

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

**Sedgeford Neighbourhood Plan – Decision on examiner's recommendations**

**15 July 2019**

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



## **Borough Council Decision on the Examiner's recommendation for the Sedgeford Neighbourhood Plan**

### **Neighbourhood Planning (General) (Amendment) Regulations 2012**

Name of neighbourhood area	Sedgeford Parish Neighbourhood Area
Parish Council	Sedgeford Parish Council
Submission	25/02/2019 – 08/04/2019
Examination	May/June 2019
Inspector Report Received	27/06/2019

#### **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 Sedgeford Neighbourhood Plan has been amended taking into account these modifications, and the Borough Council has reached the decision that the Sedgeford Neighbourhood Development Plan may proceed to referendum.

#### **2. Background**

- 2.1 The Neighbourhood Area of Sedgeford Parish was designated on 20/07/2016. The Neighbourhood Area corresponds with Parish boundaries for Sedgeford Parish Council. The Sedgeford Neighbourhood Plan has been prepared by the Sedgeford 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 25/02/2019 – 08/04/2019. As part of this the plan was publicised and representation invited.

- 2.3 In March 2019 Independent Examiner Andrew Ashcroft was appointed by the Borough Council with consent of the Parish Council, to undertake tie examination of the Sedgeford Neighbourhood Plan. This culminated in the Examiner’s Report being issued on 27/06/2019.
- 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	Modification Recommended
Policy H1: Development of site allocated at Jarvie Close	In the opening part of the policy replace ‘required to’ with ‘supported where it would’
	In a) delete ‘to facilitate.... affordable dwellings’
	Thereafter insert an additional criterion to read: ‘the development respects the density, form and layout of houses in the immediate locality’
	<i>At the end of paragraph 8.1.1 add: ‘This would apply in circumstances either where the extant outline planning permission lapses or where a new outline application is submitted.’</i>
	<i>Replace paragraph 8.1.2 with: ‘Policy H1 provides a context for the determination of planning application on the site in the event that the proposal associated with the extant outline application does not proceed. Its ambition is to make the best and most efficient use of land in a sustainable location in general, and to deliver affordable housing in particular. The delivery of affordable housing will be subject to the tests in Policy CS09 of the Core Strategy. The second criterion of the policy has been designed to ensure that new development on the site respects the density, form and layout of existing dwellings in the immediate locality.’</i>
Policy H2: The location of new residential development	<p><b>Replace the policy with:</b></p> <p>‘Land to the east of Ringstead Road and to the north of the School as shown on Map 4 is allocated for residential use.</p> <p>Development proposals for residential use on the site will be supported subject to the following criteria:</p>

Policy / Area	Modification Recommended
	<ul style="list-style-type: none"> <li>• they provide safe and convenient vehicular and pedestrian access;</li> <li>• they incorporate boundary treatments to the east (to the existing paddock) and to the north (to the existing residential property to the immediate north) that are sensitively designed to respect the semi- rural location of the site and to safeguard the amenities of surrounding properties;</li> <li>• they are designed to ensure that the layout of the site reflects the character and layout of properties in Ringstead Road; and</li> <li>• they provide off street car parking to the required standards in Policy DM17 of the Site Allocations and Development Management Policies Plan.</li> </ul>
	<p>'Land east of Ringstead Road opposite Jarvie Close as shown on Map 4 is allocated for residential use. Development proposals for residential use on the site will be supported subject to the following criteria:</p> <ul style="list-style-type: none"> <li>• they provide safe and convenient vehicular and pedestrian access;</li> <li>• they incorporate boundary treatments to the north (to the surrounding countryside) to the east (to the existing paddock) and to the south (to the existing residential property to the immediate south) that are sensitively designed to respect the semi- rural location of the site and to safeguard the amenities of surrounding properties;</li> <li>• they are designed to ensure that the layout of the site reflects the character and layout of properties in Ringstead Road. In particular the development should be designed so that it is of single-plot development with gardens running in an east to west direction to the east of the new dwellings; and</li> <li>• they provide off street car parking to the required standards in Policy DM17 of the Site Allocations and Development Management Policies Plan.' </li></ul>
	<i>Delete Map 5</i>
	<p><i>Replace paragraph 8.1.10 with:</i>  <i>'As a result of this process Site 1 (land to the east of Ringstead Road and to the north of the School) and Site 2 (Land east of Ringstead Road opposite Jarvie Close) have emerged as the most suitable sites for development. They are within easy walking distance of the School, and other facilities in the village. Site 1 is within the development boundary. Policy H2 sets out a series of criteria with which development proposals would need to comply. They address a series of environmental matters including boundary treatments, layout and design and parking/access matters.'</i></p>
<b>Policy H3: Infill Development within the Development boundary</b>	<b>In the opening part of the policy replace 'permitted' with 'supported'</b>
	<b>In the second criterion replace 'be harmful to' with 'have an unacceptable detrimental impact on'</b>
	<b>In the third criterion replace 'would not be harmful' with 'would not have an unacceptable detrimental impact on'</b>



Policy / Area	Modification Recommended
	<i>In paragraph 8.1.12 replace 'is supported' with 'will be supported'</i>
<b>Policy H4: Development outside the development boundary</b>	<b>In the opening part of the policy replace 'permitted' with 'supported'</b>
	<b>Before the series of bullet points add: 'Development proposals outside the development boundary should demonstrate that:'</b>
	<b>In the first bullet point replace 'that' with 'they'</b>
	<b>In the second bullet point replace 'Where development' with 'they'</b>
	<b>In the third bullet point replace 'Where the development' with 'they' and 'not be harmful to' with 'would not have an unacceptable detrimental impact on'</b>
	<b>Delete the fourth bullet point.</b>
	<b>In the beginning of the second part of the policy replace 'these dwellings' with 'dwellings on rural exception sites which deliver affordable housing'</b>
<b>Policy H5: Housing Mix</b>	<b>Replace 'All development proposals...required to' with 'Proposals for new residential development of two or more houses should'</b>
	<b>Delete the second sentence.</b>
<b>Policy H6: Replacement dwelling</b>	<b>Replace 'permitted' with 'supported'</b>
	<b>In the first bullet point replace 'for an identified first occupant' with 'for the intended first occupants'</b>
	<b>In the second bullet point replace 'not appear cramped' with 'not be disproportionately large for the plot size concerned'</b>
<b>Policy H7: Residential Extensions</b>	<b>Replace 'permitted' with 'supported'</b>
<b>Policy H8: New Housing as Permanent Dwellings</b>	<i>In paragraph 8.1.24 replace 'allocates two sites' with 'allocates a site'</i>
<b>Policy E1: The River Valley Setting</b>	<b>Replace 'unique' with 'distinctive'</b>
	<b>Insert a full stop after 'the valley' in the final sentence. Replace 'and will not be intrusive' with 'Development proposals which would be intrusive to the relationship between the form of the village and its relationship to the river valley will not be supported'</b>
<b>Policy E2: The Heacham River</b>	<b>Inset a full stop after Heacham River. Thereafter delete 'and' and replace 'any' with 'Any'</b>
<b>Policy E3: Local Green Spaces</b>	<b>Replace 'permitted' with 'supported'</b>
	<i>In Map 8 replace the boundary of LGS1 with the boundary in the map included as Appendix 1 of this report.</i>
<b>Policy E4: Sedgeford Historical and Archaeological Research Project</b>	<b>Replace the policy with: 'Any development proposals in the area of the Sedgeford Historical and Archaeological Research Project (SHARP) as shown on Map 9 should demonstrate the way in which they would safeguard its archaeological significance'</b>
<b>Policy E5: Conservation Area and buildings of local historic interest</b>	<b>In the first part of the policy replace 'will' with 'should'</b>

Policy / Area	Modification Recommended
Policy E6: Dark Skies	Replace 'will' with 'should' and delete 'will be supported.... development plan policies'
Policy C1: Community Facilities	After change of use add 'or the redevelopment for non-community use'.
	Replace 'permitted' with 'supported'
Policy T1: Speed and volume of traffic passing through the village	Delete the policy
	<i>At the end of 8.3.4 add: 'This and other matters are addressed in the Parish Aspirations and Initiatives in paragraph 10.1 of this Plan'</i>
Parish Aspirations and Initiatives	<i>In paragraph 10.1 add a further bullet point to read: 'Investigate the need for future planning applications to be accompanied with planning obligations to provide or to contribute to off-site highway improvements or traffic calming measures where the need for such works directly arises from the development proposed'</i>
Policy EMP1: Employment related development	<b>In the first and third bullet points replace 'are not harmful' with 'would not have an unacceptable detrimental impact on'</b>
	<b>At the end of the second bullet point add '; and'</b>
Monitoring and Review	<i>Insert a new paragraph (9.2) to read: 'A key stage in the monitoring a review process review will be reached once the emerging Local Plan is adopted. This may have an impact on the strategic need for future development in the neighbourhood area. Any review process could usefully address the development or otherwise of the housing sites included in Policies H1 and H2 of this Plan.'</i>

#### 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 Sedgeford 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 Sedgeford 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 concur with Examiner's conclusion that nothing has been suggested which would require an extension of the area beyond that originally designated (20/07/2016).

Decision made by:



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Geoff Hall  
Executive Director Environment and Planning

18/07/19

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Date

