

Planning Policy & Built Heritage Working Party



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Friday, 29 September 2023

A meeting of the **Planning Policy & Built Heritage Working Party** of North Norfolk District Council will be held in the **Council Chamber - Council Offices** on **Monday, 9 October 2023** at **10.00 am**.

At the discretion of the Chairman, a short break will be taken after the meeting has been running for approximately one and a half hours

Members of the public who wish to ask a question or speak on an agenda item are requested to notify the committee clerk before 10am on the Thursday before the meeting and arrive at least 15 minutes before the start of the meeting. This is to allow time for the Committee Chair to rearrange the order of items on the agenda for the convenience of members of the public.

Further information on the procedure for public speaking can be obtained from Democratic Services, Tel: 01263 516108, Email: Lauren.Gregory@north-norfolk.gov.uk.

Anyone attending this meeting may take photographs, film or audio-record the proceedings and report on the meeting. Anyone wishing to do so must inform the Chairman. If you are a member of the public and you wish to speak on an item on the agenda, please be aware that you may be filmed or photographed.

Please note that this meeting is livestreamed:

<https://www.youtube.com/channel/UCsShJeAVZMS0kSWcz-WyEzg>

Please note that Committee members will be given priority to speak during the debate of agenda items

Emma Denny
Democratic Services Manager

To: Cllr A Brown, Cllr G Bull, Cllr M Batey, Cllr N Dixon, Cllr P Fisher, Cllr M Hankins, Cllr P Heinrich, Cllr V Holliday, Cllr L Paterson, Cllr J Punchard, Cllr J Toye and Cllr A Varley

All other Members of the Council for information.

Members of the Management Team, appropriate Officers, Press and Public



If you have any special requirements in order to attend this meeting, please let us know in advance
If you would like any document in large print, audio, Braille, alternative format or in a different language please contact us

Chief Executive: Steve Blatch

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A G E N D A

1. APOLOGIES FOR ABSENCE

2. PUBLIC QUESTIONS

3. MINUTES

1 - 4

To approve as a correct record the Minutes of a meeting of the Working Party held on Monday, 11th September 2023.

4. ITEMS OF URGENT BUSINESS

To determine any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.

5. DECLARATIONS OF INTEREST

5 - 10

Members are asked at this stage to declare any interests that they may have in any of the following items on the agenda. The Code of Conduct for Members requires that declarations include the nature of the interest and whether it is a disclosable pecuniary interest. Members are requested to refer to the attached guidance and flowchart.

6. BLAKENEY NEIGHBOURHOOD PLAN

11 - 18

Blakeney Neighbourhood Plan	
Executive Summary	The purpose of this report is to formally “make” the Blakeney Neighbourhood Plan as part of the statutory Development Plan for North Norfolk. The Plan was subject to independent examination and successful referendum on the 14th September 2023. The Council has a legal duty to “make” the neighbourhood plan within 8 weeks of the day after the referendum (10th November 2023) was held unless it considers that doing so would breach European Union Obligations.
Options considered.	<p>1. Bring the Referendum version of the Blakeney Neighbourhood Plan, into effect as soon as practical and within the 8-week time frame. This would mean that the Blakeney NP forms part of the Council’s statutory Development Plan for North Norfolk and be a material consideration in the determination of planning applications in the identified Blakeney Neighbourhood Plan Area.</p> <p>2. To not bring the Blakeney Neighbourhood Plan into effect. This would mean that the Neighbourhood Plan would not form part of the Development Plan for North Norfolk and would not become a material consideration in the determination of planning applications.</p>

Consultation(s)	Earlier iterations of the Neighbourhood Plan have undergone public consultation under Regulation 14 and 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended). The submitted version of the neighbourhood plan has undergone independent examination and the final modified version has been subject to a public referendum in accordance with Paragraph 12(4) of Schedule 4B to the Town and Country Planning Act 1990 on the 14th September 2023.
Recommendations	<p>1. Members of the Planning Policy & Built Heritage Working Party recommend to Cabinet that having been subject to successful local referendum;</p> <p>a. The Blakeney Neighbourhood Plan be made (brought into force) as part of the statutory Development Plan for North Norfolk in accordance with section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended) as soon as practical and within the 8 week statutory time frame;</p> <p>b. The issuing of the Decision Statement required under Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended) in order to bring to the attention of the qualifying body, the people who live, work and or carry out business in the Neighbourhood Plan Area is delegated to the Assistant Director of Planning in conjunction with the Planning Policy Team Leader;</p> <p>2. Acknowledge that the required consequential amendments to the adopted policies map and the required minor consequential changes to the referendum version of the neighbourhood plan through delegated powers to the Planning Policy Team Leader.</p>
Reasons for recommendations	<p>All Neighbourhood Development Plans are required to gain a majority of those voting in favour (50% plus) at a local referendum in order to proceed and be considered for adoption by the Local Planning Authority. If the Plan receives a positive result, then the local planning authority has a legal duty to bring the plan into force within an eight-week period following the day after the referendum was held, unless it considers that doing so would breach European Union Obligations.</p> <p>The Blakeney Neighbourhood Development Plan is considered to meet the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) and be compatible with EU obligations as incorporated into UK law and the Convention rights and complies with relevant provision made by or under Section 38A and</p>

	B of the Planning and Compulsory Purchase Act 2004 (as amended).
Background papers	Further supporting evidence, The Referendum version of the Blakeney Neighbourhood Plan, the examiners report and associate notices can be found for reference at Home Blakeney Neighbourhood Plan (north-norfolk.gov.uk)

Wards affected	Blakeney
Cabinet member(s)	Cllr Andrew Brown, Portfolio holder for Planning
Contact Officer	Neighbourhood Plan Lead: - Iain Withington, Planning

Links to key documents:	
Corporate Plan:	Developing our communities
Medium Term Financial Strategy (MTFS)	N/A
Council Policies & Strategies	Adopted and emerging Local Plan/ Development Plan

Corporate Governance:	
Is this a key decision?	No
Has the public interest test been applied	No
Details of any previous decision(s) on this matter	N/A

7. PUBLICATION OF ANNUAL MONITORING REPORT 2022

Publication of Annual Monitoring Report 2022-23	
Executive Summary	This report provides an overview of the main development trends in the district for the period 2022-2023. It measures performance against local plan and corporate objectives.
Options considered.	No alternative options considered.
Consultation(s)	The production of the Annual Monitoring report is not subject to public consultation. The information included in the report is factual and is derived from a range of sources including site visits, published data and internal records.

Recommendations	That Members note the content of the report.
Reasons for recommendations	
Background papers	None

Wards affected	All
Cabinet member(s)	Cllr Andrew Brown: Portfolio Holder for Planning
Contact Officer	Rakesh Dholiwar

Links to key documents:	
Corporate Plan:	Effective planning policies are at the heart of many Corporate Plan objectives. The effectiveness of policies is monitored via the identification of key information, data and performance measures presented in the AMR.
Medium Term Financial Strategy (MTFS)	N/A
Council Policies & Strategies	Core Strategy and Site Allocations Development Plan Documents. Housing Strategy and new Local Plan.

Corporate Governance:	
Is this a key decision	No
Has the public interest test been applied	No
Details of any previous decision(s) on this matter	None

8. EXCLUSION OF PRESS AND PUBLIC

To pass the following resolution (if necessary):

“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A (as amended) to the Act.”

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PLANNING POLICY & BUILT HERITAGE WORKING PARTY

Minutes of the meeting of the Planning Policy & Built Heritage Working Party held on Monday, 11 September 2023 at the Council Chamber - Council Offices at 10.00 am

Committee Cllr A Brown (Chairman)

Members Present:

Cllr M Batey

Cllr N Dixon

Cllr M Hankins

Cllr P Heinrich

Cllr V Holliday

Cllr L Paterson

Cllr A Varley

Substitute

Members Present:

Cllr A Fitch-Tillett

Officers in

Attendance:

Assistant Director for Planning

Planning Policy Manager (PPM)

Senior Conservation and Design Officer (SCDO)

Democratic Services & Governance Officer (DSO)

28 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr G Bull, Cllr P Fisher, Cllr J Toye and Cllr J Punchard. Cllr A Fitch-Tillett was present as a substitute for Cllr J Punchard.

29 PUBLIC QUESTIONS

None received.

30 MINUTES

The Minutes of the Planning Policy & Built Heritage Working Party meeting held Monday 7th August were approved as a correct record.

31 DECLARATIONS OF INTEREST

None received.

32 ITEMS OF URGENT BUSINESS

None.

33 DRAFT GLAVEN VALLEY CONSERVATION AREA APPRAISAL - PUBLIC CONSULTATION

Officer's Report

The SCDO introduced the Officer's report and recommendation.

With respect of policy context, the SCDO established the definition of a Conservation Area being an area 'of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'. Section 69, Planning (Listed Buildings and Conservation Areas) Act 1990. Section 69 further confirms the responsibilities of Local Planning Authorities (LPA's) to 'review the past

exercise of functions under this section and to determine whether any further parts of their area should be designated'. Section 71 of the Planning Act requires LPAs 'to formulate and publish proposals for the preservation and enhancement' of their conservation areas, and Section 72 asks LPAs to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area when exercising planning functions.

It was noted that funding had been received for the review of the Glaven Valley, with this Conservation Area identified early due to its 1980s designation, resulting in an increasing need for robust definition and understanding, and a requirement for an appraisal document to inform decision making. The review of the settlement designations outlined in the Officers report had been adopted, the final step in the current programme was to review the overlying Glaven Valley which had been undertaken in collaboration with the Council's appointed consultants Purcell. Public consultation of the GVCAA was held between 21st November 2022 and 31st March 2023, including 3 public meetings. The feedback received from the consultation had informed changes made to the draft and proposed boundaries.

The SCDO confirmed that there were several areas proposed for exclusion from the GVCA boundary prior to the public consultation however, following feedback areas identified in Appendix 3 of the Officers report had now been retained / reinstated.

Amongst minor textual corrections raised in feedback, there had been several more significant amendments to the appraisal including the Summary of Special Interest (P16-17) which had been significantly re-written post-consultation in order to better reflect the varied character of the GVCA. Due to the retention of the settlements within the GVCA, much of the text had been re-written to reflect this change. In addition, P71-79 provided a summary of each settlement and reference the individual appraisals for each one, and discussion of the North Norfolk Landscape Character Assessment (2018) had been added within P50-52.

The SCDO confirmed, subject to approval by the Working Party and Cabinet, that a three-week public consultation would be undertaken. Arrangements would include publication of the documents on the NNDC Website; invitation for comments; direct contact with properties affected by new boundary proposals which fall outside the settlement boundaries, and; notification to Parish Councils and those who had commented on the prior consultation. Rather than write to each household about the consultation directly, the Council would contact the relevant Parish Councils and ensure that notices of the consultation were placed in prominent public locations. Once the consultation had concluded, representations would be considered by the Conservation and Design Team, with a final draft expected to be returned to the Working Party late 2023.

Member's debate and question's

- i. The Chairman noted that there had been great deal of public interest in the consultation and spoke favourably of undertaking a further public consultation following the responses received, considering such engagement reflected the ethos of the Council. The Chairman asked the SCDO about the consultation arrangements of engaging with the public who live near to listed buildings.
- ii. The SCDO confirmed that the Council would write to those households in close proximity listed buildings contained in the GVCAA.

- iii. The Chairman praised one of the responses provided by a resident of Brinton and Sharrington and commended the research they had conducted with respect of the chalk stream, in the process of being registered. The Chairman noted that the Working Party were asked to consider whether to proceed with consultation, and not to discuss the merits of specific aspects of the GVCA. Members would have the opportunity to review the GVCAA after the consultation had concluded.
- iv. Cllr V Holliday declared a pecuniary interest with respect of this item, she owns two listed properties contained within the GVCA. She advised her intention to obtain advice from the Monitoring Officer on this matter.
- v. The Chairman asked the DSO for guidance with respect of Cllr V Holliday's declaration.
- vi. The DSO endorsed Cllr V Holliday obtaining advice from Monitoring Officer and suggested that Cllr V Holliday may consider abstaining from voting on this item till such advise was received.
- vii. Cllr N Dixon proposed acceptance of the Officers recommendation which he considered to be a comprehensive piece of work.
- viii. Cllr P Heinrich agreed that it was an excellent document and seconded the Officers recommendation.
- ix. Cllr A Fitch-Tillett commented that she was pleased that Sharrington had been proposed for inclusion to the GVCA, and the acknowledgement of the role of the beck within the review.

RESOLVED by 8 votes for and 1 abstention.

That the Planning Policy & Built Heritage Working Party recommend to Cabinet that;

The responses to the first round of public consultation on the Glaven Valley Conservation Area Appraisal (GVCAA) are noted, and the subsequent revisions made to the text and boundary are endorsed, and;

Another round of public consultation is undertaken on the revised appraisal document as laid out in the report, the results of which will be brought back to Working Party in due course.

34 UPDATE ON LOCAL PLAN EXAMINATION PROGRESS AND COMMUNICATIONS

The PPM advised the present position with respect of the Local Plan which had been submitted for examination, an Inspector appointed, and initial questions raised. The questions raised and responded to by the Council related to factual matters of the Alternative Housing Target, Plan Period and Nutrient Neutrality. A response was awaited from the Inspector. No date had yet been set for the formal hearings, which the PPM considered would likely commence in the New Year. He reflected that the changing position on Nutrient Neutrality may have interesting impacts on the Local Plan.

The Chairman commented that it was a challenging time for those Local Authorities who had paused Local Plan making, with information coming from central government that there 'may be consequences', NNDC would not be having submitted its Local Plan earlier in 2023. The Chairman reflected that there may series of prospective changes arising from of revisions to the NPPF and the Levelling Up and Regeneration Bill.

35 EXCLUSION OF PRESS AND PUBLIC

None.

The meeting ended at 10.30 am.

Chairman

Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative, close associate; or
 - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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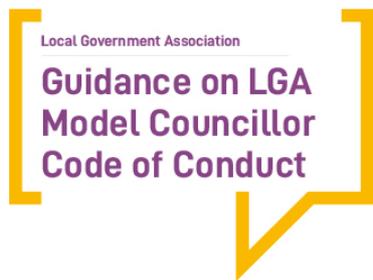
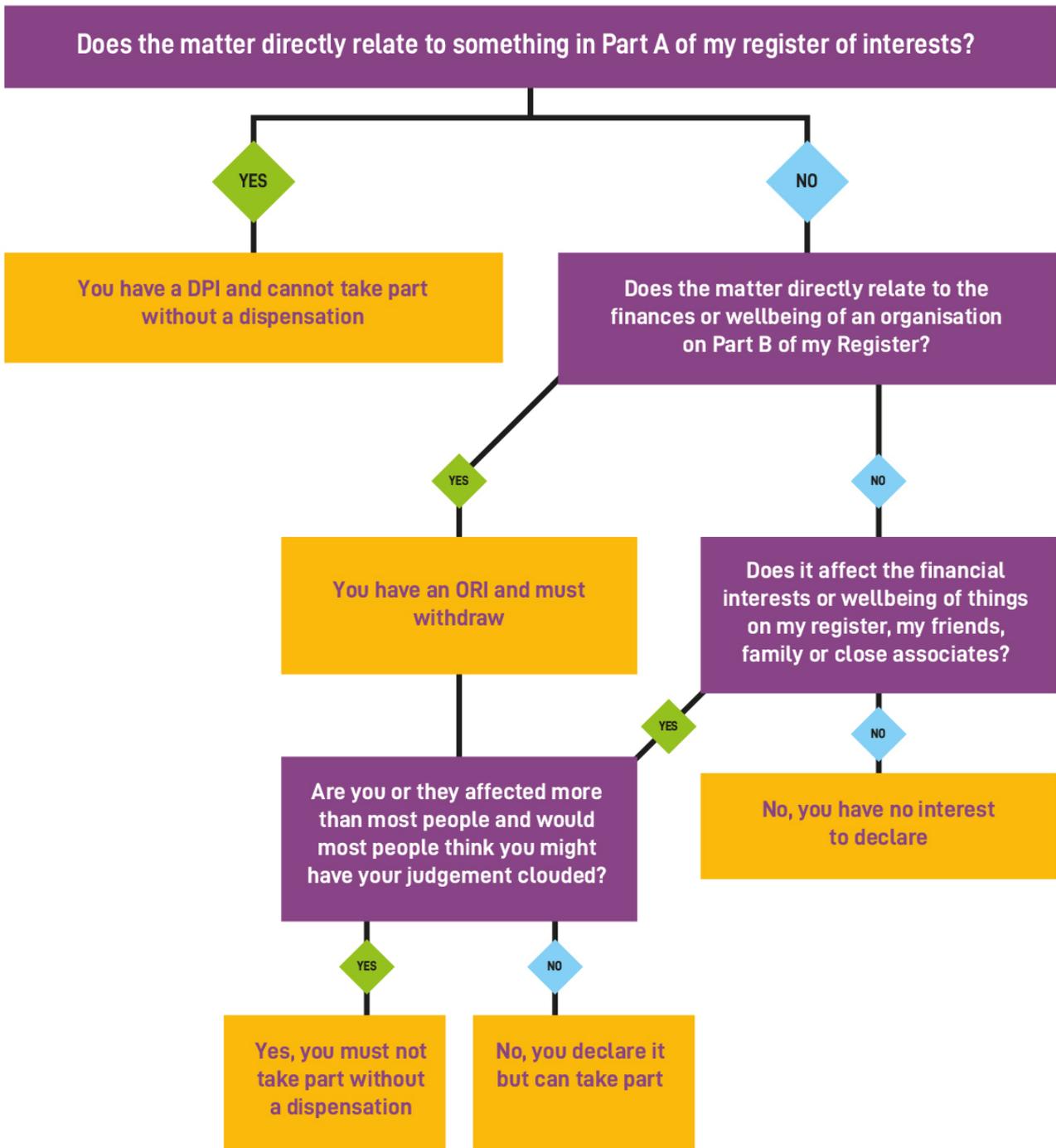
* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)



REPORT TITLE	Blakeney Neighbourhood Plan
Executive Summary	The purpose of this report is to formally “make” the Blakeney Neighbourhood Plan as part of the statutory Development Plan for North Norfolk. The Plan was subject to independent examination and successful referendum on the 14 th September 2023. The Council has a legal duty to “make” the neighbourhood plan within 8 weeks of the day after the referendum (10 th November 2023) was held unless it considers that doing so would breach European Union Obligations.
Options considered.	<ol style="list-style-type: none"> 1. Bring the Referendum version of the Blakeney Neighbourhood Plan, into effect as soon as practical and within the 8-week time frame. This would mean that the Blakeney NP forms part of the Council’s statutory Development Plan for North Norfolk and be a material consideration in the determination of planning applications in the identified Blakeney Neighbourhood Plan Area. 2. To not bring the Blakeney Neighbourhood Plan into effect. This would mean that the Neighbourhood Plan would not form part of the Development Plan for North Norfolk and would not become a material consideration in the determination of planning applications.
Consultation(s)	Earlier iterations of the Neighbourhood Plan have undergone public consultation under Regulation 14 and 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended). The submitted version of the neighbourhood plan has undergone independent examination and the final modified version has been subject to a public referendum in accordance with Paragraph 12(4) of Schedule 4B to the Town and Country Planning Act 1990 on the 14 th September 2023.
Recommendations	<ol style="list-style-type: none"> 1. Members of the Planning Policy & Built Heritage Working Party recommend to Cabinet that having been subject to successful local referendum; <ol style="list-style-type: none"> a. The Blakeney Neighbourhood Plan be made (brought into force) as part of the statutory Development Plan for North Norfolk in accordance with section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended) as soon as practical and within the 8 week statutory time frame; b. The issuing of the Decision Statement required under Regulation 19 of the Neighbourhood Planning (General)

	<p>Regulations 2012 (as amended) in order to bring to the attention of the qualifying body, the people who live, work and or carry out business in the Neighbourhood Plan Area is delegated to the Assistant Director of Planning in conjunction with the Planning Policy Team Leader;</p> <p>2. Acknowledge that the required consequential amendments to the adopted policies map and the required minor consequential changes to the referendum version of the neighbourhood plan through delegated powers to the Planning Policy Team Leader.</p>
Reasons for recommendations	<p>All Neighbourhood Development Plans are required to gain a majority of those voting in favour (50% plus) at a local referendum in order to proceed and be considered for adoption by the Local Planning Authority. If the Plan receives a positive result, then the local planning authority has a legal duty to bring the plan into force within an eight-week period following the day after the referendum was held, unless it considers that doing so would breach European Union Obligations.</p> <p>The Blakeney Neighbourhood Development Plan is considered to meet the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) and be compatible with EU obligations as incorporated into UK law and the Convention rights and complies with relevant provision made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 (as amended).</p>
Background papers	<p>Further supporting evidence, The Referendum version of the Blakeney Neighbourhood Plan, the examiners report and associate notices can be found for reference at Home Blakeney Neighbourhood Plan (north-norfolk.gov.uk)</p>

Wards affected	Blakeney
Cabinet member(s)	Cllr Andrew Brown, Portfolio holder for Planning
Contact Officer	Neighbourhood Plan lead: - Iain Withington, Planning Policy Team leader. iain.withington@north-norfolk.gov.uk

Links to key documents:	
Corporate Plan:	Developing our communities

Medium Term Financial Strategy (MTFS)	N/A
Council Policies & Strategies	Adopted and emerging Local Plan/ Development Plan

Corporate Governance:	
Is this a key decision	No
Has the public interest test been applied	No
Details of any previous decision(s) on this matter	N/A

1. Purpose of the report

- 1.1 **The purpose** of this report is to seek authority to bring into effect and “make” the Blakeney Neighbourhood Plan, as part of the statutory Development Plan for North Norfolk in accordance with section 38A (4) of the Planning and Compulsory Purchase Act 2004. In doing so the Blakeney Neighbourhood Plan will be a material consideration in the determination of planning applications in the identified Blakeney Neighbourhood Plan Area.

2. Introduction & Background

- 2.1 The provisions of the Localism Act 2011 introduced new powers to allow local communities to prepare Neighbourhood Development Plans and shape future development within their area. North Norfolk District Council positively supports communities to be involved in producing a Neighbourhood Development Plan and actively encourages community led development. Blakeney parish council as the “qualifying body” have been preparing the neighbourhood plan since the application for the designation of the parish as a Neighbourhood Planning Area was approved by the Cabinet in November 2017. The Plan is the fourth parish/town Council to bring forward a successful Neighbourhood Plan in the District and to reach this formal ‘adoption’ stage.
- 2.2 Neighbourhood Plans should be bespoke and specific, addressing land use planning issues at a local level in support of and in general conformity with the strategic policies of the North Norfolk Local Plan. They should not promote less development than set out in the strategic policies for the area and should actively seek opportunities to allocate additional growth and provide more locally derived policy considerations based on appropriate evidence and general conformity with the strategic policies of the Council and wider development plan. The policies can help shape sustainable development by influencing local planning decisions as material considerations in the determination of an appropriate application.
- 2.3 All Neighbourhood Plans are required to be legally compliant and meet a set of requirements referred to as ‘the basic conditions’ under schedule 4B

section 8 of the Town and Country Planning Act 1990 (as amended); these are that they:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- are in general conformity with the strategic policies contained in the development plans for the area (Herefordshire Local Plan – Core Strategy);
- do not breach, and be otherwise compatible with EU obligations;
- are not likely to have a significant effect on a European site either alone or in combination with other plans or projects.

2.4 An earlier version of the emerging neighbourhood plan underwent formal public consultation under regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (as amended) in October/ November 2019.

2.5 Following a further review and revision, the emerging draft neighbourhood plan was submitted to the Council for independent examination on the 26th November 2021 and the submitted plan was publicised under regulation 16 between 28th March 2022 and 9th May 2022.

2.6 The draft neighbourhood plan was subject to independent examination and a report issued by the independent Examiner on 19th January 2023.

2.7 On the 29th June 2023 the statutory Decision Statement, a notice outlining the examiner's and the Council's additional modifications in order for the neighbourhood plan to proceed to referendum, and the reasons for them was published.

2.8 The referendum version of the neighbourhood plan, supporting documentation, including the Council's additional modifications and the examiner's report can be found for reference at [Home | Blakeney Neighbourhood Plan \(north-norfolk.gov.uk\)](https://www.norfolk.gov.uk/your-council/development-planning/neighbourhood-plans/blakeney-neighbourhood-plan)

3. Proposals and Options

3.1 All Neighbourhood Development Plans are required to gain a majority of those voting in favour (i.e. 50% plus on the day) at a local referendum in order to proceed and be considered for adoption by the Local Planning Authority. If the Plan receives a positive result, then under Paragraph 38A(4)(a)&(b) of the Planning and Compulsory Purchase Act 2004 (as amended) the Council has a legal duty to bring the plan into force as soon as reasonably practicable. The date prescribed for such purposes¹ is the last day of an eight-week period following the day after the referendum was held unless the Council considers that doing so would breach European Union Obligations.

¹ Section 18A(1) The Neighbourhood Planning (General) Regulations 2012 (as amended 2016)

- 3.2 The specified question asked at referendum is “*Do you want North Norfolk District Council to use the Neighbourhood Plan for Blakeney to help it decide planning applications in the Neighbourhood Area*”
- 3.3 **On the 14th September 2023 a positive outcome was reached by the local community.** With 27% of the electorate voting, 141 votes supported the neighbourhood plan while 16 voted against. 89.8% of those that voted on the day were in favour of its use in the determination of relevant planning applications.
- 3.4 In order to comply with regulations, once the Plan is “made” (i.e brought into force) by the District Council a Decision Statement must be published on the District Council’s website. This Decision Statement must also be made available using other available means to demonstrate that the District Council has resolved to make the Neighbourhood Plan. The Council must formally “make” the relevant town/parish council aware of its decision and bring it to the attention of any other person or organisation who asked to be informed about the decision.
- 3.5 On adoption there is also the requirement to update the adopted policies map which accompanies the Development Plan. This policies map illustrates geographically the application of the policies in the adopted Development Plan for the District. The update and adoption of the policies map is to ensure compliance with paragraph 9 of the Local Planning Regulations 2012.
- 3.6 The Council must also publish a copy of the made Neighbourhood Plan and make it available on the website and through other media.
- 3.7 **The Council maintains the option not** to make the Neighbourhood Plan under 38A(6) of the Planning and Compulsory Purchase Act 2004 (as amended), if it believes that the plan would be incompatible with any European Union obligations or Human Rights conventions.
- 3.8 The Blakeney Neighbourhood Development Plan is considered to meet the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) and be compatible with EU obligations as incorporated into UK law and the Convention rights and complies with relevant provision made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 (as amended).

4. Corporate Priorities

Neighbourhood plans and the Council’s support in their production assists the council in achieving its corporate priorities. In particular the Blakeney Neighbourhood Plan seeks to ensure the local community have influence in decisions on relevant planning application and, supports the Council in its delivery of affordable housing and in addressing the wider housing needs of the parish.

5. Financial and Resource Implications

- 5.1 The Council’s support for neighborhood planning is contained in the existing Local Plan Budget supplemented by DLUHC formally known as MHCLG grant. There are no further financial implications within this report. The local

planning authority is responsible for financing the independent examination and referendum for each neighbourhood plan. Should the NP not be “made” there is likely to be further financial and resource implications across both planning policy and development management.

6. Legal Implications

- 6.1 A failure to “make” the Neighbourhood Plan and within the decreed time limit would mean that the council would be in breach of their legal duty.
- 6.2 Section 38A(1) of the Planning and Compulsory Purchase Act 2004 (as amended) (as enabled by Part 6, Chapter 3, Section 116 of the Localism Act 2011) grants local communities the right to set policies through a neighbourhood plan as part of the planning system for determining planning applications. It is not a legal requirement but a right which communities can choose to use. On adoption it forms part of the statutory development plan and sits alongside the Local Plan.
- 6.3 Under section 38A (4) of the Planning and Compulsory Purchase Act 2004 (as amended), local planning authorities have a legal duty to make a neighbourhood development plan following a positive referendum result. Under section 38A (6) of the Planning and Compulsory Purchase Act 2004 (as amended), the only exception to this is if the Council considers that it would be incompatible with any European Union obligations or Human Rights conventions.
- 6.4 The policies map illustrates geographically the application of the policies in the adopted development plan. The adoption of the policies map is to ensure compliance with Regulation 9 Town and Country (Local Planning) (England) Regulations 2012.
- 6.5 In accordance with the provisions of Regulation 19 of the Neighbourhood Planning (General) Regulations 2012, once the neighbourhood plan is formally made by the Council’s ‘Decision Statement’, setting out the decision to make the Plan and their reasons for it, it is required to be published on the Council’s website, and elsewhere if it’s considered necessary, to publicise such decision to those who live and work in the neighbourhood area.

7. Risks

- 7.1 A failure to “make” the Neighbourhood Plan and within the decreed time limit would mean that the Council would be in breach of their legal duty

8. Net Zero Target

No assessment has been made against the council’s [Net Zero 2030 Strategy & Climate Action Plan](#).

9. Equality, Diversity & Inclusion

- 9.1 Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2 There are no direct implications on equality within this report. The neighbourhood development plan has been subject to a requirement within the 'basic conditions' not to breach any EU obligations or any Human Right obligations. This was tested at the independent examination.

10. Community Safety issues

N/A

11. Conclusion and Recommendations

11.1 The Blakeney Neighbourhood Plan has been prepared in accordance with the relevant legislative requirements, including public consultation, independent examination and local referendum. More than 50% of those voting in the referendum voted in favour of the plan and therefore the Council is formally required to make the plan.

11.2 Subject to cabinet approval it is recommended that the NP be made by resolution and the Decision statement be issued within the statutory 8-week period and no later than the 10th November 2023. Once made, the neighbourhood plan will become part of the statutory development plan. It will thereafter be an important material consideration in the determination of planning applications for development in the parish of Blakeney.

3. Members of the Planning Policy & Built Heritage Working Party recommend to Cabinet that having been subject to successful local referendum;

a. **The Blakeney Neighbourhood Plan be made (brought into force) as part of the statutory Development Plan for North Norfolk in accordance with section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended) as soon as practical and within the 8 week statutory time frame;**

b. **The issuing of the Decision Statement required under Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended) in order to bring to the attention of the qualifying body, the people who live, work and or carry out business in the Neighbourhood Plan Area is delegated to the Assistant Director of Planning in conjunction with the Planning Policy Team Leader;**

1. Acknowledge that the required consequential amendments to the adopted policies map and the required minor consequential changes to the referendum version of the neighbourhood plan through delegated powers to the Planning Policy Team Leader.

End

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Publication of Annual Monitoring Report 2022-23	
Executive Summary	This report provides an overview of the main development trends in the district for the period 2022-2023. It measures performance against local plan and corporate objectives.
Options considered.	No alternative options considered.
Consultation(s)	The production of the Annual Monitoring report is not subject to public consultation. The information included in the report is factual and is derived from a range of sources including site visits, published data and internal records.
Recommendations	That Members note the content of the report.
Reasons for recommendations	
Background papers	None

Wards affected	All
Cabinet member(s)	Cllr Andrew Brown: Portfolio Holder for Planning
Contact Officer	Rakesh Dholiwar

Links to key documents:	
Corporate Plan:	Effective planning policies are at the heart of many Corporate Plan objectives. The effectiveness of policies is monitored via the identification of key information, data and performance measures presented in the AMR.
Medium Term Financial Strategy (MTFS)	N/A
Council Policies & Strategies	Core Strategy and Site Allocations Development Plan Documents. Housing Strategy and new Local Plan.

Corporate Governance:	
Is this a key decision	No
Has the public interest test been applied	No
Details of any previous decision(s) on this matter	None

1. Introduction

- 1.1 The Council is required to prepare and publish a Monitoring Report to assess the performance of existing policies. The report has two key purposes (as stated in the Planning and Compulsory Purchase Act 2004):
 - a. To report on the progress made in preparing Development Plan documents as measured against the Council's published timetable in the Local Development Scheme.
 - b. To report on key indicators in relation to the rates and types of development so that trends can be monitored and the effectiveness of policies reviewed.
- 1.2 The full report will be published shortly and will be made available on the Council's website. The information contained within the report covers past trends for the period April 2022 to April 2023. All information relating to housing and employment permissions and completions is monitored by the policy team and is verified through site visits or records held by departments within the Council.
- 1.3 The Monitoring Report uses the strategic themes set out within the adopted Core Strategy and Development Control Policies DPD to report on the performance of policies. This includes strategic themes such as housing, employment and the environment.
- 1.4 A framework of relevant indicators is included in the emerging new Local Plan. Monitoring will then be undertaken, covering the new policies to determine whether they have met the intended purpose.
- 1.5 In most cases, indicators are presented at a district wide level but where available, figures for parishes/wards are included. Where available, each report includes past performance to allow for comparison.
- 1.6 A brief summary of the headline information included within the Monitoring Report is reproduced in the following paragraphs. A short presentation will be made at the meeting.

2. Headline Results

- 2.1 Both planning permissions granted, and dwellings completed fell well below target during the year. Adopted targets require the completion of around 400 dwellings per year which is set to increase to around 480 in the new Local Plan. Only 314 dwellings were completed during the year. The number of new planning permissions granted each year is extremely variable and is influenced heavily by the consenting of larger development proposals. At just 175 dwellings, 2022-23 is the lowest recorded total. This trend can be attributed to two significant factors, namely nutrient neutrality which has prevented the issue of new planning permission across much of the district (there are currently applications pending decision for around 1,400 dwellings), and the completion of developments on many of the larger development sites in the District. This position seems likely to persist for some time but will improve dramatically when the new Local Plan is adopted.
- 2.2 Around two thirds of the new dwellings provided had three or fewer bedrooms. Only 13 affordable dwellings were built.

- 2.3 Average house prices continued to increase whilst wages remained relatively static. The affordability ratio which compares average house prices with average household incomes now stands at 11.4, meaning that those on average household incomes require 11.4 times their income to purchase the average home.
- 2.4 A presentation will be made at the meeting, which will present further details.

Table A: House Price Comparison 2020 - 2022

Period	North Norfolk	East of England	Nationally
Apr-20	257,500	290,500	230,300
Mar-22	321,900	342,800	277,200
Mar 2023	325,500	351,898	285,009

3. Conclusion / Recommendations

- 3.1 This report is for information only.

4. Legal Impacts and Risk

- 4.1 Failure to publish would be a breach of the council's obligations under the requirements of the Planning and Compulsory Purchase Act 2004.

5. Financial Implications and Risks

- 5.1 None

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Local Plan Working Party:

Annual Monitoring Report 2022/23

Page 23 Presentation

Covering the period
1st April 2022 to 31st March 2023



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Content

- 1) Introduction
- 2) Housing
- 3) Population
- 4) Measures in the AMR

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1. Introduction

- The Annual Monitoring Report (AMR) presents key facts and figures about the District Area. It is factual & relates to the Local Plan.
- The period covered is from 1st April 2022 – 31st March 2023.
- It monitors progress of adopted and emerging planning policies.

➤ *Note 1: The AMR, is transitioning to the monitoring framework linked to the New Local Plan 2016-2036.*

2. Housing

Permissions 2020/21

- Reserved Matters, Full & Outline Permissions for **175** additional dwellings were granted. Permissions for 24 affordable dwellings, formed part of the total.

Permissions	No. of Dwellings 2022/23
Outline Permissions	2
Barn Conversions	25
Change of Use	18
Conversions	8
New Dwellings	117
Garden Plots (Included in New Dwellings)	4
Cert. Lawfulness	0
Removal of Condition	5
Total Permissions	175

2. Housing - Completions

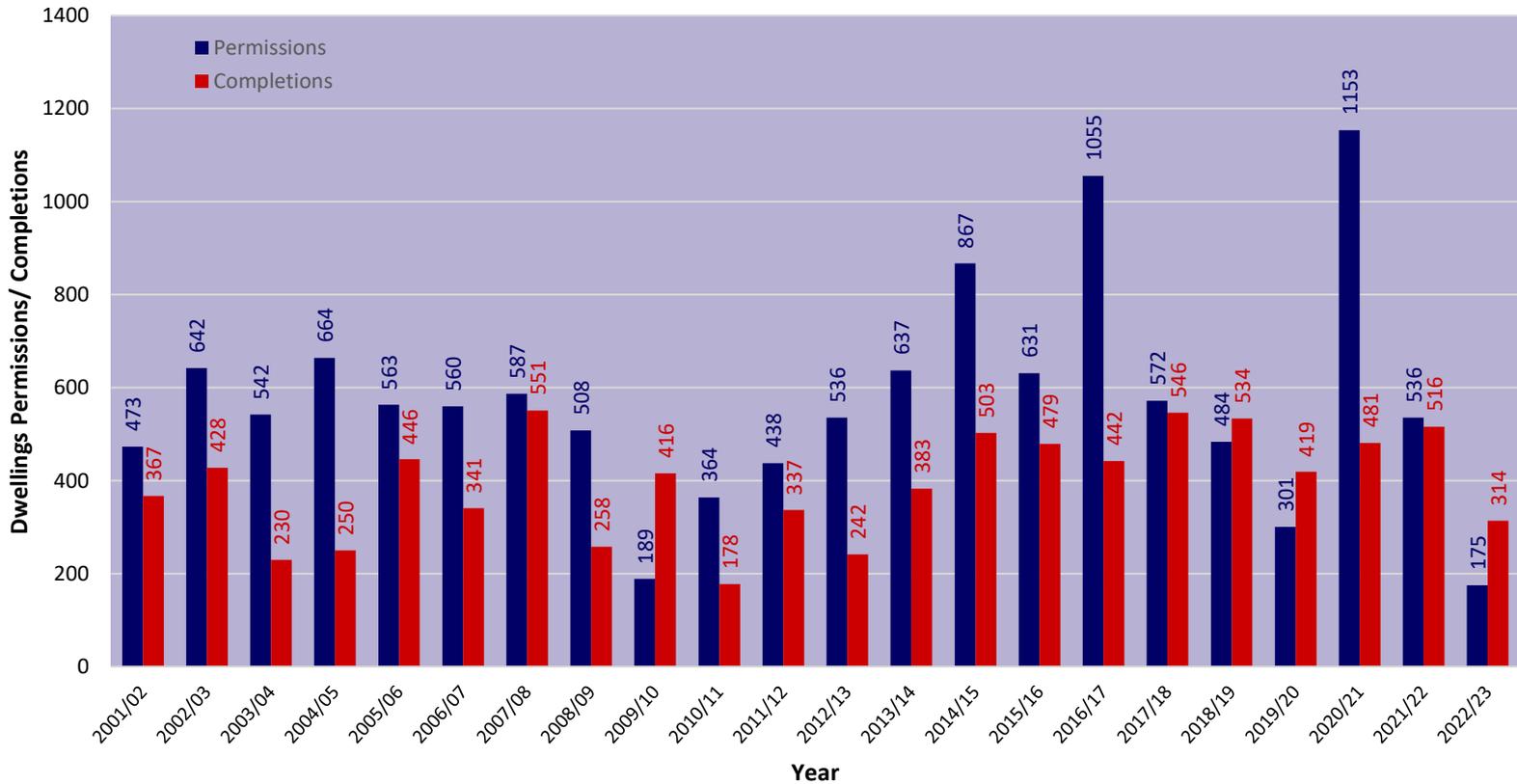
2022/23

- 314 dwellings were completed, of these 162 were New Build; 100 were conversions, 52 had restrictions removed or were change of use.

2. Housing

Permission/ Completions 2001 - 2023

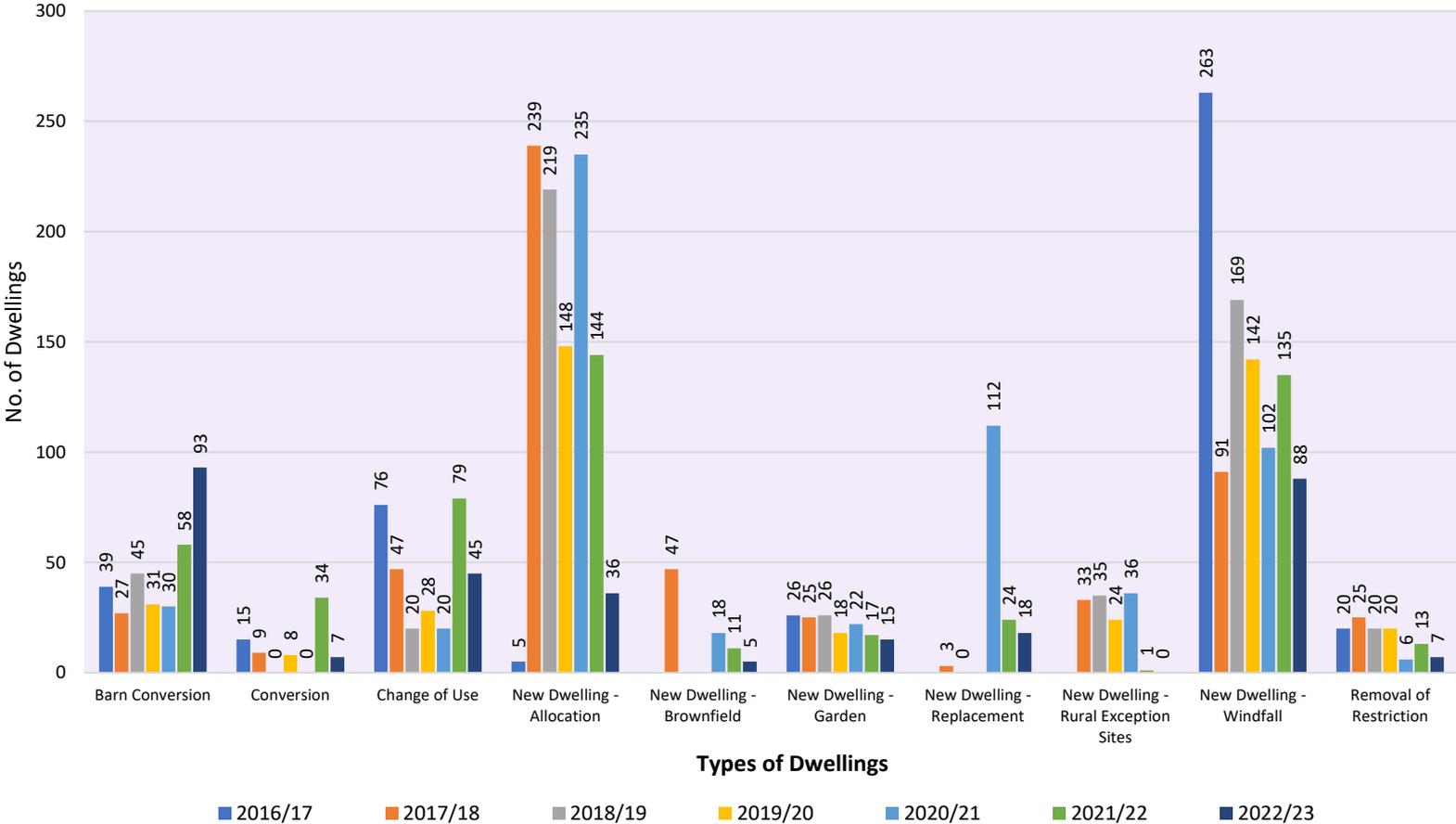
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2a. Types of Dwelling Completions

Types of Dwelling Completions 2016/17 - 2022/23

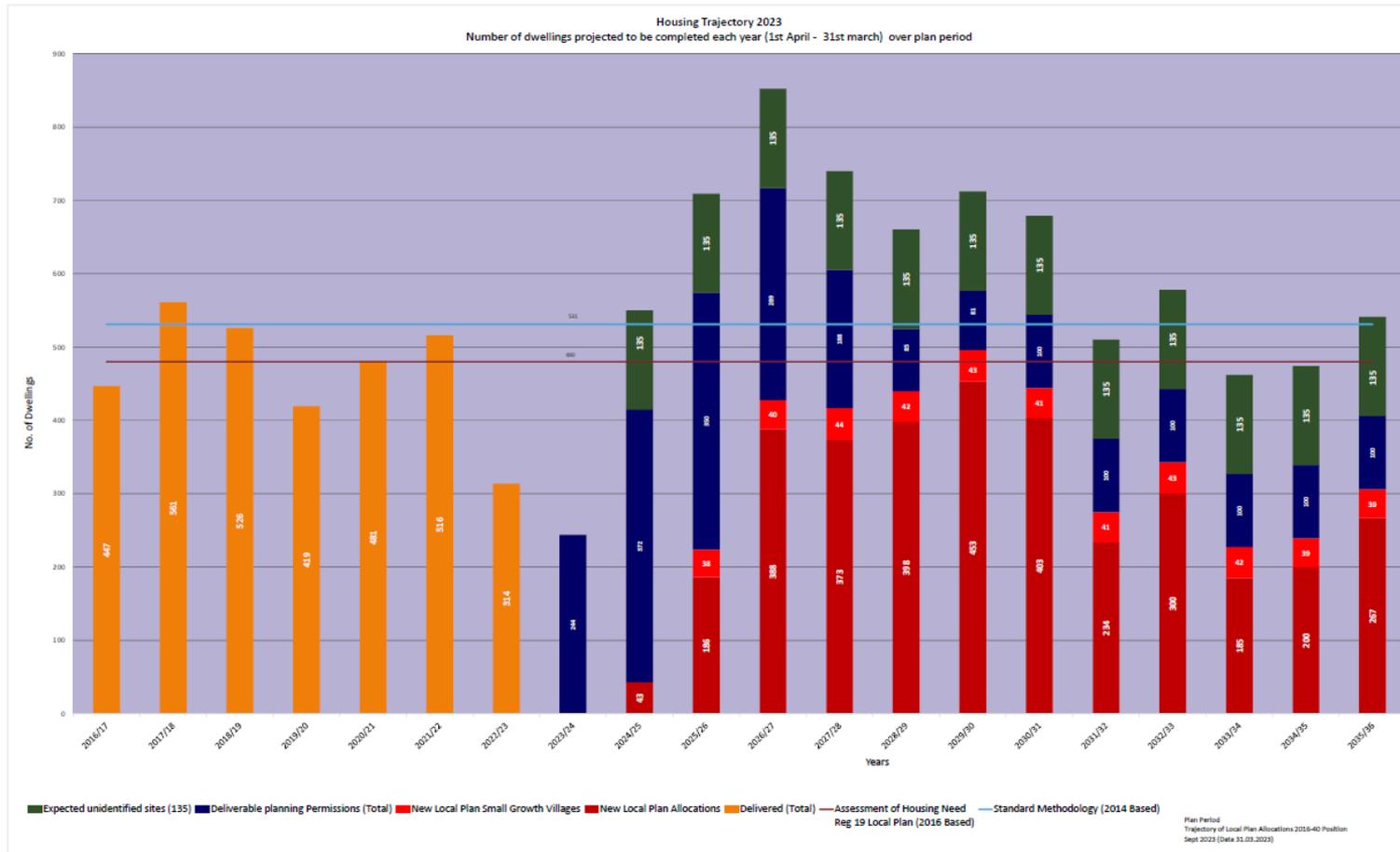
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2. Housing - Trajectory

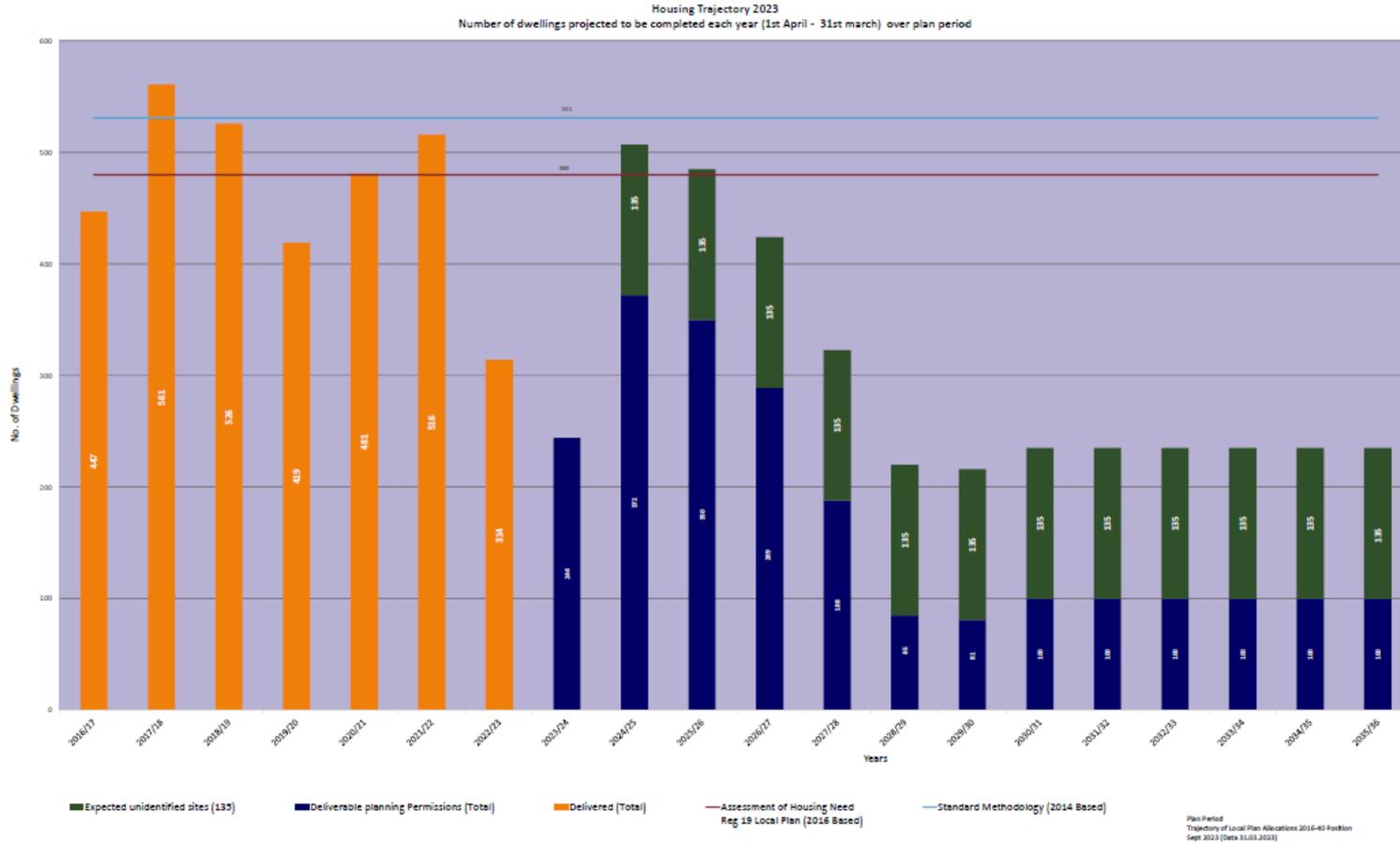
- A Housing Trajectory is a useful tool for monitoring the rate, and expected rates, of housing developments. The trajectory below illustrates the position as of 1st April 2023. Taking account of (Nutrient Neutrality) & Includes the expected New Local Plan delivery

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2. Housing - Trajectory

- A Housing trajectory below illustrates the position as of 1st April 2023.
- Excluding the New Local Plan delivery



2. Housing

- Bedrooms - Break-down of dwelling completions

Bedrooms on Completions 2022/23									
Type of dwelling	Flats		House					Unknown	Total
Bedrooms	1	2	1	2	3	4	5	Unknown	Units
New Build	44	2	8	26	50	24	7	1	162
Conversions	1	3	2	0	0	1	0	0	7
Barn Conversions	0	0	5	23	25	32	8	0	93
Removal/variation of conditions	0	0	0	2	0	0	0	5	7
Change of use	6	8	3	6	10	5	5	2	45
Totals	51	13	18	57	85	62	20	8	314

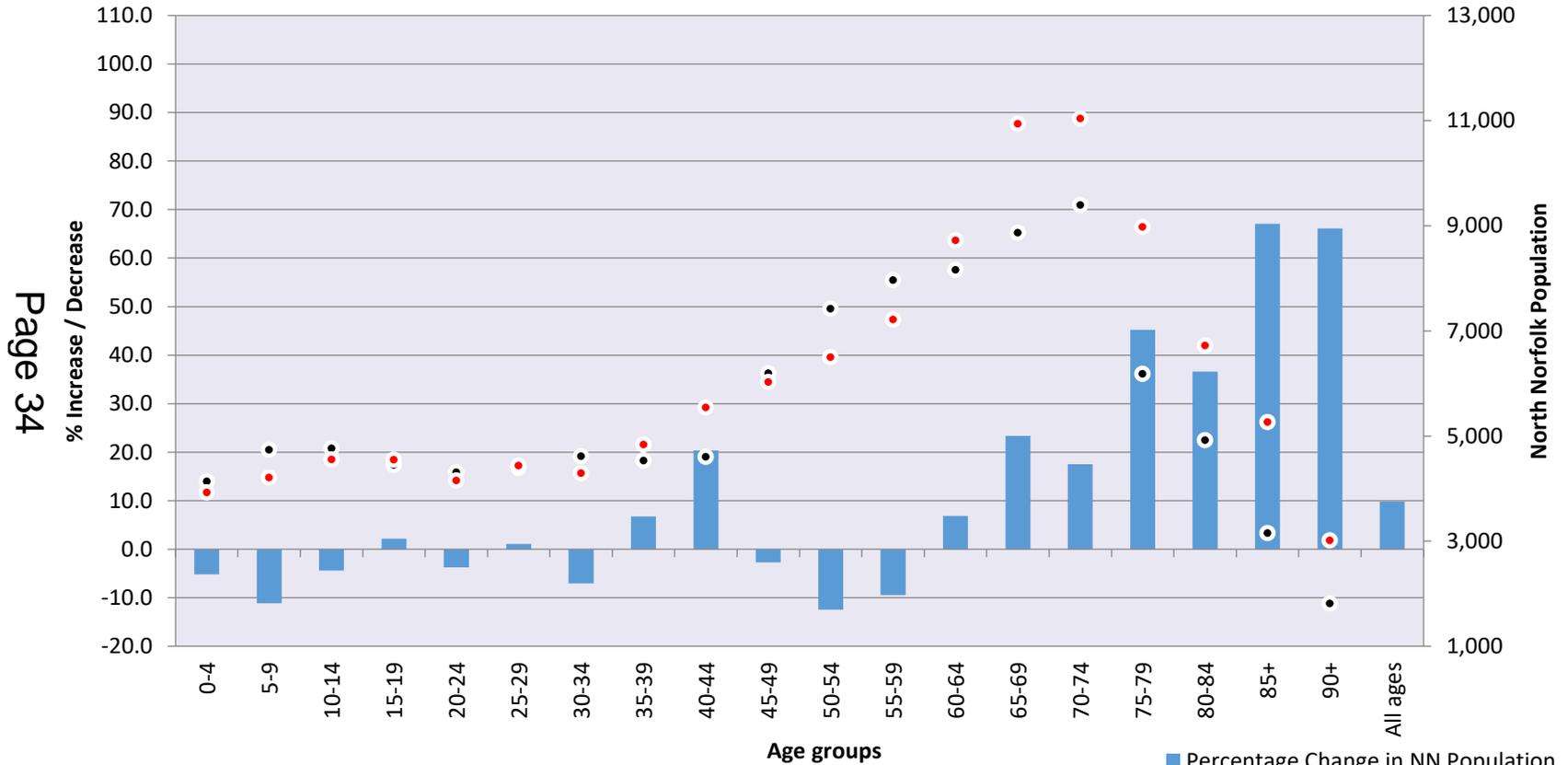
2. HOU1 – Reg. 19

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HOU1 at 31/03/2023	Column	A	B	C	D	
Settlement Hierarchy	Settlement/ Location	Dwellings With Planning Permission at 31/03/2023	Dwelling Completions - All (01/04/16 - 31/03/23)	Dwellings provided on Allocated Sites inclusive of specialist elderly accommodation	Total Growth Deliverable (Sum of Columns: A+B+C)	% Growth
Large Growth Towns	North Walsham	34	484	1,486	2004	41.9%
	Fakenham	843	376	357	1576	
	Cromer	145	218	657	1020	
Small Growth Towns	Holt	304	470	247	1021	21.7%
	Sheringham	191	248	133	572	
	Stalham	18	149	150	317	
	Wells-next-the-Sea	37	107	70	214	
	Hoveton	30	32	190	252	
Large Growth Villages	Briston & Melton Constable	29	83	65	177	3.7%
	Mundesley	8	67	30	105	
	Blakeney	15	41	30	86	
	Ludham	19	9	15	43	
Small Growth Villages	Villages named in Policy SD3	210	414	452	1076	9.8%
Remainder of District	All remaining settlements and countryside	326	559	0	885	8.1%
Windfall Development 2016-2036 Across	Entire District				1620	14.8%
		2,209	3,257	3,882	10,968	100%

3. Population

Age Group % Change from 2018 to 2036



Note 1: Reference ONS 2018-based population estimates.
 Note 2: The figures for 85+ and 90+ are mutually exclusive.

■ Percentage Change in NN Population
 ● Number of People 2018
 ● Number of People 2036

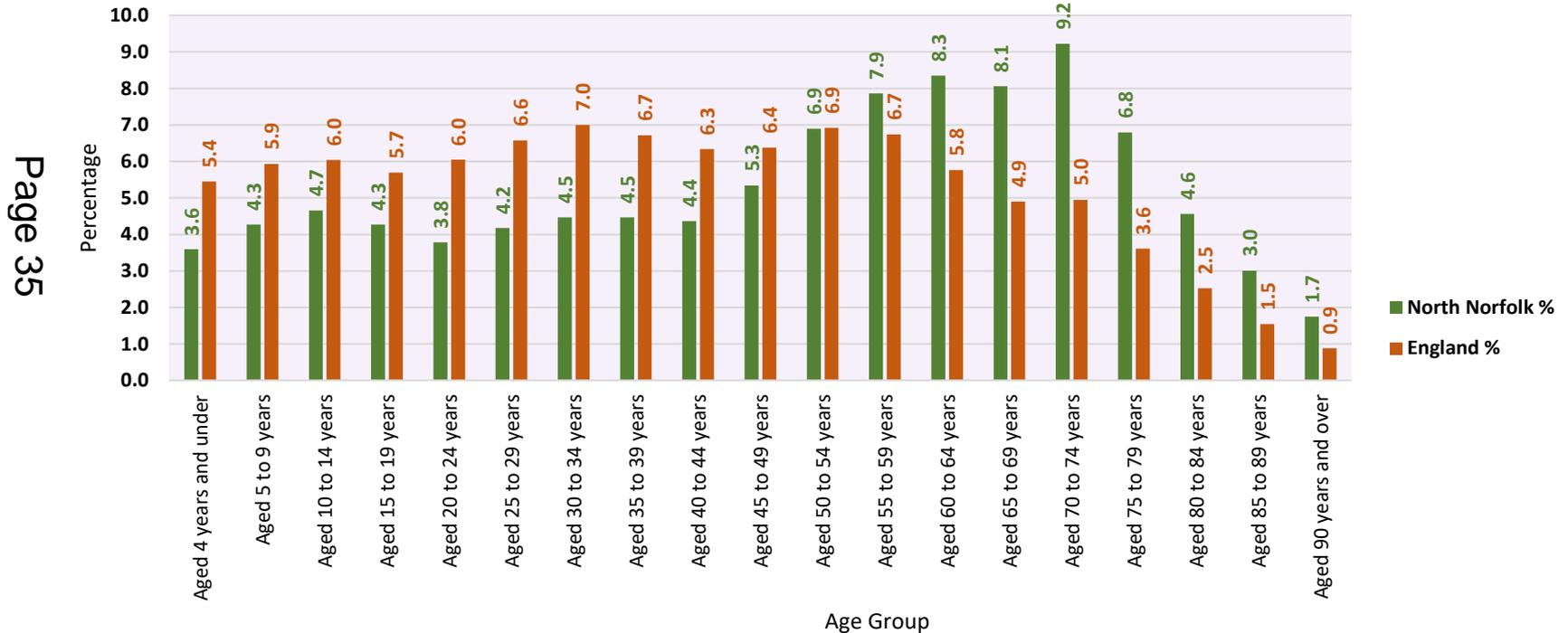
3. Population

33.4% of the population is over 65 years of age in North Norfolk

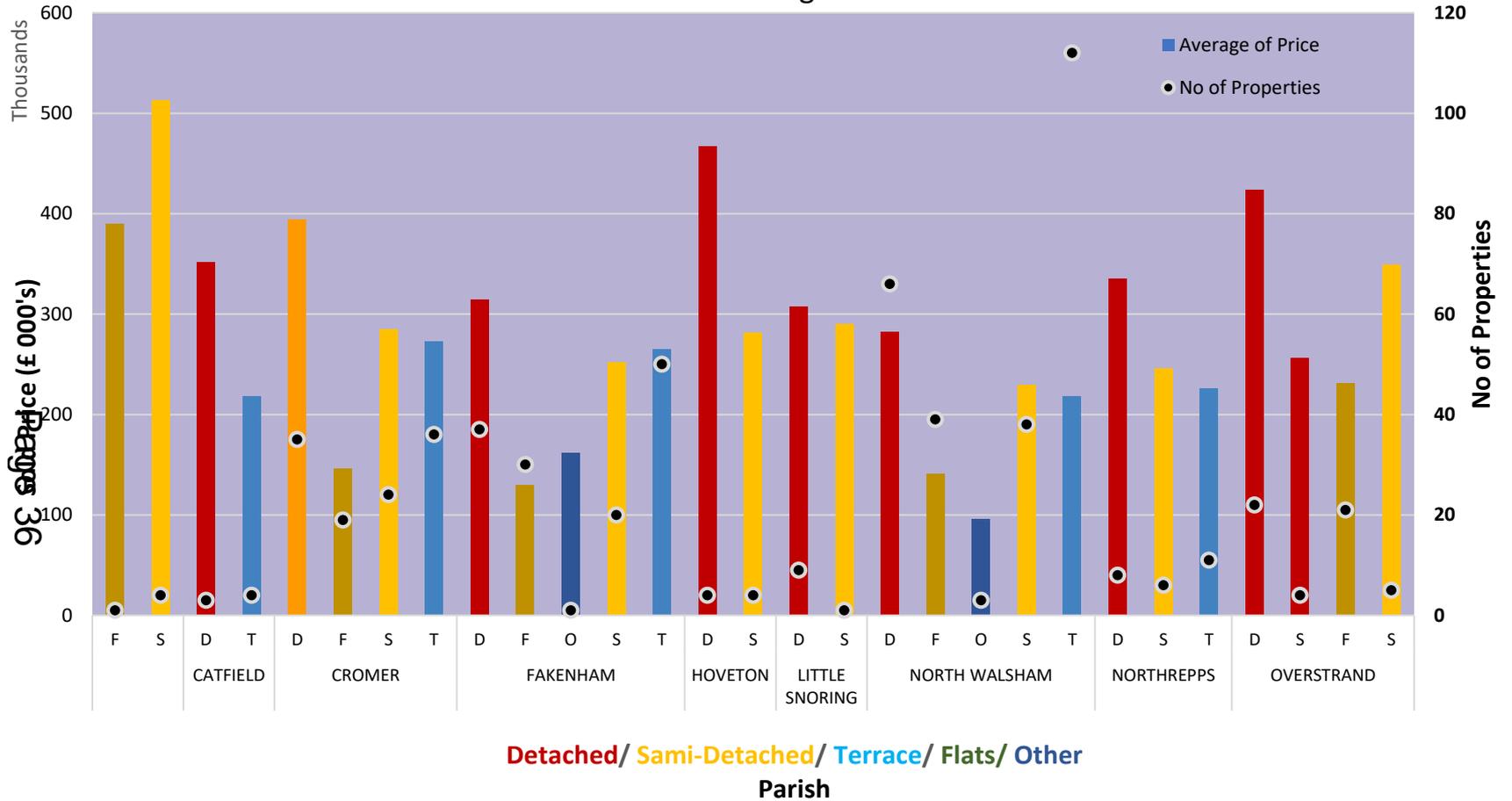
The population projected for North Norfolk, from the 2011 Census, at 2021 was 105,000.

The actual population from the 2021 census was 103,000.

**Census 2021: Usual resident population by five-year age group
North Norfolk & England**



New Build - Average Sold House Prices 2016-2023



11.44 - Ratio of median house price to median gross annual workplace-based earnings (2021)

Measures in the AMR

- Housing: Objectives & Targets
 - Housing Permissions
 - House Building Rates
 - Housing Trajectory
- New Local Plan 2016 – 2036.
(Reg. 19)
- Housing Density
- Brownfield Land
 - Affordable Housing
 - House Prices
 - Space Standards
- Affordability
 - Second Homes
 - Population
 - Economy: Objectives & Targets
 - Employment Land
 - Employment Permissions
 - Economically active
 - Tourism
 - Town Centres
 - Plan Making



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