

Borough Council of King's Lynn & West Norfolk:

**Holme Next The Sea Neighbourhood Plan – Decision on examiner's
recommendations**

12 February 2020

Borough Council of
**King's Lynn &
West Norfolk**



Borough Council Decision on the Examiner's recommendation for the Holme Next the Sea Neighbourhood Plan

Neighbourhood Planning (General) (Amendment) Regulations 2012

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| Name of neighbourhood area | Holme Next the Sea Neighbourhood Area |
| Parish Council | Holme Next the Sea Parish Council |
| Submission | 30 th September- 11 th November 2019 |
| Examination | December 2019/January 2020 |
| Inspector Report Received | 27/01/2020 |

1. Introduction

- 1.1 The Town and Country Planning Act 1990 (as amended), states that the Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and to take the plans through a process of examination and referendum.
- 1.2 The Localism Act 2011 (Part 6 chapter 3) details the Local Planning Authority's responsibilities under Neighbourhood planning.
- 1.3 This Decision Statement confirms that the modifications proposed by the examiner's report on the whole have been accepted. Accordingly the draft Holme Next the Sea Neighbourhood Plan has been amended taking into account these modifications, and the Borough Council has reached the decision that the Holme next the sea Neighbourhood Development Plan may proceed to referendum.

2. Background

- 2.1 The Neighbourhood Area of Holme next the Sea Parish was designated on 21/04/2016. The Neighbourhood Area corresponds with Parish boundaries for Holme next the Sea Parish Council. The Holme Next the Sea Neighbourhood Plan has been prepared by Holme Next the Sea Parish Council. Work on the production of the plan has undertaken by members of the Parish Council and the local community, since 2016.

2.2 The Plan was submitted to the Borough Council of King’s Lynn and West Norfolk and the consultation under Regulation 16 took place between 30/09/2019 – 11/11/2019. As part of this the plan was publicised and representation invited.

2.3 In September 2019 Independent Examiner Ann Skippers was appointed by the Borough Council with consent of the Parish Council, to undertake the examination of the HolmeNext-The-Sea Neighbourhood Plan. This culminated in the Examiner’s Report being issued on 27/01/2020.

2.4 The Examiner’s Report concludes that subject to making the modifications recommended by the examiner, the plan meets the basic conditions as set out in legislation and should proceed to a Neighbourhood Planning Referendum.

2.5 Having carefully considered each of the recommendations made within the Examiner’s Report and the reasons for them, the Borough Council (in accordance with the 1990 Act Schedule 48 paragraph 12) has decided to make the modifications to the draft plan referred to in Section 3 below to ensure that the draft plan meets the basic conditions set out in legislation.

3. Recommendations by the Examiner

| Policy / Area | Modifications recommended |
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| 7.0 Detailed comments on the Plan and its policies | Ensure that Parts A, B, C and D become the neighbourhood plan and that it is clear this is one document |
| 2 Holme-Next-The-Sea | Change the word “downgraded” in paragraph 2.7.3 on page A-16 to “changed” |

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| | <p>Add a new paragraph 2.7.8 on page A-17 that reads: <i>“The River Hun Catchment (local significance). The Parish lies entirely within the catchment of the River Hun – one of a number of internationally rare chalk streams in Norfolk and a priority habitat for conservation under Section 41 of the NERC Act. A catchment plan for the Hun has been produced by the Norfolk Rivers Trust in collaboration with the Environment Agency</i></p> <p><i>(https://norfolkriverstrust.org/wpcontent/uploads/2019/02/River_Hun_CatchmentPlanOnlineCopy.pdf) and this recognises the need for improvements to a catchment that supports internationally recognised wildlife conservation sites.</i></p> <p><i>NDP research carried out with the Norfolk Rivers Trust has highlighted significant additional problems associated with water quality. There is a clear need for future work on the catchment which might be carried forward under the auspices of the North & North West Norfolk Catchment Partnership. The NDP team has in fact worked very closely with the Norfolk Rivers Trust to help develop HNTS 24 Water Resource Management Policy that applies to the Hun and its catchment.</i></p> |
| Policy HNTS 2: Holme Village Zone | <p>Change the first sentence in the policy to read: <i>“Within the Development Envelope, the sensitive infilling of small gaps within an otherwise continuously</i></p> |

| Policy / Area | Modifications recommended |
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| | <i>built up frontage facing the existing road network will be permitted provided it conforms to the other policies of the NDP and the Local Plan.”</i> |
| Policy HNTS 6: Drove Orchards | Delete criterion (i) from the policy |
| | Delete the second bullet point under paragraph 8.2.6 on page B-24 of the Plan |
| | Consequential amendments will be required |
| Policy HNTS 7: Natural Capital and Ecosystem Services | Change the existing criteria (vii) to (xii) to <i>(vi) to (xi)</i> in the second part of the policy |
| Policy HNTS 9: Touring and Permanent Holiday Accommodation | Delete the last sentence of the policy which reads: <i>“Where the active operation of a site ceases any existing use rights will be relinquished.”</i> |
| | Add a sentence at the end of paragraph 11.1.3 on page B-32 of the Plan that reads: <i>“It excludes permanent dwellings used or let for holiday accommodation.”</i> |

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| Policy HNTS 11: Street Scene, Character and Residential Environment | Delete criterion (xi) from the policy |
| | Title Part D.v <i>"Building Styles Sheet"</i> |
| | Add the Building Styles Sheet as an appendix to the Plan |
| Policy HNTS 12: Conservation Area | Ensure that the Conservation Map on page B-41 is correct and consistent with the Character Statement or latest available information including the inclusion of the War Memorial |
| | Add a sentence to the revised map on page B-41 which reads: <i>"This information is correct at the time of writing the Plan. Up to date information on heritage assets should always be sought from Historic England or the BCKLWN or other reliable sources of information."</i> |
| | Consequential amendments to the supporting text may be required |
| Policy HNTS 14: New Homes | Add at the end of the first sentence of the policy <i>"...facing the existing road network."</i> |
| Policy HNTS 16: Replacement Dwellings | Add the words <i>"provided that they conserve and enhance landscape and scenic beauty and are appropriate to their location in the Norfolk Coast AONB and"</i> after <i>"Proposals for replacement dwellings will be permitted..."</i> in the first sentence of the policy |
| Policy / Area | Modifications recommended |
| | Delete the sentence <i>"Replacement dwellings must be Principal Homes in accordance with Policy HNTS 18."</i> from the third paragraph of the policy and replace with <i>"Any replacement dwellings which represent a net gain in the total number of units on a site will be subject to occupancy restrictions."</i> |
| Policy HNTS 17: Extensions, Annexes and Outbuildings | Add the words <i>"provided that they conserve and enhance landscape and scenic beauty and are appropriate to their location in the Norfolk Coast AONB and"</i> after <i>"Development proposals for extensions to existing dwellings, and the provision of annexes and outbuildings will be permitted..."</i> in the first sentence of the policy |
| | Add a new paragraph to the supporting text for this policy that reads: <i>"Original dwelling is defined in the glossary for the purposes of this policy. The definition reads "A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was originally built.""</i> |
| | Consequential amendments may be required |

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| Policy HNTS 18: Principal Residences | Delete "...and replacement..." from the first sentence of the policy and replace with <i>"...(including any net new additional dwellings on a site which have replaced a single property)..."</i> |
| | Delete references to replacement homes from paragraph 20.2.3 on page B-55 of the Plan [which refers incorrectly to Policy HNTS 14] |
| | Replace the words "...will be occupied full-time as the primary residence..." in the first sentence of the policy with <i>"...will be the occupants' sole or main residence where the resident spends the majority of their time when not working away from home or living abroad..."</i> |
| | Correct the reference in paragraph 20.2.7 to Policy HNTS 13 to HNTS 14 |
| Policy HNTS 20: AONB Landscape Quality | Delete the words "...outside the Holme development envelope..." from the first sentence under the subheading "Views of the landscape and scenic beauty" |
| | Add to paragraph 22.3 on page B-64 of the Plan: |
| | <i>"NCP Integrated Landscape Character Assessment http://www.norfolkcoastaonb.org.uk/partnership/integratedlandscapecharacter/370 Institute of Lighting Professionals - http://www.britastro.org/darkskies/pdfs/ile.pdf"</i> |
| Policy HNTS 22: Biodiversity | Change the word "improving" in criterion (v) to <i>"creating net gains"</i> |
| Part C: Glossary of Terms | Change the definition of "infill development" to <i>"The sensitive infilling of small gaps within an otherwise continuously built up frontage facing the existing road network"</i> |
| | Correct spelling of "Consideratiosn" to <i>"Consideration"</i> in the glossary |
| Part D: Maps and Style Guide | Change "Flood Map 2" and "Flood Map 3" on the Plan Zones and the Village Inset Maps to read <i>"Flood Zone 2"</i> and <i>"Flood Zone 3"</i> respectively |
| | Undertake the same modifications to the Plan Zones and Village Inset Maps on pages B-9 and B-10 respectively |

4. Decision

4.1 The Neighbourhood Planning (General) Regulations 2012 requires the local planning authority to outline what action to take in response to the recommendations that the examiner made in the report under paragraph 10 of Schedule 4A to the 1990 act (as applied by Section 38A of the 2004 Act) in relation to a neighbourhood development plan.

4.2 King's Lynn and West Norfolk Borough Council have carefully considered each of the recommendations made in the examiner's report and the reasons for them and have decided to accept the modifications to the draft plan.

4.3 Following the modifications made, the Holme-Next-The-Sea Neighbourhood Development Plan will meet the basic conditions:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
- The making of the neighbourhood plan contributes to the achievement of sustainable development;
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the King's Lynn and West Norfolk Local Plan - Core Strategy (2011) and Site Allocations and Development Management Policies Plan (2016);
- The making of the neighbourhood plan does not breach and is otherwise compatible with EU obligations; and;
- The making of the neighbourhood plan is not likely to have a significant effect on a European site either alone or in combination with other plans and projects.

4.4 It is recommended that the Holme-Next-The-Sea Neighbourhood Plan progresses to referendum. Consideration has been given as to whether the area should be extended beyond that of the neighbourhood area. The Borough Council concurs with Examiner's conclusion that nothing has been suggested which would require an extension of the area beyond that originally designated (21/04/2016).

Decision made by:

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Geoff Hall
Executive Director Environment and Planning

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Date 12.02.2020

Update: 28/01/2021

Non-material amendment:

A minor error has been raised by the qualifying body within their neighbourhood plan documentation: "Part B-The Policies". The error was raised to the planning policy team on the 26th January 2021 and we have taken the decision to make this amendment to the document for clarity. **The minor error relates to the below highlighted Policy Number which states Policy HNTS16 when this should say Policy HNTS18.**

The PDF has been amended to reflect the error and the correct document is on the website for all to view. This approach has been taken forward with agreement by the qualifying body and the chairman of Holme Next The Sea Parish Council.

POLICY HNTS 14: NEW HOMES Proposals for new dwellings will be permitted within the development envelope where they are typically in the size range 80 -150m² gross internal floor area, constitute sensitive infilling of small gaps within an otherwise continuously built up frontage facing the existing road network and provided that they conserve and enhance landscape and scenic beauty and are appropriate to their location in the Norfolk Coast AONB. In order to maintain the character of the village and the street scene and to protect neighbouring amenity, permission will not be given for proposals for new homes that result in more than 40% of the curtilage of the property being covered by buildings. All new dwellings must be Principal Homes in accordance with **Policy HNTS 16-18**. In view of the importance of home working to the parish economy, all new dwellings should include the necessary infrastructure to enable direct connection to super high speed, fibre-based Broadband.

Signed

Alan Gomm

28.01.2021