

HOLME-NEXT-THE-SEA

NEIGHBOURHOOD PLAN 2016-2036

RESPONSE TO REGULATION 16 REPRESENTATIONS



December 23, 2019

Revised January 9, 2020

1 INTRODUCTION

- 1.1.1 The Parish Council would like to thank our Neighbourhood Plan Examiner for providing the opportunity to comment on the representations made on the Submission Plan. Whilst we appreciate that a response is not mandatory it ensures that contributors know that their views have been considered.
- 1.1.2 We would also like to thank the contributors to this and earlier consultations. One of the great benefits of developing the NDP has been the ability to highlight issues and opportunities facing the parish and to draw on the knowledge and experience of a very wide variety of people and organisations who have been willing to contribute to the realisation of the vision. The positive comments and suggestions received at this consultation from the BC, Norfolk Coast Partnership, the Environment Agency and Anglian Water are just a few examples of this.
- 1.1.3 Despite the many positive contributions there are still some objections from the development industry and these are the focus of this document.
- 1.1.4 The following sections contain our responses to the Regulation 16 representations. These are organised as follows:
- Site Selection
 - Principal Homes Policy
 - Allocation Site Viability
 - Tabulation of all comments received and responses
 - Appendix 1: Housing requirements for NDPs
 - Appendix 2: Detailed response to Maxey Grounds representation
 - Appendix 3: PINS correspondence on Lanpro Enforcement Appeal

2 SITE SELECTION

- 2.1.1 The NDP has been prepared against a background of significant pressure for development in the Parish. The map and table below shows the five sites that were evaluated for possible allocation in the preparation of the NDP plus two objections/proposals that have emerged at Regulation 14 and 16 stages. It also shows Drove Orchards which is a proposed zone and focus for business and tourism related activities in the NDP. The proposed development boundary is shown in black.
- 2.1.2 Site B (Eastgate Barn) was selected for a proposed housing allocation following a rigorous process of consultation and assessment using the accepted HELAA methodology. Site A, Drove Orchards, is an established location for a variety of businesses linked to tourism and farm diversification.
- 2.1.3 Although there is no established need in Holme for additional housing, the Community has indicated that it would like to see the Eastgate Barn Site developed for Principal Homes as

per the proposed NDP Policies – HNTS 15 and HNTS 18. Its allocation is explained and justified in the Housing Evidence Paper.

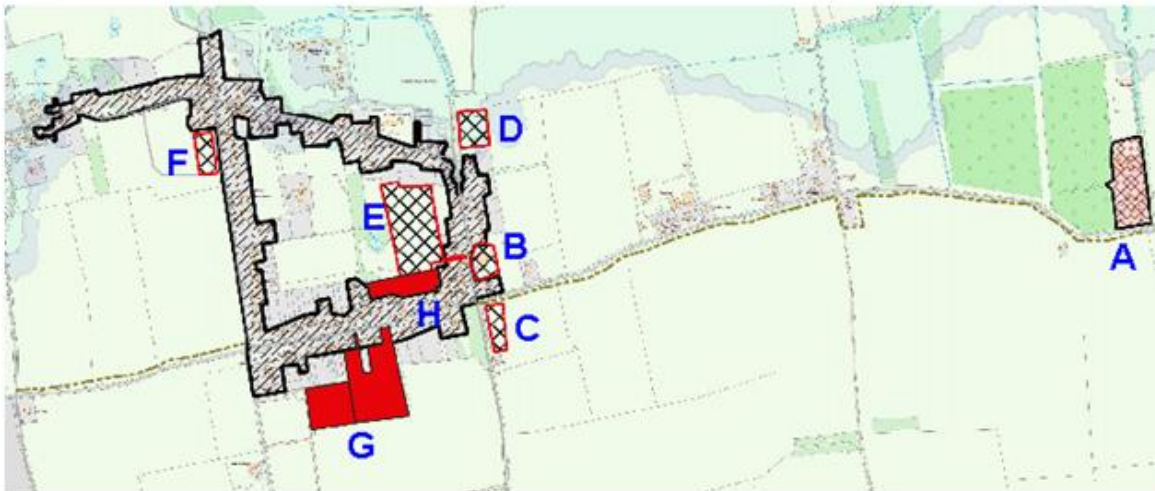
- 2.1.4 With regard to housing, recent research carried out by the BC in conjunction with the Local Plan Review (September 2019) indicates that they will not be seeking additional housing numbers through Neighbourhood Plans unless Parishes wish to make provision for particular housing developments (See Appendix 1). The Borough Council has indicated that the NDP policy approach is consistent with the Local Plan - the proposed housing allocation coupled with organic growth more than meets the envisaged future needs of the Parish.
- 2.1.5 The proposed zone at Drove Orchards ensures sufficient capacity to meet any future economic development needs which are appropriate to its location. The Economy Evidence Report shows that Holme is already punching above its weight in terms of its contribution to the local economy.
- 2.1.6 Many of the detailed objections voiced at Regulation 14 and 16 are clearly designed to promote the development of additional or alternative sites. No convincing justification or evidence has been provided to show that any of the sites which are the subject of objections (D,E,G and H in the Table below) would provide viable/better alternatives to those selected.
- 2.1.7 Against the policy background relevant to the AONB location, the Protected Sites and Holme's status as a Smaller Village and Hamlet the expectation is for only modest amounts of development linked to specific identified needs. In this respect, the Parish Council is satisfied that the proposed NDP policies are justified and appropriate to the future needs of the Parish.

3 THE PRINCIPAL HOMES POLICY

- 3.1.1 As the BC has noted in its consultation response, this is a highly emotive topic and it is one to which strong objections remain from some of those with land holdings and development interests in the Parish. However, this policy has very strong support from the community (both *principal and second home owners*) and contributes to one of the most fundamental objectives of the plan.
- 3.1.2 The evidence of a declining resident population and a growing number of second homes/holiday lets presented in the evidence reports is not in doubt. It shows that the level of second home ownership in Holme far exceeds that in many other areas that are pursuing this type of policy and is substantially greater than that of St Ives at the time their principal homes policy was challenged in the Courts.
- 3.1.3 The harm that this level of second home ownership can inflict on rural and coastal communities has been recognised since the '60s and highlighted in work commissioned by the Countryside Agency over 15 years ago (Gallent et al., 2004, Second Homes: A new framework for policy, Town Planning Review, v75) when a number of policies were proposed to help manage the problem.
- 3.1.4 Despite this, no real progress has been made until the introduction of the Localism Act provided those communities affected (by what is now recognised as a growing problem – see St Ives Judgement) with the ability to implement local policies designed to help address the issue. Whilst there is great debate on the topic, independent research funded by ESRC (Barnett, J. Exploring the impact of second home ownership for developing sustainable

communities, unpublished Phd, University Exeter, 2013) has concluded that for the communities affected the situation is not sustainable.

Sketch map showing approximate boundaries of sites



	Map Ref	Owner/Agent	Source	Status	Reg 14 Objection	Reg 16 Objection
Drove Orchards	A	Mr A. Jamieson	Existing & Consultation	Proposed zone	No	No
Eastgate Barn	B	Mr G Renaut/Cruso & Wilkin	NDP Consultation	Proposed allocation	Mr Renaut – no Cruso & Wilkin - yes	Yes
Old Cricket Pitch	C	Mr G Renaut/Cruso & Wilkin	NDP Consultation	Rejected allocation site	No	No
Marsh Lane	D	Ocean Breaks/Abbey Group	LDF Call for Sites & NDP Consultation	Rejected allocation site	Yes	Yes
Land west of Eastgate	E	Mr & Mrs Starr	LDF Call for Sites & NDP Consultation	Rejected allocation site	Yes	No
Peddars Way	F	Holme Parish Council	NDP Consultation	Rejected allocation site	No	No
Poplars / Inglenook	G	AR&V Investments Lanpro Mr S.Lucas	Reg 14 Objection	Appeal against alleged unlawful use - deemed planning application for campsite (Poplars) LDC application for campsite (Inglenook)	Yes	Yes
Rear of Vine Cottage	H	Mr & Mrs Starr/Maxey Grounds	Reg 16 Objection	Land in multiple ownership – not assembled	No	Yes

- 3.1.5 Given the evidence presented in the NDP reports and this background, planning policy intervention as proposed in the NDP is clearly justified. In their Regulation 16 representation the Norfolk Coast Partnership have commented that they are interested to see the Principal Homes Policy implemented and whether it can be used in other AONB areas.

4 ALLOCATION SITE VIABILITY

- 4.1.1 Although the owner/agent for Eastgate Barns support the principle of its allocation they object to HNTS 18 (Principal Homes) and have questioned whether the development of the site would be viable under this policy. They suggest it will depress the price of new homes by around 40%. This viability argument assumes that the cost profiles for the development, with and without HNTS 18, will be the same - ie that land costs and variable costs will not fall in response to lower selling prices. This is unrealistic and must over-estimate the financial impact of the reduced sales price on the profit.
- 4.1.2 The agent is concerned that the NDP has not assessed the site's viability or referred to PPG 002 10-002-20190509. This guidance is concerned with viability in respect of developer contributions. Until recently there has been a requirement for affordable housing in connection with new developments. This is no longer the case and the absence of any requirement for a developer contribution towards affordable housing in this case would further offset the assumed financial impact of the Principal Homes Policy.
- 4.1.3 There is actually no evidence to indicate what the financial impact of the Principal Homes Policy would be in Holme. In July 2019, a report in The Economist suggested that the St Ives Policy had caused the price of new homes in the town to fall by 13% - albeit against the anticipated growth in prices. However, it is early days and there appears to be no independent research into the financial impacts. What is clear is that without some form of policy intervention the current unsustainable trend towards growth in second homes will continue.
- 4.1.4 Although it is accepted that the Principal Homes Policy may reduce the residual value of the land, the exceptionally high value of property in the vicinity and the pressure for development suggest that there is generally no issue with viability in Holme.
- 4.1.5 It is acknowledged that Cruso and Wilkin on behalf of Mr Renaut continue to support the principle of an allocation at Eastgate Barns. However, the evidence reports underlying the NDP make it clear that the social and environmental costs of building homes which will not be principal residences are unacceptably high and not consistent with sustainable development.
- 4.1.6 The Principal Homes policy is seen as an essential element of the NDP. But, whilst the allocation would kick start the process of ensuring a stronger resident community, the level of development interest in the Parish indicates that the organic growth in housing will satisfy NDP objectives. It is of course very much hoped that the allocation will proceed under the proposed Principal Homes Policy but it is appreciated that the current land owner may not wish to proceed on this basis.

- 4.1.7 NCC's concerns with regard to traffic are acknowledged and dealt with in our response to the Regulation 14 consultation. To our knowledge the Highways Authority did not object to an application for six new houses accessing Eastgate at a point immediately opposite the allocation site (Application 16/00697/O). Similarly, they have not objected to recent proposals for four very large, new/replacement family homes nearby on Eastgate and Kirkgate which cumulatively will result in a similar or greater traffic impact. In the event that the allocation were to proceed, by removing farm traffic from Eastgate and the junction with the A149 it would offer an opportunity to improve the traffic situation for adjacent property owners as well as pedestrians and car users.
- 4.1.8 Finally, it is worth noting that NCC object in principle to any residential allocation that does not offer a footpath to school. While this makes sense in relation to large or urban allocations it is too restrictive in relation to rural locations, particularly villages where there is no school and is not consistent with the approach taken by PPG regarding housing in villages (PPG ref 67-009-20190722). The examiner accepted an allocation despite a similar objection in the Sedgford Neighbourhood Plan, though it is acknowledged that there is a school in that village.

5 TABULATED COMMENTS AND RESPONSES

BCKL WN ID	Respondent	Comment	Response
16	Mr Robert Bowman	Supports	Acknowledged with thanks
17	BCKLWN (Mr Alex Fradley)	Supports	Both the introductory and predominantly positive comments are noted and acknowledged. The BC's support in preparation of the NDP is greatly appreciated.
		HNTS 17 Extensions Removal of Permitted Development Rights	This matter has been discussed at meetings with the BC. It would work by decision takers considering whether removal of PD Rights might be appropriate and if so granting permission subject to an appropriate condition. This already happens in some circumstances. The policy prompts such consideration but does not require it.
		HNTS23: Pollution policy Lack of clarity, scope and enforcement	<p>This is a forward looking policy which has regard for the upcoming Environmental Principles Legislation which will provide support for enforcement. Preventing pollution is at the heart of the bill and is fundamental to the principles set out in Para 2 (a-f, particularly f).</p> <p>The Policy is intended to apply to all development.</p> <p>The following change is proposed to aid clarity:</p> <p><i>"Development proposals will be permitted provided they can demonstrate that due care has been taken to ensure that any associated pollution from greenhouse gases, dust, noise, litter, vibration, light, odour, waste, chemical or other sources will not impact negatively have a significant negative impact on the natural environment or the community. Taking into account cumulative impacts they should not have a negative effect on ecosystem services now or in the foreseeable future".</i></p> <p>The EA, Anglian Water (and others) support this</p>

BCKL WN ID	Respondent	Comment	Response
			policy and we acknowledge their help in drafting it. The evidence reports demonstrate that pollution is a significant issue in Holme.
15	Lanpro Services (Mr Philip Atkinson)	Object especially HNTS 2, 4-11, 14, 16-18, 21, 25.	<p>The comments on behalf of AR&V have been considered at length at Regulation 14 stage (see Consultation Statement (Appendix 19, p171-172 and Appendix 22, p203-210).</p> <p>It is not considered that the Regulation 16 comments add any significant new information to the Consultation. However, with respect to the contention that the <i>“NP fails to recognise the existing lawful Inglenook and The Poplars camping, motor home and caravan sites”</i> it is noted that Grounds C and D of AR&V Investments Appeal against enforcement relating to alleged unlawful campsite development at the Poplars were withdrawn following publication of third party evidence and the Inspector’s pre-hearing note. Only Ground A (Deemed Planning Application) is being pursued. For details of the appeal see https://online.west-norfolk.gov.uk/online-applications/enforcementDetails.do?keyVal=PBCKMRIV07800&activeTab=summary See also Appendix 3.</p> <p>The main basis for this objection is that the agricultural land assembled by AR&V beyond the southern margin of the village has not been allocated for development.</p> <p>The amount and location of development in the NDP has been carefully considered and justified on social, economic and environmental grounds in the evidence reports. It has been guided by the clear preferences of the community and finalised on the basis of thorough consultation.</p> <p>In contrast, while this objection is very forcefull, it is neither supported by justification nor evidence. Almost all of the Policy objections are based around the statement that <i>“My client objects to the wording of this Policy as it is not positively prepared...”</i>.</p> <p>The NPPF defines ‘positively prepared’ as <i>“providing a strategy which, as a minimum, seeks to meet the</i></p>

BCKL WN ID	Respondent	Comment	Response
			<p><i>area's objectively assessed needs</i>". The needs of the Parish are assessed in the evidence reports. For housing, they have been objectively assessed by the LPA and the proposed NDP provision exceeds this assessed need (see Appendix 1).</p> <p>Notwithstanding the above, it is contended that the NDP policies satisfy the Basic Conditions requirement (see Basic Conditions Statement). This is a matter for the Examiner to decide.</p>
9	Environment Agency (Mrs Elizabeth Mugova)	Supports	We acknowledge and thank the EA for their very positive support.
		SMP policy was not 'downgraded' (Now Part A, para 2.7.3)	Proposed change – alter ' downgraded ' to ' changed '.
		Reference to R. Hun (Part A, 2.7.7) and WFD compliance assessment	<p>Proposed change – New Para 2.7.8</p> <p>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 (https://norfolkriverstrust.org/wp-content/uploads/2019/02/River_Hun_CatchmentPlanOnlineCopy.pdf) and this recognises the need for improvements to a catchment that supports internationally recognised wildlife conservation sites. 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.</p>

BCKL WN ID	Respondent	Comment	Response
		8m Buffer Zone suggested for Hun	<p>We believe that Policy HNTS 24 (i) covers issues relating to WFD compliance in a manner appropriate to the Parish and in an appropriate way given the uncertainties arising as a result of Brexit.</p> <p>The Hun in Holme is almost entirely within the Protected Sites and just a small area to the west not included. The NDP Team is already liaising with Old Hunstanton Parish Council wrt to their NDP and will follow up this suggestion with them. Policies HNTS3 and HNTS 3 (Protected Sites) and HNTS 5 (Countryside Zone) go a long way towards covering this requirement.</p>
		HNTS 7 Natural Capital Ongoing funding considerations	<p>Whilst recognising the value of the suggestions relating to funding – At this stage this is something that will need to be investigated in detail outside of the Plan. Further discussion with the EA would be very welcome in this respect and will be followed up.</p>
		HNTS 24 Water Resource Management Ambition to have new development that minimises consumptive water use, harvesting rainfall, re-using grey water and promoting new technologies for resource management and flood/sediment control	<p>Following Reg 14 consultation feedback from the Lead Local Flood Authority and Anglian Water much of this has been included in the policy</p>
		Water Quality Report	Comments and encouragement provided are acknowledged and very welcome.
14	The Abbey Group (Mr Andrew Brand)	Objects	
		Reg 14 Representation is to be carried through to Reg 16.	Noted. Our response incorporated into the Consultation Statement still applies.

BCKL WN ID	Respondent	Comment	Response
		<p>HNTS 9: Touring & Permanent Holiday Accommodation.</p> <p>Lack of conformity of the NDP with the overarching policy framework</p>	<p>It is contended that the NDP is in general conformity with the strategic policies of the Local Plan as demonstrated in the Basic Conditions Statement.</p> <p>The relevant LPA Reg 16 response reads <i>“The policy seems appropriate given the level of holiday accommodation compared to the population/number of dwellings in the NP area, given the status of Holme as a Smaller Village & Hamlet, and the sensitive nature of the local environment”</i></p>
		Inappropriate NDP timeframe	<p>The original Reg 14 response still applies. The NDP has not relied on any Draft Local Plan policies as can be seen from the policy references in the Plan. At the outset, the time horizon for the NDP was discussed with the BC and it was agreed that it made sense to work as closely as possible to ensure that the NDP met the Basic Condition of general conformity with the Local Plan whilst being in harmony, as far as possible, with thinking on the emerging Local Plan.</p> <p>Interestingly the NPPF has been revised/ updated twice since work commenced on the NDP and relevant environmental legislation is undergoing major change.</p> <p>It is also worth noting that the NDP deals with some issues – especially in relation to flooding and coastal change – which benefit from a long term approach.</p>
		Unjustified precautionary approach and confusion over the number of mobile homes	<p>Our response to this comment at Regulation 14 stage still stands.</p> <p>There is no confusion over numbers of caravans. This can be checked in five minutes on Google Earth.</p> <p>It is relevant to note that when the North Norfolk Coast AONB was designated the decision was taken to exclude areas adjacent to Holme with large numbers of caravans (Hunstanton, Snettisham and Heacham) due to their negative impact on the landscape (see NCP website).</p> <p>Further provision of mobile accommodation would undermine the AONB status of the Parish.</p>

BCKL WN ID	Respondent	Comment	Response
		Lack of consistency with national and local plan policies for tourism and rural development – especially NPPF 83 and Core Strategy Policy CS10	<p>This point was dealt with in our response to the Regulation 14 Consultation.</p> <p>It can be added that the NDP is aligned with the overwhelming balance of current policy as embodied in the BCKLWN Local Plan.</p> <p>The balance between DM11, CS10 and NPPF83 (NPPF Section 3, Para 28 at the time of adoption) was considered by the Inspector when the SADMP was examined and approved. It is worth noting that Policy DM11 was screened out of the SADMP HRA on the assumption that new/expanded caravan sites would not be developed close to EU Protected Sites.</p> <p>This policy position is reinforced by recently dismissed appeals – one made by Ocean Breaks/Abbey Group in Holme and one made by Patrick Wales in nearby Titchwell:</p> <p>AppealRef:APP/V2635/W/17/3176143 Land north east of The Old Smithy, Eastgate Road, Holme-next-the-Sea, Norfolk PE36 6LL</p> <p>Appeal Ref: APP/V2635/W/18/3205450 Field Opposite Choseley Road, Titchwell, Norfolk PE31 8ED</p> <p>DM11 is clearly accepted as being consistent with both the CS and the NPPF. HNTS9 is therefore similarly consistent.</p>
10	Historic England (Mr Edward James)	Supports	Acknowledged with thanks
12	Norfolk Wildlife Trust (Mr Mike Jones)	Supports	Strong support acknowledged with thanks
		<p>HNTS 21 (now HNTS 22) Biodiversity</p> <p>Emphasise net gain in Biodiversity</p>	<p>In the light of this comment we propose minor change to Policy wording: “<i>Identifying opportunities for improving creating net gains in biodiversity by providing new habitat patches however small and by</i></p>

BCKL WN ID	Respondent	Comment	Response
		Include explicit reference to likelihood of finding Natterjack Toads	<p><i>incorporating planting and water features that provide habitat and sources of food for wildlife – especially Protected Species including Water Vole, Natterjack Toad and Great Crested Newt and the many migratory bird species which depend upon Holme's function as a node in the Natura 2000 Network.</i></p> <p>All Protected Species are covered by the proposed wording which we believe will raise awareness of the issues. It would be unreasonable to require every development proposal in Holme to be subject to a detailed ecological survey. We agree that more attention needs to be paid to this issue so where there is a significant risk we suggest this is best dealt with through the application consultation process and the PC is already working with the NWT Warden to raise the profile of this issue.</p>
8	Mrs Janet Foster	Supports	Acknowledged with thanks
13	Mr G Renaut (Agent Cruso & Wilkin)	Objects	
		Request for a Hearing	This is a matter for the Examiner to decide
		HNTS 14 New Dwellings NPPF 59 not referenced in Basic Conditions Statement. NPPF70 Not relevant	<p>The Basic Conditions Statement specifically refers to Section 5 of the NPPF which includes NPPF 59. Para 61 is highlighted as being of particular relevance.</p> <p>In conjunction with the BC careful consideration has been given to designing a development boundary and an infill policy which ensures housing can come forward without inappropriate development of residential gardens – as per NPPF 70.</p>

BCKL WN ID	Respondent	Comment	Response
		<p>HNTS 15 Housing Allocation and HNTS 18 Principal Homes</p> <p>NPPF 69 not relevant</p> <p>NPPF 91 (a,b,c) are not relevant and don't further justify the Policy</p> <p>Intervention in housing market not justified</p> <p>Tables 2, 3 and Para 3.2.9. (Viability and need for HNTS 18, concern over Plan period and policy basis in Local Plan).</p>	<p>The reference to NPPF 69 underlines that the Principal Homes Policy refers to the proposed housing allocation.</p> <p>Failure to halt the decline in Holme's resident community is clearly not consistent with NPPF Section 8. With respect to 'inclusive' communities the Housing evidence report (Section 4) shows that permanent residents are being excluded from the village community. This is impacting negatively on the ability to sustain community activities and social interaction.</p> <p>This point was dealt with in the response to Regulation 14.</p> <p>No evidence is provided to support these contentions which are entirely dependent on assumptions on value which seem extreme and are untested.</p> <p>In its response to the Reg 16 Consultation, the BC is satisfied that the NDP policies are in general conformity with the Local Plan and is fully supportive of Policy HNTS 18 – recognising the underlying justification for this in Holme-next-the-Sea.</p>
		<p>Consultation Statement</p> <p>Para 6.8.5 Common misunderstandings in developer representations</p> <p>Page 73: Clarification of meeting arrangements</p>	<p>This point has been dealt with in the Regulation 14 response.</p> <p>The meeting with Mr Renaut was minuted and he received a copy of the minutes – in response to an invitation no comments were received back. We are happy to provide him with another copy on request. The remainder of the meeting (meeting B) discussed unrelated NDP matters.</p>

BCKL WN ID	Respondent	Comment	Response
		<p>Implications of existing use of the site for traffic generation</p> <p>Removal of Mr Renault's previous comments on the NDP from the record.</p>	<p>This point has been dealt with in the Regulation 14 response. Further elaboration is provided in Section 4 of this document.</p> <p>The Consultation Statement has now been in the public domain for a considerable period of time and 'removal' of consultation responses would (a) achieve very little and (b) render the consultation record inaccurate.</p> <p>Although Mr Renault's decision to change his mind on comments made previously is disappointing, it is understood and respected.</p>
		<p>NDP response to Reg 16 Cruso & Wilkin representation</p> <p>Paras 1.5.2 to 1.5.27</p>	<p>The points raised in relation to these paragraphs are noted. In some cases they are helpful – i.e. they confirm that all of the NDP material has been considered when making the representation even if it is not referred to.</p> <p>Generally, however, it is clear that there is basic disagreement over the fundamentals of the NDP. It is considered that our responses to these points at Regulation 14 still stand and a further round of claim and counter claim on these detailed matters will not be helpful.</p> <p>Accordingly, the comments are simply acknowledged.</p> <p>Finally, it is confirmed that no change has been made to the supporting text for Policy 18. The housing policies in the submission version have been restructured as a result of other consultees' responses as well as those of Cruso & Wilkin. The relevant change is in Policy HNTS 15.</p>
11	Mrs Claudia Starr (Agent Maxey Grounds)	Objects	Please see detailed response in Appendix 2

BCKL WN ID	Respondent	Comment	Response
7	Norfolk Coast Partnership (AONB) (Gemma Clark)	<p>Supports</p> <p>Part A – 2.6.4: County Wildlife Sites</p> <p>HNTS 5: Countryside and development of Exceptional design</p> <p>HNTS 6 Drove Orchards (Signage)</p> <p>HNTS 20 AONB Landscape (refs to ICLA & ILP guidance)</p> <p>HNTS 22 Biodiversity Environmental Net Gain</p> <p>Bird and bat boxes, native planting</p>	<p>The NCP's strong endorsement of the Submission Plan and constructive comments are acknowledged with thanks. Their input to the NDP via meetings, support for Hun catchment water quality analysis and the seminars and networking they offer on AONB management have all been invaluable.</p> <p>There are no CWS or RGS in Holme – but this might be a possibility to be explored in the future as part of the Parish's efforts to adapt to Climate Change.</p> <p>We believe the Policy is consistent with NPPF 79 as it stands. It specifically refers to '...high standards of design'.</p> <p>We believe the signage issue is covered by proposed Policy HNTS 21</p> <p>The following change is proposed to 22.3 Evidence and Policy Framework para of HNTS 20.</p> <ul style="list-style-type: none"> Norfolk Coast AONB, Management Plan Strategy – 2014-19 (Norfolk Coast Partnership) NCP Integrated Landscape Character Assessment http://www.norfolkcoastaonb.org.uk/partnership/integrated-landscape-character/370 Institute of Lighting Professionals - http://www.britastro.org/dark-skies/pdfs/ile.pdf <p><i>It is proposed to include explicit reference to Net Gains – for text please see response to NWT above.</i></p> <p>These comments are already covered in general by the policy.</p>
6	Norfolk County Council (Planning & Transport)	<p>Objects</p> <p>LLFA and HE team comments</p> <p>Traffic/school provision</p>	<p>Noted with thanks</p> <p>Our initial response at the Regulation 14 Consultation has been explained further in section 4 of this document.</p>

BCKL WN ID	Respondent	Comment	Response
1	Natural England	Supports	Acknowledged with thanks
4	Mr Nathan Makwana (Anglian Water)	Supports	The NDP team are grateful to Anglian Water for their input and advice.
		Re policies HNTS 4 and HNTS 23	Noted with thanks
		Possibility of continued dialogue	We welcome this and will follow up
3	Mrs Tina Ham	Supports	Acknowledged with thanks
2	Mr Anthony Foster	Supports	Acknowledged with thanks We would also like to thank the Village Information Network for help in publicising the NDP throughout its preparation.
5	Highways England (Mr Connor Adkins)	Supports	Acknowledged with thanks

6 APPENDIX 1: HOUSING REQUIREMENTS FOR NDP (SEPTEMBER 2019)

From: [Planning Policy email](#)
To: [Katie Evans](#)
Cc: [Alex Fradley](#)
Subject: Emerging Local Plan review & Neighbourhood Plans
Date: 27 September 2019 13:42:21
Attachments: [Local Plan Review 2016-2036 Consideration of the Latest Housing Numbers August 2019\(1\).pdf](#)

Dear Sir/Madam,

Please ignore the last email, the document did not attach apologies for this. Please find attached now.

Emerging Local Plan review & Neighbourhood Plans

-
As you may be aware the Borough Council has previously provided communities preparing a Neighbourhood Plan with an indicative housing number to work towards in terms of residential housing allocations required.

Following responses to the draft Local Plan review consultation earlier this year and significant changes to National Planning Policy and guidance made by Government with regards to housing numbers we have reviewed the latest housing numbers and the strategy to accommodate these across the Borough (Please see the attached paper for a detailed breakdown). This paper has recently been to the Local Plan Task Group for Member consideration (4 September 2019) and Members are content at the moment that this is what officers should be working to, in terms of the emerging Local Plan review and housing numbers. We must stress that this at the moment as part of the preparation of the Local Plan review, and as always things could change.

The implications for a Neighbourhood Plan is that rather than the Borough Council asking for an indicative housing figure to be sought through the Neighbourhood Plan, there would be no absolute requirement to do so as the paper explains the housing figure to find through new housing allocations is 0. However, a Neighbourhood Plan that wished to provide growth would be more than welcome to do so and it is something which the Borough Council would support. For example if there was a brownfield / dilapidated site that would be better used as something else. Or simply the local community want more housing or housing of a certain type i.e. custom and self-build etc....

What this doesn't mean is no more homes across the Borough at all. The Local Plan review will seek to carry forward the majority of the housing allocations made by the previous plan. It is also important to note that one of the basic conditions for Neighbourhood Plans is to support sustainable development, and in the attached paper you will see there is an appreciation of windfall development i.e. those sites which aren't allocated in the Local Plan or Neighbourhood Plan which will still come forward, such as redevelopment within the development boundary for example. So there is an anticipation that such sites will continue to come forward and provide housing across the Borough.

Apologies that this information hasn't been shared with you sooner. I'm sure that you can appreciate the situation has been in state of flux till very recently. Inevitably many parishes have already commenced work on site searches and appraisals. Clearly this is a useful exercise as many landowners will wish to promote their site, and you are well advised to have an answer to that. Ultimately in the light of the re-calculation you can decide on whether sites should be

brought forward for local reasons.

If you are concerned about this and the impact it may have upon your emerging Neighbourhood Plan, please don't hesitate to contact us at planning.policy@west-norfolk.gov.uk.

Kind regards,

Mr Alan Gomm
Planning Policy Manager
planning.policy@west-norfolk.gov.uk

7 APPENDIX 2: DETAILED RESPONSE TO MAXEY GROUNDS REPRESENTATION (ON BEHALF OF MR & MRS STARR)

7.1 Summary of the Maxey Grounds Case

7.1.1 The objections and comments cover 6 proposed policies

- HNTS 2 Holme Village Zone
- HNTS 9 Touring and Permanent Holiday Accommodation
- HNTS 10 Overall Form and Pattern of Settlement
- HNTS 11 Street Scene, Character and Residential Environment
- HNTS 12 Conservation Area
- HNTS 13 New Homes

7.1.2 It is assumed that this objection supersedes three previous objections made variously by Mr Malcolm Starr and Mrs Claudia Starr at Regulation 14 stage. It is made primarily to enable the release of land for housing development (marked H on the sketch map). Modification of the six policies above would facilitate the envisaged pattern of use for the land involved.

HNTS 2 Holme Village Zone

7.1.3 It is suggested that extending the proposed NDP development boundary would enable the consolidation of areas *“where development has already occurred in depth and infilling could be used to bridge ... gaps...”*. This would be consistent with the proposed policy of infilling and the plots of land released in this way would lead to a scale of development consistent with Holme’s status as a Smaller Village and Hamlet.

7.1.4 As one example of what could be achieved, the objection argues the case for changes to the proposed Boundary to include garden land and countryside to the north of the line of properties along this part of Main Road, including a part of the land in the ownership of Mr & Mrs Starr. This change is indicated on a copy of the NDP Inset Map. It is suggested that such changes could be used to round off the development area.

7.1.5 It is noted that *“whilst the community preference is to avoid back land development policy dictates that development must cause demonstrable harm to be restricted or refused”*.

HNTS 9 Touring and Permanent Holiday Accommodation

7.1.6 It is stated that this policy restricts the use of properties in the village so that they cannot be used as second homes or holiday accommodation and may therefore threaten the local economy.

HNTS 10 Overall Form and Pattern of Settlement

7.1.7 It is suggested that by extending the development envelope to include land to the rear of Vine Cottage, infilling could be achieved between Manor Court to the East and The Stables to the West. It is also stated that consent for a dwelling (17/00465/F) establishes this form and pattern of settlement and as a result the proposed development boundary should be repositioned so as to also include the garden areas marked on the NDP Inset Map.

HNTS 11 Street Scene, Character and Residential Environment

- 7.1.8 It is suggested that the land to the rear of Vine Cottage can be accessed from Main Road but could also be accessed from Eastgate. New development to the rear of Vine Cottage would not detract from the street scene as it is shielded by existing development.

HNTS 12 Conservation Area

- 7.1.9 With respect to the Conservation Area Character Statement it is noted that Manor Court is described as being sympathetically converted and extended northward. It is suggested that development behind Vine Cottage would be similar to this and would continue the existing pattern of development which follows a historic Roman grid pattern.

HNTS 13 New Homes

- 7.1.10 It is argued that the proposed limit on the size of property in this policy is overly restrictive and that Holme benefits from large plots which are able to support dwellings of a good size. Planning policy dictates that applications should be determined based on design and suitability of location.

7.2 Response to Maxey Grounds representation

- 7.2.1 Proposed NDP policies HNTS 2, HNTS 10 and HNTS 11 are designed to be consistent with the Local Plan – especially SADMP Policy DM3. With respect to housing, this Policy allows for “The sensitive infilling of small gaps ***within an otherwise continuously built up frontage***”. The proposed modifications to the HNTS 2 Development Boundary would not result in a pattern of development that is consistent with this definition because the area involved would not constitute a gap within an otherwise continuously built up frontage. The proposal would not therefore be consistent with the Local Plan.
- 7.2.2 The Proposed NDP Development Boundary has been designed in close consultation with the BC Policy and Development Management Teams. It takes account of the BC’s previous experience with back land development in rural villages and the Development Envelope was revised following discussions with the Policy team in July 2017. It was further revised following feedback from the Development Management Team on the initial set of draft policies taken to the January 2018 NDP consultation - specifically to exclude areas of garden land.
- 7.2.3 The representation acknowledges that the form of development it promotes is back land development. Furthermore, it is in the Holme Conservation Area behind listed (43 Main Rd) and important unlisted buildings (Vine Cottage, the Stables, Barnwell Cottages/Aslack Way and Manor Court). It would thus be contrary to the provisions of SADMP Policy DM15 – Environment, Design and Amenity because it would negatively impact on heritage features and neighbour amenity.
- 7.2.4 The Submission NDP policies designed to resist back land development are not just based on community preference as suggested but are consistent with the provisions of NPPF 70 which state that “*Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area*”.

- 7.2.5 The Submission NDP seeks to preserve the overall form and pattern of the existing settlement. This is an important heritage feature based on Roman Centuriation – a regularly spaced, rectangular grid creating linear development around open green spaces and fronting the existing road network (see Heritage Report).
- 7.2.6 These spaces are central to the character of the village and the NDP seeks to conserve them. The proposed changes would introduce access roads to the most important of these spaces at the heart of the village. This would disturb the regular form and layout. The back land development would encroach onto the land which defines the open, historic core of the settlement and given that there are many other, similar opportunities to access this area of the village would set an unwelcome precedent.
- 7.2.7 Although the representation argues that there is an existing consent for a dwelling under Planning Application 17/00465/F this is not in fact the case (an application is currently under consideration to replace permission for an Annexe (as yet not constructed) with an independent dwelling at this location – see Planning Portal refs 19/02007/F and 19/02084/F). The existing consent is for a residential annexe which is of ancillary use to Vine Cottage. The other buildings cited as representing ‘in depth development’ where gaps could be bridged are garden buildings and stables with no residential use.
- 7.2.8 The case for Policy HNTS 9 has already been discussed extensively in relation to other objections and further evidence can be found in the Economy Report. The Policy is consistent with the Local Plan (Inter alia, Policies DM2, DM3, DM11, CS06, CS10, CS12).
- 7.2.9 Finally, the response to the representation on Policy HNTS 13 (New Homes) and its restriction on size of property has already been dealt with in connection with Mr and Mrs Starr’s representations to the Regulation 14 Consultation. Evidence in support of the need for the size restriction in HNTS 13 can be found in the Socio Economic and Future Housing evidence reports as well as in the Analysis and Overview of the Findings of the NDP Questionnaire Survey.
- 7.2.10 In conclusion, the objections and proposals seeking modification of the proposed NDP Development Boundary are not considered to be justified.

8 APPENDIX 3: PINS CORRESPONDENCE ON LANPRO ENFORCEMENT APPEAL

Hearing			
Date:	17.9.19	Appeal Ref:	APP/V2635/C/18/3216570
Site:	Land to the south of 38 to 42 Main Road, Holme next the Sea		
Appeal by:	A R & V Investments Limited		

Pre-Hearing Note

Whilst I remain open to argument and persuasion on all matters, I feel it will be helpful to both parties to have advance notice of my initial thinking on certain points.

The appeal on ground (c)

On my reading, the appellant's appeal on ground (c) is not actually an appeal on ground (c) at all. Rather, it seems to me that it is an extension of the points made on ground (d). I would of course be prepared to hear a further explanation of the appellant's appeal on ground (c) subject, of course, to no party being prejudiced by the introduction of new points. In that context, you will note that I have set out on the agenda the two considerations relevant to an appeal on ground (c) and would be expect that any discussion on this ground of appeal at the Hearing will address those two points.

The appeal on ground (d)

On my first reading of the evidence, I do not see how the appellant's appeal on ground (d) can succeed. Based on my understanding of the evidence, it appears that the use by an exempted organisation ceased in or around 2012. Even if that use could be shown to have exceeded the limitations set out in Part 5 of the GPDO, there then appears to be break in the use of the land between 2012 and 2015, which would potentially mean that the use did not continue substantially without interruption¹. Then there is evidence to suggest that the land was used for the storage of building materials/waste for a period of some three years from 2015, such that the camping and caravan use resumed only in 2018. This would potentially qualify as an intervening use, thereby 'stopping the clock' at that

¹ See *Thurrock BC v SSETR & Holding (CA)* [2002] JPL 1278

point, or at least as a substantial interruption for the purposes of *Thurrock*. Finally, even if the foregoing is not the case, the evidence would suggest that there has been a material change in the character of the use following the purchase of the land by the appellant, such that a new chapter in the planning history started only in 2018. I reiterate that I am open to persuasion on all the above but these are the points that the appellant will need to address, with evidence, at the Hearing.

Procedure

On first reading of the evidence, my initial instinct was that an Inquiry would be a more suitable procedure in this case: primarily so that the evidence in relation to the appeal on ground (d) could be given under oath. I would welcome the views of the parties on that point, and you will note that I have included an item on the Hearing Agenda to that effect.

My initial thoughts were then reinforced by the late submission of evidence (with my agreement) relating primarily to protected habitats. Having now read that evidence, which in places is quite technical and which in any event is quite extensive, I remain concerned that the local planning authority and/or third parties could be prejudiced by not being a position to properly respond to that evidence.

Nevertheless, my intention at this time is to open the Hearing as scheduled and to proceed with a view to completing the event under that procedure if possible. However, I will keep that under review and if I consider that any party would be prejudiced should we continue, I will abort the Hearing and fix a date for the appeal to be heard at an Inquiry. As a precaution, it may be helpful in that respect if all those taking part in the Hearing could look ahead in their diaries to ascertain when they might be available to attend an Inquiry early in the New Year– possibly over 2 or 3 days.

You will have seen that I have produced an Agenda that sets out what I consider to be the main points for discussion at the Hearing. There is a lot of ground to cover in that Agenda, and I am concerned that one day might not be sufficient. It might well be that I have to conduct the site visit on the following morning and would ask that those attending keep that time free if at all possible.

I re-emphasise that the above represents my initial thinking on first reading of the evidence and that I have not reached a firm conclusion on any of the matters raised above. I only raise the points now to give the parties an opportunity to make targeted submissions and to potentially save time at the Hearing.

Paul Freer

INSPECTOR

September 2019

From: TeamE2 <TeamE2@planninginspectorate.gov.uk>
Sent: 21 October 2019 12:31
To: Parish Clerk <parishclerk@holmentspc.org>
Cc: cllr.bob.lawton@west-norfolk.gov.uk <cllr.bob.lawton@west-norfolk.gov.uk>; Lynn Devereux <Lynn.Devereux@Regis-Solutions.com>; 'Kevin Felgate' <kevinfelgate@hotmail.com>; 'STEFAN SEARE' <stefan.seare@btopenworld.com>; wendynorman37@hotmail.com <wendynorman37@hotmail.com>; 'Martin Crown' <crownm54@btinternet.com>; ermine.amies@gmail.com <ermine.amies@gmail.com>; Robert Burton <meadow.springs@btinternet.com>
Subject: RE: APPEAL Ref: APP?V6235/C/18/3216570 - Land south of 38-42 main Road, Holme-next-the-Sea, PE36 6LA

Dear Sirs

Thank you for your email.

There has been a change of procedure from an Inquiry to a Hearing, which will open on 24 March 2019, potentially lasting 2 days.

The appellant has withdrew grounds C and D, so therefore the appeal will proceed under ground A only.

The LPA will now notify interested parties of the change of procedure and give 6 weeks to submit any comments, should they wish.

Kind regards

Maisie Milton-Newland
Enforcement Case Officer