if you can see across an area then it is, apparently, “<i>enhancing the village perception, character and countryside feel</i>” so it needs to be preserved.</p> <p>In my opinion these criteria are so vague that any area within the built-up part of the village, which is not actually developed already is sure to meet at least one of them. Looking at the list of proposed open spaces, this is exactly how the policy is being applied – every space within the built-up part of the village which is not already developed is being proposed as an Open Space. In addition, quite a few areas outside of the built-up part of the village are also being proposed.</p> <p>There is no evidence in the Plan to explain in what way each of these Open Spaces is felt to fulfil the criteria. Instead, a tick box seems to have been deemed adequate. I would suggest this is not adequate and that a full assessment of each area should have been carried out and documented to define the qualities and importance of each proposed Open Area and in what way it merits designation.</p> <p>I would further note that the Plan provides a definition of “Open Space” in the glossary as follows:</p>	The assessment criteria should have been clearly defined and the proposed open spaces should have been individually assessed and documented. Without this the policy should be removed.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p><i>"All space of public value, including public landscaped areas, playing fields, parks and play areas. Not just land, but also areas of water such as rivers, canals, lakes and reservoirs, which can offer opportunities for sport and recreation or act as a visual amenity and a haven for wildlife."</i></p> <p>This definition is subtly, but importantly, different from the NPPF definition of "Open Space" which is:</p> <p><i>"All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity."</i></p> <p>To summarise, the Neighbourhood Plan defines open space more widely than the NPPF does by including "...all space of public value..." (rather than "...all open space of public value..." as per the NPPF). In addition, the NPPF emphasis on "important opportunities for ... recreation and can act as a visual amenity." is reduced to "... or act as a visual amenity..."</p> <p>This may seem like a small difference but I would point out that the NPPF definition requires an open space to provide a sport or recreational function as well as a potential visual amenity whilst under the Blakeney Neighbourhood Plan definition, "...visual amenity..." alone is enough to make somewhere an "Open Space". Further, under the Blakeney Neighbourhood Plan definition an area only needs to be a "space", rather than an "open space" as per the NPPF definition. It's already been noted (p 172 Consultation Statement) that "Some of these spaces are not green..."</p> <p>So, to summarise, Policy 13 is proposing Open Space protection to areas which need to offer no more than visual amenity and which don't need to be open or green. No wonder they're not being considered for Local Green Space designation!</p>	
p 90	Policy 13 6.286	Object	<p>This paragraph explains that "<i>community support</i>" within this policy is defined by the official view given by Blakeney Parish Council.</p> <p>I do not feel that it is appropriate for Blakeney Parish Council to be the body which can determine whether there is or is not "<i>community support</i>" for a proposed development on a designated Open Space.</p> <p>I note several reasons below to support this view:</p> <ol style="list-style-type: none"> 1. At present, out of 11 councillors, only 6 are in post as a result of election. 2. In January 2021 Blakeney Parish Council was presented with a proposal to reduce parking and traffic in the historic quay area of Blakeney (a proposal which has the support of more than 80 people), the parish council's reaction (to date, May 2022) has been to do nothing, not even to reply to the proposal or to discuss it at a meeting. 3. One of the proposed Open Spaces is the Former School Playing Field (Area 4). In addition to backing the proposal for this area to be an Open Space, Blakeney Parish Council also (in June 2021) submitted a planning application to allow year 	The reference to community support should be removed.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p>round parking on the field (this is still to be determined) and (in February 2022) voted in favour of a housing development on the field.</p> <p>4. A couple of years ago Blakeney Parish Council decided to consult the community on the issue of traffic in the village. After some delays, in February 2022 the decision was taken to pursue this matter via sending out a questionnaire. One month later this decision was rescinded by the parish council for reasons amounting to “we know what the issues are, there’s no point asking the questions”.</p> <p>I suggest that this lack of response to public views; lack of respect for existing open spaces; and apparent belief that Blakeney Parish Council knows best, indicate that this is not a suitable body to determine “community support” in connection with the loss of open space.</p> <p>To summarise, the policy should be written clearly enough for the Local Planning Authority to be able to apply it without depending on Blakeney Parish Council to give judgement.</p>	
p 90-91	Policy 13 policy wording and table of Open Spaces	Object	<p>The 18 areas listed in Table 2 account for, more or less, all undeveloped space within the development boundary of Blakeney as well as some significant tracts outside the current development boundary. This has been proposed without any detailed assessment of these areas. Thus, in practice, the effect of Policy 13 seems not to be the protection of special open spaces but the prevention of any development. I believe this contravenes the requirement for neighbourhood plans to be “positively prepared”.</p> <p>For example the Field on Morston Road (Area 3, size 7.1 hectares), is deemed to be of “Strategic Importance” on the table without any further explanation. This is a very large area (it’s actually two fields rather than one), it’s outside the development boundary of the village, it offers no public access or recreational function and appears to have no particular intrinsic value except as arable land.</p> <p>Another example is the proposal of the Royal British Legion Car Park on the High Street as an Open Space (Area 14, size 1.3 hectares). As well as ticking the “Amenity Importance” box on the table, this is also defended as Open Spaces in paragraph 6.284 as “...In the more urban and built up areas of the village the open space these car parks provide is seen as essential in breaking up the street scene, maintaining the character and urban balance.” (No explanation is made as to why the street scene of the High Street needs to be broken up). Whilst it is clear that this car park performs a useful function as a car park, I can see little intrinsic quality as an “Open Space”, especially as the proposed designation of the adjacent bowling green as an Open Space performs the, apparently necessary, function of “...breaking up the street scene...”. (I can’t help observing that the extravagant language of para 6.284 is a worthy candidate for Private Eye’s “Pseuds Corner”!) I would add that this car park is nowhere near as large as the quoted 1.3 hectares.</p> <p>A third example is 39 New Road (Area 9, size 0.4 hectares). Like the Field on Morston Road, there is no public access to this area, no opportunity for sport or recreation, it is just a private garden. I provide further detail on this proposed designation on p 13. (By the way, if you’re thinking that “39 New Road” appears to be a surprising addition to the list of</p>	<p>I suggest the areas listed below should have been considered for Local Green Space designation and the others should be deleted from the list:</p> <ul style="list-style-type: none"> 2 Duckpond 4 Former School Playing Field 8 Mariners Hill (but note change to boundary to include additional area) 11 Parish Playing Field (note change to boundary to exclude private garden noted below) 13 Red House (adjacent land) (note, I would add to this the

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p>Open Spaces because it sounds like someone's private address... you're absolutely right, it is someone's private address, mine!)</p> <p>I would suggest that there is no reason to propose Areas 3, 14 or 9 as Open Spaces except to prevent development.</p> <p>I would also like to draw attention to some areas which have been omitted:</p> <p>- I would suggest that Blakeney Quay together with Blakeney Carnser and Blakeney Dinghy Park is the most valued Open Space in the village. This area teems with people enjoying waterside activities like crabbing and mudsliding, access to the water in boats, a setting off point for walking the coast path, or just sitting on a bench enjoying the view. I can't understand why this area has not been noted as an Open Space. Whilst it is clearly not under threat of development as it is subject to regular tidal flooding, it is under threat of disappearing beneath the weight of vehicles which are encouraged to park (and, of course, to pay and display) on the Carnser and the Dinghy Park by Blakeney Parish Council and the National Trust. I would suggest the exclusion of this area as a proposed Open Space is further evidence that this policy is really about preventing development rather than preserving Open Spaces.</p> <p>- Another area which has been omitted is the area of grass on the eastern side of Mariners Hill (Area 8). This area of grass on the outside of the Manor Hotel garden wall is part of the valued open area adjacent to the Carnser. Although this is in private ownership, it is publicly accessible, functions as part of the Open Space of Mariners Hill and should have been included in the proposed designation.</p> <p>I would add that Blakeney is extremely well served in terms of open spaces of all types. The North Norfolk Open Space Assessment (2020) conducted an audit of open space in North Norfolk and compared the amount in each settlement against quantity standards of various types of open space per 1,000 of population. In Blakeney, it found significantly more than the standard quantity of most types of open space. For example, the standard of "Amenity Greenspace" per 1,000 of population is 1.00 hectare, Blakeney has 3.52 hectares. The standard of "Accessible Natural Greenspace" per 1,000 of population is 1.50 hectares, Blakeney has a staggering 488.20 hectares! The amount of recreation ground and play areas in Blakeney is also well in excess of the standards. My point being that Blakeney is not so short of "proper" open space that every car park, etc needs to be designated.</p> <p>In summary, whilst clearly, there are some valuable open spaces in Blakeney which are well deserving of Local Green Space designation, this route has not been taken and instead, every gap has been designated as an Open Space in order, I would suggest, to easily prevent development.</p> <p>As an aside, the bulk of the list of "open spaces" (Table 2) was first composed at a Blakeney Parish Council meeting in July 2017 when NNDC asked the parish council to suggest potential Local Green Spaces in the village. Having produced the list Cllr Alban Donohoe commented jovially "I think we've managed to list every space in the village except people's gardens!" This was a fair comment, although he overlooked the fact that the list did include some private gardens!</p>	<p>whole area of the Quay, the Carnser (currently used as a car park) and the Dinghy Park</p> <p>15 Royal British Legion Bowling Green</p> <p>16 The Pastures</p>

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
p 92-93	Policy 13 Map 10 & Map 11	Object	<p>It's good to see that the Examination Version of the Blakeney Neighbourhood Plan, finally, is displaying a map of the proposed open spaces in Blakeney. I would like to draw the Examiner's attention to the fact that no earlier consultation stage – not even the Regulation 14 Pre-Submission Version of the plan – showed the proposed open spaces on a map / plan, instead just a list of “addresses” was provided. This made it very difficult for people to understand exactly where the proposed Open Spaces were and also the exact extent of each of the Open Spaces. Although paragraph 6.275 notes that <i>“The community wishes to see these spaces protected for future generations.”</i> As no maps were provided at consultation events or in previous versions of the plan, it is not possible to say that the spaces shown on the maps are indeed the ones that <i>“the community wishes to see...protected”</i>.</p> <p>It's unfortunate that, in the printed version of the Neighbourhood Plan, the map showing the east of Blakeney is on the left hand side of the booklet and the map showing the western part of Blakeney is on the right hand side. Also, although there is quite a bit of overlap between the east and west maps with several proposed Open Spaces appearing in both, each space is only shaded green on one of the maps. These, possibly minor points, make it harder for people to understand exactly what is being proposed.</p> <p>There are various other, more serious, problems with the map, both the printed version and the on-line version as follows:</p> <ul style="list-style-type: none"> - The Map Key identifies the open spaces with green shading on the map, each is numbered. These numbers are almost impossible to read making the areas difficult to identify. - One of the areas (Area 18, Youngs Field) is omitted from the Key. - The settlement boundary is not shown. This is relevant as several of the proposed Open Spaces are outside the settlement boundary (including Areas, 3, Field on Morston Road; 18, Youngs Field; 10, North Granary; 13, Red House Land; 2, Duckpond; 6, Friary Hills; and 5, Friary Field). As local plan policies generally specify whether they apply to areas within or outside settlement boundaries, this has a bearing on the type and level of protection which a proposed Open Space would need. - The flood zone is not shown on the map. Several proposed Open Spaces are liable to tidal flooding (which effectively prevents development whether designated as an Open Space or not). - The stated sizes of a number of the proposed Open Spaces are clearly wrong. For example, Area 2 Duckpond is recorded as being 3.4 ha, Area 14, Royal British Legion Car Park is recorded as 1.3 ha and Area 17, Thistleton Court is recorded as 1 ha. These three areas are clearly nowhere near these sizes. <p>I would like to draw attention to the boundaries of some of the areas which are identical to the areas already protected by NNDC Policy CT1 (introduced in 2008). I believe this shows that the extent of these proposed areas was not assessed but just copied from the NNDC map.</p>	I believe this policy should be removed from the plan.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p>For example, the western boundary of the Parish Playing Field (Area 11) doesn't follow the hedge/fence line of the playing field but, as can be seen on Map 11, takes in a triangle of the garden of Spring Cottage, Langham Road. There is no apparent reason for including this triangle of private garden within the proposed Open Space and I do not believe it is intentional. However, it is identical to the NNDC Core Strategy Map (2008) showing CT1 designations. It seems that this boundary has not been assessed, just copied from 2008 Core Strategy Map.</p> <p>There is a similar map drafting anomaly at 39 New Road (Area 9) where the outline of the proposed area follows the boundary of this private garden but also takes in a narrow strip of the garden of Mansard House, to the north. This peculiarity is also identical to the 2008 Core Strategy Map.</p> <p>To summarise, Maps 10 and 11 should have been of a quality and content to enable people to see easily what is being proposed and the boundaries of the areas proposed. Also, it should have been published several years ago. There is no evidence that these maps represent the areas that <i>"the community wishes to see...protected"</i>.</p>	
p 91	Policy 13 Table 2 Area 9, 39 New Road	Object	<p>I would like to draw particular attention to the proposal to designate <i>"39 New Road (adjacent to The Pastures), A149 Coast Road – 0.4ha"</i>. (Although the description refers to 39 New Road being "adjacent to the Pastures", I would point out that it does not share a boundary with the Pastures but is separated from the Pastures by Little Lane which is not part of the proposed designation and by the two hedges along Little Lane.)</p> <p>I should note that this is my private garden and also that I was a member of the Neighbourhood Plan Steering Group. I took no part in any discussions about the listing of my garden under Policy 13 and I was not present at the meeting where the decision to list my garden and accord it "historic" and "strategic" importance took place. I would also note that I declared a personal interest at the beginning of each meeting because my garden was being put forward as an Open Space.</p> <p>The plan cites that this area is of Historic and Strategic importance.</p> <p>I object to the listing of my garden as an Open Space for the following reasons:</p> <ul style="list-style-type: none"> - It is not an "open space" it is a private garden, planted with trees, shrubs, vegetables, grass areas, etc and surrounded by hedging. There is nothing in the Plan to suggest that this garden meets the Neighbourhood Plan's definition of Open Space by being a <i>"...space of public value..."</i> - It offers no public access or <i>"...opportunity for sport and recreation..."</i>. - The suggestion that it is of "Historic" importance (bearing in mind the definition of Historic Importance at para 6.283) is not possible to understand. It is situated in the Conservation Area but it is not close to any of the older buildings. Five houses look onto / across the garden, they all date from the second half of the 20th century and none is of particular architectural note or local significance. 	If Policy 13 is retained, Area 9, 39 New Road should be removed from the list.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p>- The “Strategic” importance box is also ticked on Table 2. My guess is that this means the lack of development allows views across the area to be enjoyed. I have examined this on the ground and, because of the surrounding hedges, views across the garden from public spaces (eg the Pastures, the Playing Fields) are limited. In particular, no views toward the sea are afforded by looking across the garden.</p> <p>- The three houses to the south of the garden (which share a boundary with it) do enjoy views across the garden towards the sea. Two of these houses are the homes of members of the Steering Committee, though I don’t know if this fact is relevant.</p> <p>- In common with the other proposed open spaces, there is no evidence as to how this garden is deemed to meet the criteria of Historic or Strategic importance nor evidence as to how it was assessed.</p>	
p 99	Policy 16 policy wording	Object	<p>Once again, I support the ambition to retain business premises in Blakeney but I feel that the wording of Policy 16 provides reasons to object to proposals which seek to retain commercial premises for commercial activities.</p> <p>Policy 16 notes that this type of proposal “...will be supported provided that they do not have an adverse impact on the local environment or the amenities of adjacent residential properties or other land uses.”</p> <p>I would suggest that it is quite likely that a proposal might result in, for example, higher level of traffic movement, some noise, etc which could be defined as having “an adverse impact onthe amenities of adjacent residential properties...” I’m sure this is not the intention of the policy but, as written, I think it could result in it being less likely for proposals seeking to retain commercial premises to be successful. This in turn could lead to the loss of businesses and associated loss of jobs.</p>	Remove the policy from the plan.
p 99	Policy 16 para 6.309 & para 6.311 – 6.313	Object	<p>Paragraph 6.309, the heading of the section on Policy 16, reads “Retaining local services and retail”. However, neither the ambition nor the policy wording makes any specific mention of local services or retail.</p> <p>The evidence and justification paras 6.311 to 6.313 talk about tourism expenditure in Norfolk and the benefits of tourism to Blakeney. They do not seem to be connected with or to provide any evidence to support the ambition of retaining existing commercial premises for commercial activities. Thus no evidence or justification is provided to support this policy. (To be clear, as already stated, I fully support the retention of commercial premises but these paragraphs seem to be irrelevant.)</p>	Remove irrelevant evidence from the plan.

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
Overall			<p>I would like to make some general comments about the Neighbourhood Plan as a whole:</p> <p>Firstly, I note that p 21 of the Neighbourhood Plan lists a series of objectives: Objective number 1 is <i>“To accommodate appropriate change and development so that the intrinsic character and appearance of the village is retained and enhanced.”</i></p> <p>I observe that the Regulation 14 Pre-Submission Version of the Neighbourhood Plan had a rather snappier Objective number 1 in: <i>“To preserve the look and feel of the village.”</i> I can’t help feeling that this original objective of preserving Blakeney’s look and feel gives a more accurate overall picture of the Neighbourhood Plan’s intention, there does not seem to be a wish to accommodate change or development. I note that the rewording of Objective number 1 was suggested by NNDC (p 278 of the Consultation Statement).</p> <p>Although the wording of this objective has been changed (I think) to make it sound more positive towards development and less concerned with maintaining the status quo, the main thrust of the Neighbourhood Plan still seems to be to keep things as they are and to avoid development. For this reason, I suggest the Plan is not planning positively and, therefore, does not meet the Basic Conditions. I provide several examples below:</p> <ul style="list-style-type: none"> - It includes no comment (either positive or negative) on NNDCs’ preferred site for development. - It does not tackle the issue of considering allocating an exception site for development of affordable housing. - It proposes that every possible gap amongst existing development should be designated as an “open space” to be protected and not developed. - It includes policies which aim to impose restrictions on holiday properties. - The employment policy seems to be restricting the type of “suitable” employment opportunities thereby resisting (potentially beneficial) change. <p>I am particularly disappointed that the plan has not made any attempt to increase affordable housing in Blakeney. Affordable housing is the objective which received the highest amount of support at consultation. There are various ways in which affordable housing could be provided to local people: for example, the neighbourhood plan could have considered allocating exemption sites or establishing a community land bank or progressing an existing affordable housing site (which is under the management of Blakeney Parish Council) and which is believed to have capacity for two more homes.</p> <p>My understanding is that any of the above could be pursued via a Neighbourhood Plan policy (or even without a Neighbourhood Plan).</p> <p>I would like to emphasise that I fully support the majority of the aims, objectives, ambitions, wishes, etc expressed in the Neighbourhood Plan and I recognise that these resulted from consultation with the community. I was a member of the Neighbourhood Plan Steering Group and so I am aware of the effort that has gone into the plan. However, it seems to</p>	

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p>me that there have been several problems between obtaining the views of the community and producing a Neighbourhood Plan which attempts to realise these aims:</p> <ul style="list-style-type: none"> - I think the Steering Group was not fully aware of the limitations of Neighbourhood Plans, thus policies were developed which although they may have laudable aims, are unlikely to achieve their objectives. - There was a reluctance to suggest anything in the plan which might turn out to be unpopular. Thus, no new development (even of affordable housing) is proposed in the plan despite one of its main objectives being affordable housing for local people. - The opportunity to add local detail to district level plans seems to have been missed. - Feedback from NNDC was viewed by the Steering Group as unnecessarily negative and was, therefore, largely ignored. <p>In summary, I believe that, if the Plan were to be adopted, many of the original aims, objectives, etc would not be achieved by this set of policies.</p>	

Please use additional rows / additional sheets of paper to add further comments.

Blakeney Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

Blakeney Parish Council have submitted a Draft Neighbourhood Development Plan to North Norfolk District Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended). In accordance with Regulation 16, North Norfolk District Council is now inviting representations on the Draft Plan, supporting documents and the evidence base.

Responses to this consultation are invited between **Monday 28 March** and **Monday 9 May, 2022**.

PART A and Part B MUST be completed in full.

Part A: Personal Details

In order for your representations (comments) to be taken into account when the Neighbourhood Plan is submitted for Examination, and also to keep you informed of the future progress of the Neighbourhood Plan, your contact details are needed. Please fill in your contact details below:

Personal Details			
Title: Dr & Mrs	Name: James & Margaret Upward		
Please tell us the capacity in which you are commenting on the Plan:			
I am a resident in the Neighbourhood Area (the parish)	<input checked="" type="checkbox"/>	I am a Statutory Consultee	<input type="checkbox"/>
I work in the Neighbourhood Area (the parish)	<input type="checkbox"/>	Other (please specify)	<input type="checkbox"/>
I represent a Resident's Association	<input type="checkbox"/>	
Organisation Name (if responding on behalf of your organisation)			
Address: ██████████			
Postcode: ██████████			
Telephone: ██████████	Email: ██████████		

Please note: All responses to this consultation will be forwarded with the Plan and supporting documentation to an independent examiner who will consider whether the Plan meets certain legal and procedural requirements. For these reasons the information you provide (including your name, and organisation if you represent one) will be made publically available and may be published on the council's web site. Other personal information including email and property address details will not be published or made available for public inspection and will be processed in accordance with the General Data Protection Regulations and the Data Protection Act 2018. For more information on how we process your data please see our [Data Protection](#) and [Privacy Policies](#)

Oral Examination

The majority of Neighbourhood Plan examinations are dealt with by written representations (in writing only). However, should it be decided that there is a need for an oral examination (a public hearing), please state below whether you would like to participate by ticking the relevant box.

No, I do not wish to participate at an oral examination

Yes, I wish to participate at an oral examination

Please note the Examiner will decide whether an oral examination is necessary. If this is the case, please outline why you consider that your participation at the hearing would be necessary.

Future Notification & Next Stages

Following the consultation period and examination, the Draft Neighbourhood Plan (including any proposed modifications) will be put to a public referendum to determine if the Plan should be accepted. If satisfied that the Plan meets all the necessary legal requirements North Norfolk District Council will approve the Plan for use. If you would like to be notified of the Council's decision to "make" (adopt) the plan, please tick this box.

Please notify me

Thank you for completing this form - your participation is appreciated.

Please return via email to planningpolicy@north-norfolk.gov.uk or by post to Planning Policy, North Norfolk District Council, Holt Road, Cromer, NR27 9EN. **Representations must be received no later than Monday 9 May 2022. Late representations may not be accepted.**

Signature:

Print Name: James Upward

Date: 8 May 2022

For official use only

Date received: 08/05/2022

Ref No: BNP014

Part B: Representation Details

You are invited to make comments on the proposed Neighbourhood Plan, supporting documents and evidence base. In doing so, you may wish to address whether or not the draft Neighbourhood Plan meets the basic conditions, set out below, and other matters that the independent examiner is required to consider under [paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990](#) (as amended).

Basic Conditions

Only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be 'made'.

The relevant basic conditions for Neighbourhood Plans are:

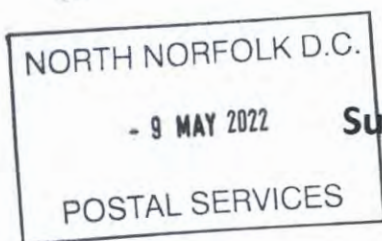
- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan). [Read more details.](#)
- b) The making of the neighbourhood plan contributes to the achievement of sustainable development. [Read more details.](#)
- c) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). [Read more details.](#)
- d) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations. [Read more details.](#)
- e) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. [Read more details.](#)

In the table below please complete each column to show:

- which part of the Neighbourhood Plan or supporting document your representation relates to
- whether your response is an objection to the plan, supporting the plan, or providing neutral comments
- details of what you are supporting, objecting or commenting on, and why
- details of any changes you think necessary. If seeking textual amendments please include your proposed revised wording for policies or supporting text, including the justification for it along with any available supporting evidence.

Please note: your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations. **Further submissions will only be at the request of the examiner, based on the matters he or she identifies for examination.**

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
Section 5. page 30	5.31	support	We have followed the discussions with interest and applaud the District Council's diligent and extensive review of all the considerations relating to the placement of the new development. We fully support the decision to place the new development in the BLA04/A site.	None necessary



Blakeney Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

Blakeney Parish Council have submitted a Draft Neighbourhood Development Plan to North Norfolk District Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended). In accordance with Regulation 16, North Norfolk District Council is now inviting representations on the Draft Plan, supporting documents and the evidence base.

Responses to this consultation are invited between **Monday 28 March** and **Monday 9 May, 2022**.

PART A and Part B MUST be completed in full.

Part A: Personal Details

In order for your representations (comments) to be taken into account when the Neighbourhood Plan is submitted for Examination, and also to keep you informed of the future progress of the Neighbourhood Plan, your contact details are needed. Please fill in your contact details below:

Personal Details			
Title:Mr	Name:David Marris		
Please tell us the capacity in which you are commenting on the Plan:			
I am a resident in the Neighbourhood Area (the parish)	<input checked="" type="checkbox"/>	I am a Statutory Consultee	<input type="checkbox"/>
I work in the Neighbourhood Area (the parish)	<input type="checkbox"/>	Other (please specify)	<input type="checkbox"/>
I represent a Resident's Association	<input type="checkbox"/>	
Organisation Name (if responding on behalf of your organisation)			
Address: [REDACTED]			
Postcode: [REDACTED]			
Telephone: [REDACTED]		Email: [REDACTED]	

Please note: All responses to this consultation will be forwarded with the Plan and supporting documentation to an independent examiner who will consider whether the Plan meets certain legal and procedural requirements. For these reasons the information you provide (including your name, and organisation if you represent one) will be made publically available and may be published on the council's web site. Other personal information including email and property address details will not be published or made available for public inspection and will be processed in accordance with the General Data Protection Regulations and the Data Protection Act 2018. For more information on how we process your data please see our [Data Protection](#) and [Privacy Policies](#)

Oral Examination

The majority of Neighbourhood Plan examinations are dealt with by written representations (in writing only). However, should it be decided that there is a need for an oral examination (a public hearing), please state below whether you would like to participate by ticking the relevant box.

No, I do not wish to participate at an oral examination

Yes, I wish to participate at an oral examination

Please note the Examiner will decide whether an oral examination is necessary. If this is the case, please outline why you consider that your participation at the hearing would be necessary.

I am directly affected by the suggestion I have made below.

Future Notification & Next Stages

Following the consultation period and examination, the Draft Neighbourhood Plan (including any proposed modifications) will be put to a public referendum to determine if the Plan should be accepted. If satisfied that the Plan meets all the necessary legal requirements North Norfolk District Council will approve the Plan for use. If you would like to be notified of the Council's decision to "make" (adopt) the plan, please tick this box.

Please notify me

Thank you for completing this form - your participation is appreciated.

Please return via email to planningpolicy@north-norfolk.gov.uk or by post to Planning Policy, North Norfolk District Council, Holt Road, Cromer, NR27 9EN. **Representations must be received no later than Monday 9 May 2022. Late representations may not be accepted.**

Signature: David
Marris

Print Name: David
Drummond Marris

Date: 8th May 2022

For official use only

Date received: 09/05/2022

Ref No: BNP15

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p>There appears to be general agreement that there should be in place mechanisms for preserving the natural and historical visual aspects of the village. I suggest that within the Conservation Area any removal of hedges (for example to provide hitherto impossible vehicle access) should be the subject of formal planning approval. Discouragement of indiscriminate and sometimes quite brutal removal of precious natural habitat would chime with current National (and indeed international) endeavour.</p>	

Central Square South
Orchard Street
Newcastle upon Tyne
NE1 3AZ

T: +44 (0)191 261 2361
F: +44 (0)191 269 0076

avisonyoung.co.uk



Our Ref: MV/ 15B901605

09 May 2022

North Norfolk District Council
planningpolicy@north-norfolk.gov.uk
via email only

Dear Sir / Madam

**Blakeney Neighbourhood Plan Regulation 16 Consultation
March – May 2022
Representations on behalf of National Grid**

National Grid has appointed Avison Young to review and respond to Neighbourhood Plan consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

About National Grid

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators across England, Wales and Scotland.

National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

National Grid Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States.

Proposed development sites crossed or in close proximity to National Grid assets:

An assessment has been carried out with respect to National Grid's electricity and gas transmission assets which include high voltage electricity assets and high-pressure gas pipelines.

National Grid has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.

National Grid provides information in relation to its assets at the website below.

- www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/

Please also see attached information outlining guidance on development close to National Grid infrastructure.

Distribution Networks

Information regarding the electricity distribution network is available at the website below:

www.energynetworks.org.uk

Information regarding the gas distribution network is available by contacting:

plantprotection@cadentgas.com

Further Advice

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:

Matt Verlander, Director

nationalgrid.uk@avisonyoung.com

Avison Young
Central Square South
Orchard Street
Newcastle upon Tyne
NE1 3AZ

Spencer Jefferies, Town Planner

box.landandacquisitions@nationalgrid.com

National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick, CV34 6DA

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,

Matt Verlander MRTPI

Director

0191 269 0094

matt.verlander@avisonyoung.com

For and on behalf of Avison Young

National Grid is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

Electricity assets

Developers of sites crossed or in close proximity to National Grid assets should be aware that it is National Grid policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

National Grid's '*Guidelines for Development near pylons and high voltage overhead power lines*' promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: <https://www.nationalgridet.com/document/130626/download>

The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.

National Grid's statutory safety clearances are detailed in their '*Guidelines when working near National Grid Electricity Transmission assets*', which can be downloaded here: www.nationalgridet.com/network-and-assets/working-near-our-assets

Gas assets

High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Grid's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.

National Grid have land rights for each asset which prevents the erection of permanent/ temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Grid's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.

National Grid's '*Guidelines when working near National Grid Gas assets*' can be downloaded here: www.nationalgridgas.com/land-and-assets/working-near-our-assets

How to contact National Grid

If you require any further information in relation to the above and/or if you would like to check if National Grid's transmission networks may be affected by a proposed development, please visit the website: <https://lsbud.co.uk/>

For local planning policy queries, please contact: nationalgrid.uk@avisonyoung.com

Blakeney Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

Blakeney Parish Council have submitted a Draft Neighbourhood Development Plan to North Norfolk District Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended). In accordance with Regulation 16, North Norfolk District Council is now inviting representations on the Draft Plan, supporting documents and the evidence base.

Responses to this consultation are invited between **Monday 28 March** and **Monday 9 May, 2022**.

PART A and Part B MUST be completed in full.

Part A: Personal Details

In order for your representations (comments) to be taken into account when the Neighbourhood Plan is submitted for Examination, and also to keep you informed of the future progress of the Neighbourhood Plan, your contact details are needed. Please fill in your contact details below:

Personal Details			
Title: Mr	Name: David Spray		
Please tell us the capacity in which you are commenting on the Plan:			
I am a resident in the Neighbourhood Area (the parish)	<input type="checkbox"/>	I am a Statutory Consultee	<input checked="" type="checkbox"/>
I work in the Neighbourhood Area (the parish)	<input type="checkbox"/>	Other (please specify)	<input type="checkbox"/>
I represent a Resident's Association	<input type="checkbox"/>	
Organisation Name (if responding on behalf of your organisation)			
Marine Management Organisation			
Address: CEFAS, Pakefield Road, Lowestoft			
Postcode: NR33 0HT			
Telephone:	Email: david.spray@marinemanagement.org.uk		

Please note: All responses to this consultation will be forwarded with the Plan and supporting documentation to an independent examiner who will consider whether the Plan meets certain legal and procedural requirements. For these reasons the information you provide (including your name, and organisation if you represent one) will be made publically available and may be published on the council's web site. Other personal information including email and property address details will not be published or made available for public inspection and will be processed in accordance with the General Data Protection Regulations and the Data Protection Act 2018. For more information on how we process your data please see our [Data Protection](#) and [Privacy Policies](#)

Oral Examination

The majority of Neighbourhood Plan examinations are dealt with by written representations (in writing only). However, should it be decided that there is a need for an oral examination (a public hearing), please state below whether you would like to participate by ticking the relevant box.

No, I do not wish to participate at an oral examination

Yes, I wish to participate at an oral examination

Please note the Examiner will decide whether an oral examination is necessary. If this is the case, please outline why you consider that your participation at the hearing would be necessary.

Future Notification & Next Stages

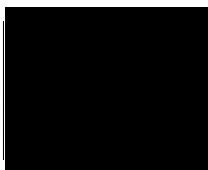
Following the consultation period and examination, the Draft Neighbourhood Plan (including any proposed modifications) will be put to a public referendum to determine if the Plan should be accepted. If satisfied that the Plan meets all the necessary legal requirements North Norfolk District Council will approve the Plan for use. If you would like to be notified of the Council's decision to "make" (adopt) the plan, please tick this box.

Please notify me

Thank you for completing this form - your participation is appreciated.

Please return via email to planningpolicy@north-norfolk.gov.uk or by post to Planning Policy, North Norfolk District Council, Holt Road, Cromer, NR27 9EN. **Representations must be received no later than Monday 9 May 2022. Late representations may not be accepted.**

Signature:



Date:09/05/2022

Print Name: David Spray

For official use only

Date received: 09/05/2022

Ref No: BNP17

Part B: Representation Details

You are invited to make comments on the proposed Neighbourhood Plan, supporting documents and evidence base. In doing so, you may wish to address whether or not the draft Neighbourhood Plan meets the basic conditions, set out below, and other matters that the independent examiner is required to consider under [paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990](#) (as amended).

Basic Conditions

Only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be 'made'.

The relevant basic conditions for Neighbourhood Plans are:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan). [Read more details.](#)
- b) The making of the neighbourhood plan contributes to the achievement of sustainable development. [Read more details.](#)
- c) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). [Read more details.](#)
- d) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations. [Read more details.](#)
- e) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. [Read more details.](#)

In the table below please complete each column to show:

- which part of the Neighbourhood Plan or supporting document your representation relates to
- whether your response is an objection to the plan, supporting the plan, or providing neutral comments
- details of what you are supporting, objecting or commenting on, and why
- details of any changes you think necessary. If seeking textual amendments please include your proposed revised wording for policies or supporting text, including the justification for it along with any available supporting evidence.

Please note: your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations. **Further submissions will only be at the request of the examiner, based on the matters he or she identifies for examination.**

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
NA			<p><u>Marine Management Organisation Functions</u></p> <p>The MMO is a non-departmental public body responsible for the management of England’s marine area on behalf of the UK government. The MMO’s delivery functions are: marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing grants.</p> <p><u>Marine Planning and Local Plan development</u></p> <p>Under delegation from the Secretary of State for Environment, Food and Rural Affairs (the marine planning authority), the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent, a marine plan will apply up to the Mean High Water Springs (MHWS) mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of MHWS, there will be an overlap with terrestrial plans, which generally extend to the Mean Low Water Springs (MLWS) mark. To work together in this overlap, the Department of Environment, Food and Rural Affairs (Defra) created the Coastal Concordat. This is a framework enabling decision-makers to co-ordinate processes for coastal development consents. It is designed to streamline the process where multiple consents are required from numerous decision-makers, thereby saving time and resources. Defra encourage coastal authorities to sign up as it provides a road map to simplify the process of consenting a development, which may require both a terrestrial planning consent and a marine licence. Furthermore, marine plans inform and guide decision-makers on development in marine and coastal areas.</p> <p>Under Section 58(3) of Marine and Coastal Access Act (MCAA) 2009 all public authorities making decisions capable of affecting the UK marine area (but which are not for authorisation or enforcement) <u>must have regard</u> to the relevant marine plan and the UK Marine Policy Statement. This includes local authorities developing planning documents for areas with a coastal influence. We advise that all marine plan objectives and policies are taken into consideration by local</p>	

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p>planning authorities when plan-making. It is important to note that individual marine plan policies do not work in isolation, and decision-makers should consider a whole-plan approach. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service: soundness self-assessment checklist. We have also produced a guidance note aimed at local authorities who wish to consider how local plans could have regard to marine plans. For any other information please contact your local marine planning officer. You can find their details on our gov.uk page.</p> <p>See this map on our website to locate the marine plan areas in England. For further information on how to apply the marine plans and the subsequent policies, please visit our Explore Marine Plans online digital service.</p> <p>The adoption of the North East, North West, South East, and South West Marine Plans in 2021 follows the adoption of the East Marine Plans in 2014 and the South Marine Plans in 2018. All marine plans for English waters are a material consideration for public authorities with decision-making functions and provide a framework for integrated plan-led management.</p> <p><u>Marine Licensing and consultation requests below MHWS</u></p> <p>Activities taking place below MHWS (which includes the tidal influence/limit of any river or estuary) may require a marine licence in accordance with the MCAA. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object. Activities between MHWS and MLWS may also require a local authority planning permission. Such permissions would need to be in accordance with the relevant marine plan under section 58(1) of the MCAA. Local authorities may wish to refer to our marine licensing guide for local planning authorities for more detailed information. We have produced a guidance note (worked example) on the decision-making process under S58(1) of MCAA, which decision-makers may find useful. The licensing team can be contacted at: marine.consents@marinemanagement.org.uk.</p>	

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<p><u>Consultation requests for development above MHWS</u></p> <p>If you are requesting a consultee response from the MMO on a planning application, which your authority considers will affect the UK marine area, please consider the following points:</p> <ul style="list-style-type: none"> • The UK Marine Policy Statement and relevant marine plan are material considerations for decision-making, but Local Plans may be a more relevant consideration in certain circumstances. This is because a marine plan is not a ‘development plan’ under the Planning and Compulsory Purchase Act 2004. Local planning authorities will wish to consider this when determining whether a planning application above MHWS should be referred to the MMO for a consultee response. • It is for the relevant decision-maker to ensure s58 of MCAA has been considered as part of the decision-making process. If a public authority takes a decision under s58(1) of MCAA that is not in accordance with a marine plan, then the authority must state its reasons under s58(2) of the same Act. • If the MMO does not respond to specific consultation requests then please use the above guidance to assist in making a determination on any planning application. <p><u>Minerals and Waste Local Plans and Local Aggregate Assessments</u></p> <p>If you are consulting on a minerals and waste local plan or local aggregate assessment, the MMO recommends reference to marine aggregates, and to the documents below, to be included:</p> <ul style="list-style-type: none"> • The Marine Policy Statement (MPS), Section 3.5 which highlights the importance of marine aggregates and its supply to England’s (and the UK’s) construction industry. 	

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
			<ul style="list-style-type: none"> • The National Planning Policy Framework (NPPF), which sets out policies for national (England) construction mineral supply. • The minerals planning practice guidance which includes specific references to the role of marine aggregates in the wider portfolio of supply. • The national and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period, including marine supply. <p>The minerals planning practice guidance requires local mineral planning authorities to prepare Local Aggregate Assessments. These assessments must consider the opportunities and constraints of all mineral supplies into their planning regions – including marine sources. This means that even land-locked counties may have to consider the role that marine-sourced supplies (delivered by rail or river) have – particularly where land-based resources are becoming increasingly constrained.</p> <p>If you wish to contact the MMO regarding our response, please email us at consultations@marinemanagement.org.uk or telephone us on 0208</p>	

Please use additional rows / additional sheets of paper to add further comments.

Blakeney Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

Blakeney Parish Council have submitted a Draft Neighbourhood Development Plan to North Norfolk District Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended). In accordance with Regulation 16, North Norfolk District Council is now inviting representations on the Draft Plan, supporting documents and the evidence base.

Responses to this consultation are invited between **Monday 28 March** and **Monday 9 May, 2022**.

PART A and Part B MUST be completed in full.

Part A: Personal Details

In order for your representations (comments) to be taken into account when the Neighbourhood Plan is submitted for Examination, and also to keep you informed of the future progress of the Neighbourhood Plan, your contact details are needed. Please fill in your contact details below:

Personal Details			
Title: Dr	Name: Theresa Schrem		
Please tell us the capacity in which you are commenting on the Plan:			
I am a resident in the Neighbourhood Area (the parish)	<input checked="" type="checkbox"/>	I am a Statutory Consultee	<input type="checkbox"/>
I work in the Neighbourhood Area (the parish)	<input checked="" type="checkbox"/>	Other (please specify)	<input type="checkbox"/>
I represent a Resident's Association	<input type="checkbox"/>	
Organisation Name (if responding on behalf of your organisation)			
Address: [REDACTED]			
Postcode: [REDACTED]			
Telephone: [REDACTED]		Email: [REDACTED]	

Please note: All responses to this consultation will be forwarded with the Plan and supporting documentation to an independent examiner who will consider whether the Plan meets certain legal and procedural requirements. For these reasons the information you provide (including your name, and organisation if you represent one) will be made publically available and may be published on the council's web site. Other personal information including email and property address details will not be published or made available for public inspection and will be processed in accordance with the General Data Protection Regulations and the Data Protection Act 2018. For more information on how we process your data please see our [Data Protection](#) and [Privacy Policies](#)

Oral Examination

The majority of Neighbourhood Plan examinations are dealt with by written representations (in writing only). However, should it be decided that there is a need for an oral examination (a public hearing), please state below whether you would like to participate by ticking the relevant box.

No, I do not wish to participate at an oral examination

Yes, I wish to participate at an oral examination

X

(work permitting)

Please note the Examiner will decide whether an oral examination is necessary. If this is the case, please outline why you consider that your participation at the hearing would be necessary.

I understand that the original proposed building site for further development along the Langham Road, was adjacent to the existing new build of Harbour Way. I regularly walk via the private car track at Kettle Hill which has beautiful views overlooking this original proposed site.

I live at [REDACTED] which directly faces the Public Footpath leading through the current favoured building site, and which enjoys beautiful open views towards the Wiveton Downs. In addition, my house is one of three terraced properties (62 - 66 Langham Road) which were part of the shared ownership, Affordable Housing development attached to the Harbour Way estate.

I am therefore witness to the frequent, recreational use of the Public Footpath opposite my house by both tourists and locals, with and without dogs. I am also witness to the wildlife, including winter geese, which frequents the proposed site. There are six, school-aged children living in the terrace of which my house is part. I am therefore also witness to the safe crossing of the road at the designated crossing site which is to the left of the exit to 62-64 Langham Road, and which includes paving for the visually impaired.

Many hikers and dog walkers, including myself, can also follow the Langham Road past the entrance to Harbour Way up to the second Public Footpath that is on the left, opposite the Kettle Hill private drive. This Public Footpath leads to the Wiveton Downs and beautiful views over the current proposed site to the village and water are enjoyed from it.

The recreational and tourist value of the current proposed site and adjoining, two Public Footpaths, and its proximity to the Wiveton Downs, makes it an ideal location for a wild life flower meadow and / or tree planting site for the village. This would enhance the conservation value of the village, and the enjoyment of the frequent walkers and hikers who use both Public Footpaths.

The new proposed building site should be reverted to the site adjoining the current Harbour Way development, which is also more hidden as one enters and exits the village from Langham.

Lastly, I am witness to the unaffordable nature of these shared-ownership properties, and as such, in my view, they are not a model providing affordable housing for local people.

Please accept this as my written representation, should I not be required to make an oral representation, or should I not be able to attend an oral hearing due to work commitments.

Future Notification & Next Stages

Following the consultation period and examination, the Draft Neighbourhood Plan (including any proposed modifications) will be put to a public referendum to determine if the Plan should be accepted. If satisfied that the Plan meets all the necessary legal requirements North Norfolk District Council will approve the Plan for use. If you would like to be notified of the Council's decision to "make" (adopt) the plan, please tick this box.

Please notify me

Thank you for completing this form - your participation is appreciated.

Please return via email to planningpolicy@north-norfolk.gov.uk or by post to Planning Policy, North Norfolk District Council, Holt Road, Cromer, NR27 9EN. **Representations must be received no later than Monday 9 May 2022. Late representations may not be accepted.**

Signature: Theresa Schrem

Print Name: Theresa Schrem

Date: 15th April 2022

For official use only

Date received:

Ref No:

Part B: Representation Details

You are invited to make comments on the proposed Neighbourhood Plan, supporting documents and evidence base. In doing so, you may wish to address whether or not the draft Neighbourhood Plan meets the basic conditions, set out below, and other matters that the independent examiner is required to consider under [paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990](#) (as amended).

Basic Conditions

Only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be ‘made’.

The relevant basic conditions for Neighbourhood Plans are:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan). [Read more details.](#)
- b) The making of the neighbourhood plan contributes to the achievement of sustainable development. [Read more details.](#)
- c) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). [Read more details.](#)
- d) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations. [Read more details.](#)
- e) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. [Read more details.](#)

In the table below please complete each column to show:

- which part of the Neighbourhood Plan or supporting document your representation relates to
- whether your response is an objection to the plan, supporting the plan, or providing neutral comments
- details of what you are supporting, objecting or commenting on, and why
- details of any changes you think necessary. If seeking textual amendments please include your proposed revised wording for policies or supporting text, including the justification for it along with any available supporting evidence.

Please note: your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations. **Further submissions will only be at the request of the examiner, based on the matters he or she identifies for examination.**

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change
--------------------	----------------------------------	----------------------------	----------	-----------------

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change

Section & Page No.	Policy / Objective / Para Number	Object / Support / Neutral	Comments	Proposed Change

Please use additional rows / additional sheets of paper to add further comments.