

Response to examiners questions

Questions of clarification from the Independent examiner to the Parish Council & BCKLWN sent on 20 December 2019	BCKLWN responses	Holme next-the-sea responses
1. Please could BCKLWN briefly confirm the latest position on the review of the Local Plan?	The BCKLWN is currently engaged with the Local Plan Review. We have completed Regulation 18 and are currently working through consultation comments. The Local Development Scheme which reflects the process of our review programme is out of date and will be updated in due course. We are currently running around three months behind schedule to a number of reasons including the analysis of consultation comments taken longer than originally anticipated. The next stage being Regulation 19 & 20 is now anticipated to be late spring 2020.	N/A
2. Please could BCKLWN provide a list of those individuals and organisations that have made representations at submission stage? [This has already been provided separately thank you]	Done.	N/A
3. In relation to various locations referred to in the representations, please	N/A	Please see HNTS PC's response to the Regulation 16 representations. This map is supplied on page 3.

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<p>provide a map showing the location of Ocean Breaks, Inglebrook, The Poplars. This map does not need to be anything other than a rough sketch or indication, just so I can check my understanding of the location of these properties/sites is correct.</p>		
<p>4. Please advise me of the redacted elements of the representations from Maxey Grounds and Lanpro so I can fully and properly understand the representations.</p>	<p>These representations have been sent to the examiner.</p>	<p>N/A</p>
<p>5. Please confirm that the PC did not wish to make any comments on the representations received at submission stage or send me a copy of those comments. I would however appreciate any comments or suggested amended text in relation to the representation from the Environment Agency in relation to the comments</p>	<p>Conversations with the PC took place, they wished to make response and have done so.</p>	<p>The PC's response is attached</p>

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made in respect of Part A.		
6. The Plan is in many parts. It would be my intention to recommend that Parts A – D inclusive are regarded as the development plan and the other parts are separated from these four elements and regarded as supporting documentation. Does the PC or LPA have any comments on this?	We support this recommendation.	This is as anticipated
7. Was it the intention that the proposed site allocation subject of Policy HTNS 15 (Eastgate Farm) be subject to the requirements of Policy HTNS 18 (Principal Residences)?	N/A	Yes. Part B, of the Plan, Paragraph 2.1.3 states that “Unless stated otherwise, each policy in the Neighbourhood Plan is subject to all other policies in the Plan and to the policies of the Local Plan and the National Planning Policy Framework (NPPF).” This could be emboldened or italicised for greater emphasis if necessary.
8. How might I reconcile the objection from Norfolk County Council on highways grounds to the proposed site allocation (Policy HTNS 15)?	We would like the examiner to make the view of balancing the issues set out here. The objection is acknowledged; however, there is a wider objective of a small amount of ‘sustainable’ development and this is important locally. The PC justify their position of encouraging development with a detailed commentary of previous highway / planning situations in the	Our further comments on this are set out in Section 4 (paras 4.1.7 – 4.1.8) of our response to the Reg 16 Representations. We see the allocation as offering an opportunity to improve on the current situation. The Borough Council’s view is important in this respect.

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	village. The Borough would want to support the parish.	
9. Does the proposed site allocation (Eastgate Farm/Policy HTNS 15) site fall within a) the Development Envelope and/or b) the Village Boundary and/or c) the Conservation Area?	N/A	(a) No (b) No (c) No
10. Could BCKLWN please confirm that the "Conservation Area Draft Character Statement" of 1992 is the latest available document in respect of the Conservation Area and send me a copy or a link to it?	This is confirmed. https://www.west-norfolk.gov.uk/info/20081/conservation_and_listed_buildings/139/conservation_areas	N/A

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Further questions of clarification from the Independent examiner to the Parish Council & BCKLWN sent on 23 December 2019	BCKLWN responses	Holme next-the-sea responses
<p>11. The Conservation Area Map in the Plan shows listed buildings and important unlisted buildings. A comparison with the Map included with the Character Statement 1992 shows some differences. I appreciate that things will have moved on and that changes may be occurred over this time period. However, please will you check the Conservation Area Map included with the Plan and confirm that it shows the listed buildings and important unlisted buildings correctly and reflects the current position in relation to both categories identified or alternatively indicate what changes if any should be made to it?</p>	<p>We have discussed these comparisons with the parish council and support the proposition made.</p>	<p><i>For the purposes of the NDP we propose that we:</i></p> <ol style="list-style-type: none"> 1. Make the map in the NDP consistent with the map in the Character Statement <i>so that all of the documents in the Public Domain are consistent</i> – except for the addition of the War Memorial which we will include in the NDP. 2. Update the NDP text to reflect these changes 3. Update the Heritage Report for the same reason 4. Add a disclaimer to the map in the NDP pointing out that the BC hold the definitive, current records on the Conservation Area, Important Unlisted Buildings and that the map is for guidance purposes only.
<p>12. Was it the intention that Policy HTNS 9 applies to holiday cottages i.e. permanent</p>	<p>N/A</p>	<p>No – the Policy context explains what is included but maybe it would be helpful to</p>

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<p> dwellings let out as holiday accommodation as well as caravan, mobile homes, camping sites (of all varieties), cabins and lodges?</p>		<p>make explicit reference to the exclusion of permanent dwellings? We propose modification of para 11.1.3 as follows:</p> <p>Recognising that the variety of tourist accommodation on offer is now extremely wide, the scope of the policy includes but is not limited to: static caravans, cabins and lodges, yurts, luxury accommodation including glamping and shepherds huts and all other static/semi-permanent/permanent structures intended for holiday letting whether pre-fabricated or assembled on site, as well as pitches for touring caravans, campervans and tents, plus all associated facilities. It excludes permanent dwellings used or let for holiday accommodation.</p>
<p>13. Is there a potential or actual conflict between Policies HTNS 4 and HTNS 9 for existing camping and caravan sites that fall within the proposed Adaption and Resilience Zone?</p>	<p>Examining these policies the BCKLWN do not believe there is a potential or actual conflict between HTNS4 and HNTS9. The potential conflict would seem to emanate from the current status of the caravan / camping uses subject to the appeal. If found lawful / permission granted then they would be ‘existing’ in a planning sense, if not they would not benefit from the provisions of the policies.</p>	<p>The ARZ was first proposed in 2016 following discussions with NCC and subsequently NCP, EA and Natural England. It was designed to ensure it excluded any existing development (including camping and caravan sites) which might not be consistent with its purpose.</p> <p>However, development of a camping and caravan site at the Poplars started in</p>

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		<p>summer 2018 without planning permission and in August 2019 spilled over into Inglenook – also without planning permission. The sites are therefore unlawful and also contrary to existing planning policy. The BC has taken enforcement action against the Poplars part of the development. The Inglenook element has subsequently become the subject of an LDC application.</p> <p>The owners and their agents (AR&V Investments and Lanpro) appealed against the Enforcement Action on Grounds A, C and D. They have subsequently withdrawn their Ground C and D appeals which claimed that the development was lawful but they have continued with Ground A (Deemed Planning Application) in an effort to make it lawful (more detail and reference to the Appeal is provided in our Reg 16 response).</p> <p>Clearly there is conflict here between the owners/agents of this site and both the Local Plan and potentially the NDP. It is symptomatic of the development pressure which exists in Holme and not the only instance of large areas on the</p>
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		<p>margins of the village which have been subject to enforcement activity (development has recently been controlled at two large sites on Beach Road following intervention by the BC Enforcement Team).</p> <p>In the absence of any camp sites in the ARZ there can be no conflict between policies HNTS 4 and HNTS 9. Were it the case that the Appeal Inspector ruled against the BC in the Appeal or the BC awarded an LDC to Inglenook there would be potential for very slight conflict between the two policies because in relation to appropriate development HNTS 4, points iii and v, might be construed as conflicting with HNTS 9 – “Proposals which facilitate adaptation and resilience of <u>existing</u> holiday accommodation sites or units will be supported”</p>
<p>14. The definition of “infilling” differs between Policies HNTS 2, Policy HTNS 14 and the Glossary. I consider this may lead to confusion. Please provide a preferred definition which can be used consistently across the policies and Glossary.</p>	<p>N/A</p>	<p>We agree (thank you) and propose that the definition of infilling is standardised as follows based on the SADMP: “<i>The sensitive infilling of small gaps within an otherwise continuously built up frontage facing the existing road network</i>”</p>

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		<p>The proposed changes would be as follows:</p> <p>HNTS 2:</p> <p>POLICY HNTS 2: HOLME VILLAGE ZONE Development Envelope: Within the Development Envelope new infill development within gaps between or adjacent to existing dwellings and fronting onto the existing road network the sensitive infilling of small gaps within an otherwise continuously built up frontage facing the existing road network will be permitted provided that it conforms to the other policies of the NDP and the Local Plan.</p> <p>HNTS 14</p> <p>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 and constitute sensitive infilling of small gaps within an otherwise continuously built up frontage of small gaps within an otherwise continuously built up frontage facing the existing road network.</p>
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		<p>Glossary</p> <p>Infill development The development of a relatively small gap between existing buildings. The sensitive infilling of small gaps within an otherwise continuously built up frontage facing the existing road network</p>
<p>15. Should the key on the Plan Zones and Village Inset maps read “Flood Zone 2” / 3 rather than “Flood Map 2” / 3?</p>	<p>We agree this should be changed to ‘Flood Zone’.</p>	<p>Yes. This change will be made.</p>

Date Rev 1 09/01/2020