

HOLT NEIGHBOURHOOD PLAN
2016 - 2036

AUGUST 2022

BASIC CONDITIONS STATEMENT



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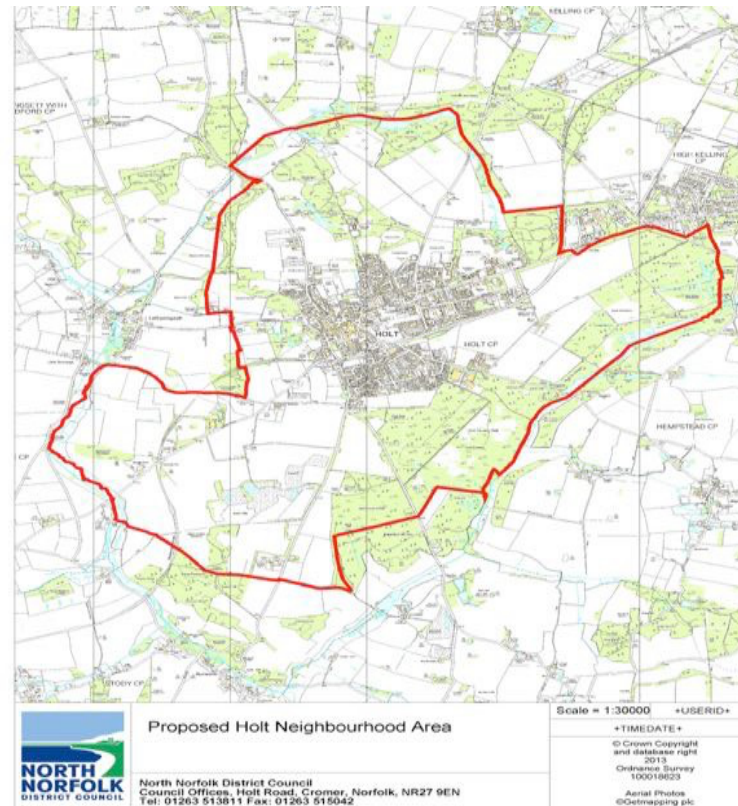
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1.INTRODUCTION

1.1 This statement has been prepared by Holt Town Council (“the Town Council”) to accompany its submission of the Holt Neighbourhood Plan (“the Neighbourhood Plan”) to the local planning authority, North Norfolk District Council (“the District Council”), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

1.2 The Neighbourhood Plan has been prepared by the Town Council as the ‘Qualifying Body’ for the designated Neighbourhood Area (“the Area”), which coincides with the boundary of the Parish of Holt as shown on Plan A below. The District Council designated the area for this purpose in December 2013.



Plan A: Holt Designated Neighbourhood Area

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Area only and they do not relate to 'excluded development', as defined by the Regulations. The plan period of the Neighbourhood Plan is from 2016 - 2036, which corresponds with the plan period of the emerging North Norfolk Local Plan (see Sections 2 and 5 below).

1.4 The statement addresses each of the four 'Basic Conditions', which are relevant to this plan, required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the Conditions if:

- a. Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan,
- d. The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development,
- e. The making of the Neighbourhood Development Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority
- f. The making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with EU obligations.

1.6 The responsibility for determining if a Neighbourhood Plan has had regard to national policy and is in general conformity with strategic policy rests with a combination of the qualifying body, the local planning authority and the independent examiner (Planning Practice Guidance §41-070 and §410-074). There may be tensions between different strategic policies when considered against the non-strategic policies of a specific local area covered by a Neighbourhood Plan. Such tensions can only be resolved by firstly the qualifying body as plan-maker using its planning judgement to strike an appropriate balance across the plan as a whole. The examination then tests the extent to which the qualifying body has exercised its judgement in a reasonable way, taking into account the views of the local planning authority in its representations on the plan.

1.7 For that reason, section 5 of this Basic Conditions Statement highlights how policies of the Neighbourhood Plan are considered to meet the Conditions, explaining how the qualifying body has reached a view in those cases "where different parts of national policy need to be balanced" (§070) and how it has taken into account the criteria of §074 on general conformity. Finally, it explains how the Neighbourhood Plan as a whole meets Conditions (a) and (e).

2.BACKGROUND

2.1 The decision to proceed with a Neighbourhood Plan was made by the Town Council soon after the Localism Act was made and the Regulations published. The key driver of this decision was a sense of wanting to plan positively for the future of the town, with the encouragement of the District Council to local communities to prepare Neighbourhood Plans.

2.2 A steering group was formed comprising the residents and Town Council representatives. The group has been delegated authority by the Town Council to make day-to-day decisions on the preparation of the Neighbourhood Plan. However, as the qualifying body, the Town Council has approved the publication of the Pre-Submission plan in 2018 and the Submission Plan now.

2.3 The Town Council has consulted the local community extensively over the duration of the project. It has also worked closely with officers of the District Council since the start of the project to collate and examine the evidence base, to design and iterate policy proposals and to define the proper relationship between the Neighbourhood Plan and the adopted and emerging Local Plans. This has taken some considerable time, much longer than originally intended but inevitable after it had not been possible for the two Councils to agree on a number of policy matters in the Neighbourhood Plan approved for submission in 2019. The Town Council has paused to wait for the emerging Local Plan to reach its submission so that it can more confidently complete a new submission version that will fit seamlessly with the new Local Plan as both are adopted/made over the next year or so. Of course, the Covid 19 Pandemic in the meantime as led to significant delays for both councils.

2.4 The Neighbourhood Plan contains seven land use policies, which are defined on the Policies Map where they apply to a specific part of the Area. The Policies Map is presented as a series of maps within the plan document. The Plan has deliberately avoided containing policies that duplicate saved or forthcoming development plan policies or national policies that are already or will be used to determine planning applications. The policies are therefore a combination of site-specific allocations or other proposals and of development management matters that seek to refine and/or update existing policies.

3. CONDITION (A): REGARD TO NATIONAL PLANNING POLICY

3.1 The Neighbourhood Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Plans. As demonstrated in Table A, this plan has taken to opportunity to refine development plan policies to reflect local circumstances. In overall terms, there are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

General Paragraphs

3.2 The Town Council believes the Neighbourhood Plan “support(s) the delivery of strategic policies contained in local plans ... and ... shape(s) and direct(s) development that is outside of these strategic policies” (§13). It considers the Neighbourhood Plan contains only non-strategic policy proposals or proposals that refine strategic policy to fit the circumstances of the Area without undermining the purpose and intent of those strategic policies (§18). It considers that the Neighbourhood Plan sets out more “detailed policies for specific areas” including “the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies” (§28).

3.3 The Town Council considers that its Neighbourhood Plan has provided its communities the power to develop a shared vision for the Area that will shape, direct and help to deliver sustainable development, albeit in a modest way, by influencing local planning decisions as part of the statutory development plan. The Neighbourhood Plan contains no site allocation proposals nor any other policies that will result in less development than set out in the strategic policies for the area (as proposed in the emerging Local Plan) (§29). In this regard, the §66/§67 NPPF provisions for meeting local housing needs is less relevant to this Neighbourhood Plan as it is the Local Plan that has made site allocations. The Plan is underpinned by relevant and up-to-date evidence. This is considered to be adequate and proportionate, focused tightly on supporting and justifying the policies concerned (§31).

Specific Paragraphs

3.4 Each policy engages one or more specific paragraphs of the NPPF. Those that are considered to be of the most relevance and substance are identified in Table A below.

Table A: Neighbourhood Plan & Regard to the NPPF Summary

No.	Policy Title	NPPF Ref.	Commentary
HOLT1	Design Guidance	127	The policy aims to ‘set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable.’ It has been developed with the local community so it reflects local aspirations, and are grounded in an understanding and evaluation of the defining characteristics of the area. As a ‘Neighbourhood planning group’ the Town Council wishes the Plan to ‘play an important role in identifying the special qualities of the area and explaining how this should be reflected in development’.
HOLT2	Housing Mix & Tenure	62	The policy seeks to encourage proposals to deliver a ‘type and tenure of housing needed for different groups in the community, including, but not limited to, those who require affordable housing ... older people (and) ... people with disabilities ...’.
HOLT3	Green Infrastructure	174 179	<p>The policy seeks to ‘contribute to and enhance the natural and local environment by protecting and enhancing ... sites of biodiversity or geological value and soils ...’ and the ‘wider benefits from natural capital and ecosystem services’ through minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks’.</p> <p>In a simplified form, the network of green infrastructure assets aims to ‘identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation’. It also aims to ‘promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species’.</p>

HOLT4	Employment Growth in Holt	81 84 86e/88	The policy aims to ‘support economic growth, taking into account local business needs and wider opportunities for development’. It looks to ‘build on the strengths’ of the town’s established economic and tourism base. As a valuable sub-regional centre serving a wider rural area, the town needs ‘sustainable rural tourism development’ and the ‘development of accessible local shops’. Its provisions for the Old Station Way site are positive in complementing the adjoining town centre with a use that will not be able to be accommodated in the historic core. Similarly, it is inflexible to restrict new hotel development to the town centre, when other main road frontage sites around the town may offer safe, walkable alternatives.
HOLT5	Community Facilities	93	The policy identifies a range of ‘social, recreational and cultural facilities and services that meet community needs and plans positively for their future improvement’ as demand from a growing local population grows.
HOLT6	Connectivity in and around Holt	100 104c	The policy seeks to establish a network of footpaths and cycleways to promote health and well-being and to reduce local car trips. The Holt Green Wheel gives local expression to the desire to create ‘opportunities to promote walking, cycling and public transport use’.
HOLT7	Open Spaces	98	The policy identifies two open spaces (in addition to those identified in the Core Strategy and Local Plan) as part of the network of existing open spaces for protection and improvement. They are not considered to qualify as Local Green Spaces (as per §101).

3.5 It is considered that all of the policies have had full regard to national policy, with no incidence of two or more national policies being in tension, nor of the Town Council having to strike a balance between them. As a result, the Neighbourhood Plan, as a whole, meets Condition (a).

4. CONDITION (D): CONTRIBUTING TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 A final draft version of the Submission Plan was submitted to the District Council to inform its re-screening of the need for a Strategic Environmental Assessment (SEA) under the European Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations 2004 (as amended). A final screening opinion ('Determination') was issued in July 2022 by the District Council, following a consultation period with the statutory bodies, as per those Regulations. The Determination statement concludes that an SEA is not required (see Section 6 below for further details).

4.2 As an SEA Report has not been required of the Neighbourhood Plan, the Statement sets out in Table B below how each of the policies contribute to the achievement of sustainable development. It does so by identifying the potential of each policy to lead to significantly positive (++), minor positive (+), neutral (0), minor adverse (-) or significant adverse (--) effects, taking into account the proposed mitigation measures. It draws on the definitions of NPPF §8 in respect of judging economic, social and environmental effects.

Table B: Neighbourhood Plan & Sustainable Development					
Policy		Social	Economic	Environmental	Commentary
HOLT1	Design Guidance				The policy sets out design expectations in the Holt Conservation Area, which covers the town's historic core, as well as elsewhere within the town boundary and wider Parish area. Those expectations are specific to Holt and derived from recent design assessment. The policy will therefore have a significant positive environmental (heritage) effect but also positive social and economic effects as the community feels pride in the town and is able to generate economic wealth from visitors enjoying its heritage.
HOLT2	Housing Mix & Tenure				The policy encourages proposals to take into account the needs of all types of household in the design of new housing, especially of those with dementia and with other older persons and affordable needs. It will therefore have a positive social effect.

HOLT3	Green Infrastructure	■	■	■	The policy promotes and protects the variety of green infrastructure assets within and around the edge of the town. These assets are multi-functional, delivering a range of biodiversity, carbon storage and other environmental benefits for significant positive effects.
HOLT4	Employment Growth in Holt	■	■	■	The policy seeks to secure the economic role of the town in the sub-region. The emerging Local Plan plays a major role in this regard, but the policy aims to compliment that Plan in promoting a new retail site to meet growing local demand in a convenient location near centre of the town. The site is brownfield and well-located to share trips with town centre uses, rather than see further leakage from the town to retail centres in other towns. The policy also promotes the town's growing tourism sector by encouraging new hotel uses in the town boundary. The locations are all within walking distance of the heritage and commercial attractions to discourage car use, and will be better able than town centre locations to accommodate off-street, private parking, thus reducing the pressure on the historic town centre to find more spaces. The combination of these policy proposals will therefore have positive economic and environmental effects.
HOLT5	Community Facilities	■	■	■	The policy identifies for protection and improvement community facilities that are well used in the town, and the demand for which is likely to grow with local population growth in the coming years. Their future success will therefore deliver a significantly positive social effect, as well as a positive environmental effect in seeking to ensure the town remains self-sufficient for such uses and does not rely on car trips to other towns to access services.
HOLT6	Connectivity	■	■	■	The policy promotes the 'Holt Green Wheel' concept as a means of capturing the health and well-being benefits of walking and cycling in and around the town for as many trips as possible, and in accessing public transport services. In doing so, it will have positive social and environmental effects.
HOLT7	Open Spaces	■	■	■	In seeking to protect two open spaces in the town from inappropriate development, the policy will have significant positive social and environmental effects. The spaces are well used and cherished by the town, along with the other spaces identified in the emerging Local Plan.

5. CONDITION (E): GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the strategic policies of the development plan for the District, that is the North Norfolk Core Strategy (incorporating Development Control Policies) of 2008 (“the Core Strategy”) and the North Norfolk Site Allocations Development Plan Document of 2011 (“the Site Allocations DPD”). Although both are out of date by way of their plan period end date (2021), both remain relevant for this specific purpose and continue to be used by the District Council to inform its development management decisions.

5.2 In accordance with Planning Practice Guidance (§ 41-009), this Statement does not seek to demonstrate general conformity with the strategic policies of the emerging North Norfolk Local Plan, which will replace the Core Strategy and Site Allocations DPD to cover the period to 2036. However, the Town Council expects the adoption of the new Local Plan shortly after the making of its Neighbourhood Plan. It has therefore taken care to ensure the two plans will sit neatly alongside each other, pending their respective reviews, when the Town Council will consider agreeing with the District Council how the respective plans will address policy making for Holt towards and beyond 2040.

5.3 In practice, there is little difference in how the Core Strategy and emerging Local Plan consider the spatial role of Holt in the District in terms of housing growth, employment provision and town centre management. It has therefore been relatively straightforward for the Town Council to look both backwards to the Core Strategy and forwards to the new Local Plan in shaping its neighbourhood plan policies. Both plans regard Holt as one of a small number of Principal Settlements in the District and as a result make a series of policies and proposals to sustain that important sub-regional role. The Town Council has long supported the District Council in that strategy.

5.4 An assessment of the general conformity of each policy with the relevant Core Strategy policy (noted in bold), and its relationship with emerging policy where relevant, is contained in Table C below.

Table C: Neighbourhood Plan & Development Plan General Conformity Summary

No.	Policy Title & Refs	Commentary
HOLT1	Design Guidance	<p>The policy conforms with Policy SS4 Environment by setting out the key design principles to ensure development proposals will conserve and enhance the built environment ‘through the protection of buildings and structures which contribute to their surroundings’ with ‘locally distinctive design’ encouraged in all new development. In doing so, it refines Policy EN4 Design by being more specific about those features of the Conservation., the town and the wider Parish to which special attention is drawn in shaping the design of proposals.</p> <p>The policy anticipates policies EN7 Historic Environment and EN8 High Quality Design, both of which it will also refine in the same way as with Policy EV4.</p>
HOLT2	Housing Mix & Tenure	<p>The policy conforms with Policy SS3 Housing by providing for ‘the accommodation needs of a range of households of different sizes, ages and incomes’ for Holt and ‘by ensuring that the type of housing built ... will be provided to meet the needs of specific groups of people including the elderly, the disabled ...’. In doing so, it supplements Policy HO2 Affordable Housing by encouraging proposals to deliver homes to meet the town’s needs.</p> <p>The policy anticipates policies HOU1 Homes, HOU2 Mix of Homes and HOU8 Accessible & Adaptable Homes which address these same policy matters. The policy complements those policies by drawing attention to the specific housing issues in Holt.</p>
HOLT3	Green Infrastructure	<p>The policy conforms with Policy SS4 Environment and SS6 Access & Infrastructure in identifying a network of green infrastructure assets to protect and enhance this special feature of Holt and its surroundings. In doing so, it refines Policy EN9 Biodiversity and CT1 Open Space Designations by showing designated and other known green infrastructure assets with some biodiversity and recreational or amenity value.</p> <p>The policy anticipates policies CC11 Green Infrastructure, HC2 Open Spaces and EN4 Biodiversity by showing how their provisions may be delivered in specific places in and around the town.</p>

HOLT4	Employment Growth in Holt	<p>The policy conforms with Policy SS5 Economy in promoting and protecting economic and tourism development in Holt and brings it up to date with the 2020 Use Class Order in defining new ‘employment generating’ uses. Its proposal for the retail use of a brownfield site on the edge of the town centre at Old Station Way is a refinement of SS5 and of EC5 Retail Development to reflect its suitability and past planning consent, and the absence of any realistic alternative within the historic town centre to achieve the same purpose (brought sharply into focus with the Budgen’s fire in 2021). The site is considered close enough to the town centre by convenient walking routes to encourage shared trips. In respect of new hotel accommodation, the policy conforms with Policy EC7 Tourism Development by requiring new proposals to lie within the settlement boundary.</p> <p>The policy anticipates policies E1 Employment Land, E2 Employment Areas, E4 Town Centres and E6 Tourist Accommodation. The Old Station Way site provision is a refinement of E1 to allow for a town centre (retail) use of the land. It is not considered that the provision is so out of conformity with the overall economic development goals of the respective plans to disqualify the proposal. Similarly, Policy E6 confines new hotel development to the town centre. This is considered too restrictive for a town centre that cannot easily accommodate such a use with its car parking requirement and for a town the vast majority of which lies within a reasonable walking distance of the town centre from its main road frontages. Again, the provision refines Policy E6 so that it acknowledges these Holt-specific issues to promote the types of economic development wanted by the local community.</p>
HOLT5	Community Facilities	<p>The policy is in conformity with Policy SS6 Infrastructure in identifying the existing community facilities for protection and enhancement. In doing so, it defines which facilities Policy CT3 Local Facilities applies to in Holt.</p> <p>The policy anticipates Policy HC3 Local Facilities, which it will also refine in the same way as with Policy CT3.</p>
HOLT6	Connectivity in and around Holt	<p>The policy is in conformity with Policy SS6 Access in encouraging ‘the use of non-car modes’ through ‘the promotion of walking and cycling for local trips’, with ‘walking and cycling networks and Public Rights of Way ... protected, enhanced and promoted’. The proposed Holt Green Wheel gives full local expression to these objectives.</p> <p>The policy anticipates Policy CC9 Sustainable Transport and CC11 Green Infrastructure (which incorporates footpaths) by setting out how their broad policy provisions can be delivered in Holt.</p>

HOLT7	Open Spaces	<p>The policy is in conformity with Policy SS4 Environment in defining two ‘open spaces ... (to) ... be protected from harm’. In doing so, it adds the spaces to those identified in Policy CT1 Open Space Designations to which that policy will also apply.</p> <p>The policy anticipates Policy HC2 Open Spaces, to which it adds these two spaces.</p>
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5.5 It is considered that all of the policies are in general conformity with the strategic policies of the adopted development plan, with no incidence of two or more strategic policies being in tension, nor of the Town Council having to strike a balance between them. As a result, the Neighbourhood Plan, as a whole, meets Condition (e).

6. CONDITION (F): COMPATABILITY WITH ENVIRONMENTAL LEGISLATION & OTHER MATTERS

6.1 The District Council provided a screening determination in July 2022 that has determined that a Strategic Environmental Assessment, in accordance with Regulation 9 of the Environmental Assessments of Plans and Programmes Regulations 2004 (as amended), is not required, following consultation with statutory bodies as per those Regulations. The screening was undertaken on the final draft version of the plan of March 2022; the submission version differs only in non-material ways. A copy of the final screening opinion is published separately. The Town Council has therefore met its obligations in respect of assessing the potential for significant environmental effects of the policies of the Neighbourhood Plan.

6.2 The Town Council has also met its obligations in relation to the habitats provisions of the Conservation of Natural Habitats and Wild Flora and Conservation of Habitats and Species Regulations 2017 (as amended). In this regard, the District Council has determined (again in July 2022 and published separately) that no Appropriate Assessment is required, its Habitats Regulations Screening Assessment concluding that the making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the 2017 Regulations) either alone or in combination with other plans or projects.

6.3 The Town Council has been mindful of the fundamental rights and freedoms guaranteed under the European Convention on Human Rights in process of preparing the Neighbourhood Plan and considers that it complies with the Human Rights Act. The Neighbourhood Plan has been subject to extensive engagement with those people local to the area who could be affected by its policies and their views have been taken into account in finalising the Plan.

6.4 In respect of Directive 2008/98/EC – the Waste Framework Directive – the Neighbourhood Plan does not include any policies in relation to the management of waste, nor does the area include a waste management site. On that basis, this Directive is not considered relevant to the Neighbourhood Plan and therefore could not be breached.

6.5 In respect of Directive 2008/50/EC – the Air Quality Directive – the Neighbourhood Plan includes some policies relevant to Air Quality. These policies are tested in accordance with national policy and guidance relevant to their content. The policies are not considered to breach the requirements of the Air Quality Directive as they comprise small-scale interventions and do not negate from the framework for measurement and improvement of air quality set in the Directive.