

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

**Castle Acre Neighbourhood Plan – Decision on  
Examiner's recommendations**

**October 2021**

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



## **Borough Council Decision on the Examiner’s recommendation for the Castle Acre Neighbourhood Plan**

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

Name of neighbourhood area	Castle Acre Neighbourhood Area
Parish Council	Castle Acre Parish Council
Submission Plan (Regulation 16) consultation	26 October – 21 December 2020
Examination	January – June 2021
Examiner’s Report Received	11 June 2021
Consultation on the Proposed Modifications of the Examiners Report	17 August – 28 September 2021

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

#### **2.0 Background**

- 2.1 The Neighbourhood Area of Castle Acre was designated on 8 December 2017. The Neighbourhood Area corresponds with Parish boundaries for Castle Acre Parish Council. The Castle Acre Neighbourhood Plan has been prepared by Castle Acre Parish Council. Work on the production of the plan has undertaken by members of the Parish Council and the local community, since 2017.
- 2.2 The Plan was submitted to the Borough Council of King’s Lynn and West Norfolk and consultation under Regulation 16 took place between 26 October and 21 December 2020. As part of this the plan it was publicised for an eight-week period (as opposed to the normal statutory 6-weeks requirement) due to Covid-19, to allow further extension for representation invited.
- 2.3 In December 2020 Ann Skippers was appointed by the Borough Council with consent of the Parish Council, to undertake the examination of the Castle Acre

Neighbourhood Plan. The examination took place over January to June 2021. This culminated in the Examiner's Report being issued on 11 June 2021.

- 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. A small number of modifications were not accepted by the Borough Council and Castle Acre Parish Council and these were duly subject to further "Consultation on the Proposed Modifications of the Examiners Report", from 17 August – 28 September 2021.
- 2.5 Having carefully considered each of the recommendations made within the Examiner's Report and the reasons for them, and feedback from the subsequent (August – September 2021) consultation, the Borough Council (in accordance with the 1990 Act; Schedule 48 paragraph 12) has decided to make most of the modifications to the draft plan referred to in Section 3 and Appendix 1 (below) to ensure that the draft plan meets the basic conditions set out in legislation.
- 2.6 As set out in section 3, it has been decided by the Borough Council and Parish Council to split up the modifications made within the Examiner's report. This has been separated into appropriate columns. As stated by the examiner in the final examination report (2020) and left apparent in the table: Areas that need modification are expressed in column 2.

Section	<p><b>Specific Modification for the NP to be compliant with the basic conditions as stated in the final Castle Acre NP Examination Report June 2021</b></p> <p>Where modifications are recommended, they appear in <b>bold text</b>. Where the examiner has suggested specific changes to the wording of the policies or new wording these appear in <b><i>bold italics</i></b>.</p>	Do you agree with the modification?	What needs to be done by the Local Planning Authority (LPA) or Qualifying Body (QB) to meet the specific modification?	Amendments and new changes made to the proposed Castle Acre neighbourhood plan in line with the examiner's specific modifications.
<p><b>Policy HE.1 Protecting Historic Assets (Designated and Non-Designated)</b></p>	<p><b>Add a new sentence at the end of paragraph four of the policy that reads:</b></p> <p><b><i>“It should be noted that the ability to record and document such heritage assets will not be a determining factor in determining whether any loss (wholly or in part) will be permitted.”</i></b></p> <p><b>§ Change the fifth paragraph of the policy to read: “In assessing the impact of any proposal on <i>any of the non-designated</i> heritage assets identified in this plan or via the planning process a balanced...”</b></p> <p><b>§ Delete the “(examples of)” from number 6 in the table below Map HE.1 and replace with “<i>Bailey Street, Castle</i>”</b></p>	Yes	QB have made the necessary textual and map changes	<p><b>Policy HE.1 Protecting Historic Assets (Designated and Non-Designated)</b></p> <p>Proposals for new development, irrespective of scale, that could either directly or indirectly affect the historic significance of any of Castle Acre’s designated or non-designated historic assets (<b>as shown on Map HE.1 page 26</b>) will not be supported, unless the tests set out in national guidance can be met and clear and convincing justification can be given.</p> <p>Such proposals should be supported by a detailed assessment in the form of a Heritage Statement.</p>

	<p><b>Square and Orchard Lane”</b></p> <p>§ Delete the words “Examples of” from the titles in Appendix 2 on pages 80, 81 and 82 of the Plan</p> <p>§ Change “I Moated Medieval Manor” on page 81 of the Plan to “<i>Earl’s Pond</i>”</p>			<p>Proposals for new development on undeveloped sites where there is a reasonable prospect of unknown and unrecorded archaeological or historical assets being present should be accompanied by a detailed assessment of the potential impacts of the proposal on the unidentified asset to allow for an informed judgment to be made.</p> <p>Where previously unknown or unrecorded assets are found to be present, then developers will be required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. It should be noted that the ability to record and document such heritage assets will not be a determining factor in determining whether any loss (wholly or in part) will be permitted.</p> <p>In assessing the impact of any proposal on a <del>Heritage asset</del>, on any of the non-designated heritage assets identified in this plan or via the planning process a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.</p>
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				<p><b>Map/Key Changes:</b></p> <p><u>Non- Designated Buildings</u></p> <ul style="list-style-type: none"> <li>• 6- Terraced dwellings Bailey Street</li> <li>• 7- Terraced dwellings Castle Square</li> <li>• 8- Terraced dwellings High Street/Stocks Green</li> <li>• 9- Terraced dwellings Orchard Lane</li> </ul> <p><u>Non-designated Sites</u></p> <ul style="list-style-type: none"> <li>• A- Medieval Moated Manor</li> <li>• I- Site of Earl's Pond</li> </ul>
<b>Policy HE.2 Conservation Area</b>	No change	Yes	No change	<p><b>Policy HE.2 Conservation Area</b></p> <p>The established special character of the Conservation Area and its setting will be protected and reinforced.</p> <p>This will be achieved by:</p> <p>a) Encouraging the retention and maintenance of buildings which contribute to the overall character of the Conservation Area.</p>

				<p>b) Ensuring that new development is sympathetic to the special qualities and character of the Conservation Area.</p> <p>c) Protecting the setting of the Conservation Area from development which adversely affects views into or out of the area.</p> <p>Proposals for the demolition, redevelopment or substantial alterations to the Important Unlisted Buildings identified in the Conservation Area Character Statement 2009 and shown on Map HE.2 (page 29) should demonstrate the consideration that has been given to retaining the:</p> <ul style="list-style-type: none"> <li>a. important character building or historic feature itself;</li> <li>b. most distinctive and important features;</li> <li>c. positive elements of its setting and its relationship to its immediate surroundings; and</li> <li>d. contribution that the building or historic feature and its setting makes to the character of the local area.</li> </ul>
<b>Policy HE.3 Castle</b>	<b>Change the phrase “...preserves and enhances...” to “...preserves or</b>	Yes		<b>Policy HE.3 Castle Acre’s Local Character and Vernacular Architecture</b>

<p><b>Acre's Local Character and Vernacular Architecture</b></p>	<p>enhances..." in paragraph 5.25 on page 30 of the Plan</p>		<p>QB have made textual changes to the supporting text and the policy to ensure the wording used is consistent with one another.</p>	<p>All new development irrespective of scale should reflect Castle Acre's local distinctiveness and seek to preserve or enhance the existing visual character of the village. New housing should respect the scale, materials and character of existing and surrounding buildings, reinforce local development patterns and be compatible with the form, scale, massing and character of adjacent properties where this provides a positive contribution. This can be achieved by new developments seeking to incorporate the following important characteristic details within the design of the scheme:</p> <ul style="list-style-type: none"> <li>(a) the use of traditional materials such as flint, pantile, slate and render;</li> <li>(b) the use of sustainable materials;</li> <li>(c) the use of traditional detailing such as such as quoins, stone and brick lintels, brick bonds, roof lines, window and door types.</li> </ul> <p>Supporting text:</p> <p>5.25 Understanding the characteristics of the village is important in designing new</p>
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				development. New development within or next to either of the Conservation Areas or listed buildings must make sure it <b>preserves or enhances</b> the character of the area. Other areas may require a different design approach - for example, there may be opportunities for new development to change the character of less positive places by introducing architectural harmony or variation in relation to the immediate surroundings.
<b>Policy HE.4 Important Views</b>	<ul style="list-style-type: none"> <li>• <b>Remove View g from the policy, from Map HE.4 and the key on page 35 of the Plan</b></li> <li>• <b>Delete the word “unacceptable” from the last sentence of the policy</b></li> </ul>	<p>Yes partially. The LPA and QB discussed the first point regarding View G being removed. The QB made their case that in fact the examiner had made a mistake in the examiner’s report claiming View G was taken from the middle of a field rather than from the roadside.</p> <p>To resolve this conflict the LPA suggested to make the map clearer and amend the arrow for View G to show this change. In line with the Planning Policy Guidance for Neighbourhood Planning Para 092 &amp; 093 we set a 6-week consultation up from</p>	QB have made textual and map changes	<p><b>Policy HE.4 Important Views</b></p> <p>The following views and vistas (as shown on the Maps below) are identified as Important Public Local Views:</p> <ul style="list-style-type: none"> <li>a) View from the Castle looking south west, and towards St James Tower;</li> <li>b) Views from St James Church out over the Priory and across the valley;</li> <li>c) Views along Bailey Street, to and from the Bailey Gate;</li> <li>d) Views from Chimney Street towards the river and across Castle Meadow;</li> <li>e) Views from East Green across open countryside;</li> <li>f) View from South Acre Ford across the meadow to the Priory;</li> </ul>

		<p>Tuesday 17<sup>TH</sup> August to Tuesday 28<sup>th</sup> September 5pm.</p> <p>The consultation informed people via email on the 17<sup>th</sup> August 2021 with a copy of the new map the modification proposed. This email has been attached as Appendix 1 to the decision statement for information purposes.</p> <p>This was sent to any individual who made a representation at Regulation 16 or are a consultation body who was previously consulted. No objections or comments came back referring to the proposal to not take forward the examiners suggested modification of removing View G from Policy HE.4 and Map HE.4.</p> <p>Therefore, the LPA agree to still take forward the proposal to keep View G in Policy and Map HE.4.</p>		<p>g) View from West Acre Road towards the village and Church of St James</p> <p>Proposals for development that would be visible within or would affect an important view should ensure that they respect and take account of the view concerned. Developments which would have an <b>unacceptable</b> adverse impact on the landscape or character of the view or vista will not be supported.</p>
<b>Policy NE.1 Protection of Landscape Setting</b>	<b>No change</b>	Yes	<b>No change</b>	<p><b><u>Policy NE.1 Protection of Landscape Setting</u></b></p> <p>The visual scenic value of the landscape and countryside in the Neighbourhood Area outside the defined settlement boundary will</p>

				<p>be protected from development that may adversely affect its visual appearance or harm sensitive features typical of the Rolling Open Farmland Character Area.</p> <p>Developments which adversely impact the historic landscape setting of Castle Acre and of the River Nar Valley including views over the Water Meadows will not be supported.</p>
<p><b>Policy NE.2 Habitats and Natural Features</b></p>	<p><b>Add the European sites to Map NE.2 and its key</b>  <b>§ Add the words “and shown on Map NE.2” after “The following Natural Features...” in the first sentence of the policy</b></p> <p><b>§ Delete the last paragraph of the policy which begins “To prohibit vehicles...” from the policy and add this to the Community Action Projects section at the end of this section if desired</b></p> <p><b>§ Include reference to the two County Wildlife Sites within the policy and on Map NE.2 or a different Map as appropriate</b></p>	<p>Yes</p>	<p>QB have made textual and map changes</p>	<p><b>Policy NE.2 Habitats and Natural Features</b></p> <p>The following Natural Features (<b>Map NE.2 page 44</b>) will be protected from development that would have a significant adverse impact upon their character, appearance and wildlife value:</p> <ol style="list-style-type: none"> <li>1) The River Nar Site of Special Scientific Interest.</li> <li>2) Minns Meadow</li> <li>3) The Water Meadows to the south and east of the village.</li> <li>4) Broadmeadow Common,</li> <li>5) Emanuel’s Common</li> <li>6) Castle Acre Common</li> <li>7) County Wildlife Sites (<b>Map N.E 2.1, page 45</b>)</li> <li>8) European Protection Sites e.g. the Breckland S.P.A (<b>Map N.E 2.2, page 45</b>)</li> </ol>

				<p>All development proposals will be expected to retain existing features of landscape and biodiversity value (including ponds, trees, woodland, hedgerows and verges) and, where practical to do so, provide a net gain in biodiversity through for example:</p> <ul style="list-style-type: none"> <li>a) the creation of new natural habitats.</li> <li>b) the planting of additional trees and hedgerows and restoring and repairing fragmented biodiversity networks.</li> </ul> <p>Where loss or damage is unavoidable, the benefits of the development proposals must be demonstrated clearly to outweigh any impacts and the development shall provide for appropriate replacement planting on site together with a method statement for the ongoing care and maintenance of that planting.</p> <p>Any development brought forward within the Neighbourhood Plan area must ensure that it can be implemented without any adverse effects upon the integrity of the European sites. Proposals that will adversely affect the integrity of European sites will not be supported. Attention is drawn in particular to the overarching Policy DM19 within the</p>
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				<p>SADMP (2015) and the Borough Council of King's Lynn and West Norfolk Natura 2000 sites Monitoring and Mitigation Strategy (2015), which describes measures to ensure no adverse effect on European sites, including that of housing, developers must pay a standard contribution to the monitoring and mitigation of European sites within Norfolk. This rate is currently £50 per dwelling.</p> <p>Where a new access is created, or an existing access is widened through an existing hedgerow, a new hedgerow of native species shall be planted on the splay returns into the site to maintain the appearance and continuity of hedgerows in the vicinity.</p> <p><del>To prohibit vehicles from using part of South Acre Road from 50 metres below the junction with Blind Lane, across South Acre ford and onto Church Farm. This is to preserve the tranquillity of this SSSI beauty spot and to protect the gravel riverbed from engine pollution and damage to fish spawning.</del></p>
<b>Policy NE.3 Local Green Spaces</b>	<b>Modify Map NE.3 by removing the cricket pavilion building from c) Castle Acre Playing Field</b>	Yes	QB have made the necessary	<b><u>Policy NE:3 Local Green Spaces</u></b>

	<p>§ Delete Further Pond Close from the policy and Map NE.3</p> <p>§ Change the second paragraph of the policy to read: “<i>Development in the Local Green Spaces will be consistent with national policy for Green Belts.</i>”</p> <p>§ Consequential amendments will be required</p>		textual and map changes	<p>The following areas are designated as Local Green Space for special protection (as shown in Map NE.3 below).</p> <p>a) Castle Meadow.  <b>b) Castle Acre Playing Field.</b>  <del>b) Further Pond Close</del>  <del>e) Castle Acre Playing Field</del></p> <p><b>Development in the Local Green Spaces will be consistent with national policy for Green Belts.</b></p> <p><del>Development on designated Local Green Spaces will only be supported in exceptional circumstances. Development adjacent to a Local Green Space that would adversely impact upon its special qualities will not be supported.</del></p>
<p><b>Policy NE.4 Dark Skies</b></p>	<p>No change</p>	<p>Yes</p>	<p><b>No change</b></p>	<p><b>Policy NE.4 Dark Skies</b></p> <p>Development proposals that address light spillage and eliminate all unnecessary forms of artificial outdoor lighting, by ensuring that good lighting management and design are applied throughout the Neighbourhood Plan Area, will be supported.</p> <p>Development proposals that involve external lighting will only be permitted where it can be demonstrated that they are required for</p>

				<p>safety, security or community reasons and where the design minimises light spillage.</p> <p>Applicants are required to demonstrate that they meet or exceed the Institute of Lighting Professionals guidance and other relevant standards or guidance for lighting<sup>1</sup>.</p> <p>Where street lighting and the lighting of residential dwellings or businesses is proposed, proposals will be supported that include environmentally efficient lighting that is sympathetic in design (for example, down lighting) and limited where adjacent to the countryside, the designated historic assets and the protected natural habitats and features identified in <b>Policy NE.2</b>.</p>
<p><b>Chapter 7: Housing and Development</b></p>	<p>Ensure that objectives 5 and 7 are the same in this section as the ones in Chapter 4</p> <p>§ Amend paragraph 7.8 to read:  “Advice from the Borough Council in the early stages of drafting the Neighbourhood Plan (May 2019) was that the Local Plan</p>	Yes	QB make textual changes	<p><b>Supporting text:</b></p> <p><b>Objective 5:</b> Deliver the number of new homes required to meet local housing need. <del>including meeting the needs of the elderly.</del></p> <p><b>Objective 7:</b> Promote high quality standards of building and design which will enhance the character of the area, respect the rural</p>

<sup>1</sup> <https://www.theilp.org.uk/documents/obtrusive-light/>

	<p>would not make any further provision for new housing after 2026 in Castle Acre. However, in February 2020, the BCKLWN advised that approximately five additional dwellings between 2026 and 2036 would be an appropriate figure <i>to work towards</i> (See Appendix 7). Site selection and allocation to accommodate this figure should therefore be taken forward by the emerging Neighbourhood Plan. <b>Neighbourhood Plans can provide for a higher figure than that given by the local planning authority, should they so wish.</b></p> <p>§ Change the last sentence of paragraph 7.17 on page 55 of the Plan to read: “<i>in addition to the development boundary amendments set out above, existing development along Chimney Street is included within a new development boundary.</i>”</p> <p>§ Change the fourth sentence of paragraph 7.18 on page 55 of the Plan to read:  “Future amendments to the development boundary will <i>be made through reviews of the Neighbourhood Plan or through a Local Plan Review involving consultation with the local</i></p>			<p>context and meet the requirements of modern <b>sustainable</b> living.</p> <p>7.8 Advice from the Borough Council in the early stages of drafting the Neighbourhood Plan (May 2019) was that the Local Plan would not make any further provision for new housing after 2026 in Castle Acre. <b>However, in February 2020 BCKLWN advised</b> that approximately five additional dwellings between 2026 and 2036 would be an appropriate figure <b>to work towards</b>. (See Appendix 7) Site selection and allocation to accommodate this figure should therefore be taken forward by the emerging Neighbourhood Plan. Neighbourhood Plans can provide for a higher figure than that given by the local planning authority, should they so wish.</p> <p>7.17 (now 7.16) - <del>In preparing this Neighbourhood Plan and the proposed site the development boundary has been reviewed and extended to include the permitted site at Massingham Road (G22.1) and the allocation as proposed in this Neighbourhood Plan, CA.3.</del> Recent new development in Castle Acre is largely confined to the northern part of the village, due to its location on the northern slopes of the River Nar and the evolution of</p>
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	<p><b>community.”</b></p> <p><b>§ End the sentence in paragraph 7.20 on page 55 which begins “On this basis, the site can be considered...” at “allocation”</b></p>			<p>the village around the historic buildings, historic landscape and the SSSI. Subsequently most post war development has had the effect of extending the village northwards and increasing the number of small estate developments in that area. In preparing this Neighbourhood Plan and the proposed site the development boundary has been reviewed and extended to include the permitted site at Massingham Road (G22.1) and the allocation CA.3, as proposed in this Neighbourhood Plan. <b>In addition to the development boundary amendments set out above, existing development along Chimney Street is included within a new development boundary.</b></p> <p>7.18 (now 7.17) - The development boundary is critical to how a village expands over time, given that new development is usually restricted in Local Plan policies to being ‘within’ or ‘adjacent’ to the development boundary. New development beyond the development boundary in rural areas is generally not permitted. Villages, especially those such as Castle Acre where potential land for development adjacent to the settlement boundary is highly constrained, are particularly at risk of over development in the restricted areas where development can be permitted. <b>Future amendments to the</b></p>
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				<p>development boundary will be made through reviews of the Neighbourhood Plan or through a Local Plan Review involving consultation with the local community.</p> <p>Amendments or extensions will only be supported at locations where it can be demonstrated that there is no detrimental impact upon the landscape and historic assets of the village.</p> <p>7.20 (now 7.19)- The review of the boundary undertaken as part of this Neighbourhood Plan process has reinstated this area within the boundary and includes Chimney Street and specifically Site CA.3 The Glebe Land. The site is in an area of high heritage sensitivity, being adjacent to a Grade I listed building, a scheduled monument and 'important unlisted buildings' within the Castle Acre Conservation Area. However, development of the site for a terrace of 4 starter homes has the potential to mitigate impact on heritage assets through sympathetic design. A Heritage Impact Statement has been undertaken for the site. The site is contained but partially visible from the River Nar Valley and the Castle Acre Priory remains to the south and west respectively and is in an area of medium landscape sensitivity and visual amenity. On this basis, the site can be considered as</p>
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				<p>suitable for allocation. in line with emerging Local Plan Policy LP26 which supports residential development adjacent to existing settlements with sensitive infilling of small gaps either wholly or in part or rounding off the existing development boundary.</p>
<p><b>Policy HD.1 Housing Provision</b></p>	<p>Amend Policy HD.1 to read:          “The Neighbourhood Plan area will accommodate development, including ‘windfalls’, commensurate with Castle Acre’s classification as a Key Rural Service Centre within the Local Plan settlement hierarchy. <i>The revised development boundary and a new development boundary are defined on Map HD.1.</i></p> <p>This Plan provides for a minimum of 5 housing units in the Neighbourhood Plan area between 2020 and 2036. This need will be met through:          i) <i>Allocating Site CA.3 Glebe Land off South Acre Road for the development of 4 dwellings and an area of car parking for the Church</i>          ii) Small “windfall” sites and infill plots within the development boundaries</p>	<p>Yes</p>	<p>QB made map and textual changes</p>	<p><b><u>Policy HD.1 Housing Provision</u></b></p> <p>The Neighbourhood Plan area will accommodate development, including ‘windfalls’, commensurate with Castle Acre’s classification as a Key Rural Service Centre within the Local Plan settlement hierarchy. <i>The revised development boundary and a new development boundary are defined on Map, HD.1 (page 53).</i> This Plan provides for a minimum of 5 housing units in the Neighbourhood Plan Area between 2020 and 2036. This plan provides for 4 new dwellings to be constructed between 2020 and 2036 in the Neighbourhood Plan area.</p> <p>This need will be met through:          i) <i>Allocating Site CA.3, Glebe Land off South Acre Road for the development of 4 dwellings and an area of car parking for the Church. (2020-2036)</i></p>

	<p>which will come forward during the plan period but are not identified in the Plan; and</p> <p>iii) Conversions of existing buildings outside of the Castle Acre development boundaries in accordance with paragraph 79 of the NPPF 2019.</p> <p>The focus of new windfall development will be within the Castle Acre development boundaries as defined on MAP HD.1 on page 53.</p> <p>Site CA3 – Glebe Land off South Acre Road – <i>is allocated for 4 dwellings and an area of car parking for the Church subject to all of the following criteria:</i></p> <p>a) The development of this site will provide for a sensitively designed terrace of four two bedroom homes aimed at those with a local connection and an area of car parking for the Church. Any planning permission granted will be subject to an agreement that both the housing and car parking is provided.</p> <p>b) Access to the site will be from South Acre Road or Chimney Street; access arrangements should be designed to ensure that any proposed junction</p>			<p>ii) Small “windfall” sites and infill plots within the development boundaries which will come forward during the plan period but are not identified in the Plan; and</p> <p>iii) Conversions of existing buildings outside of the Castle Acre development boundaries in accordance with paragraph 79 of the NPPF 2019.</p> <p>The focus of new windfall development will be within the Castle Acre development boundaries as defined on MAP HD.1 on page 53.</p> <p><b>Site CA3 – Glebe Land off South Acre Road – is allocated for 4 dwellings and an area of car parking for the Church subject to all of the following criteria:</b></p> <p>a) The development of this site will provide for a sensitively designed terrace of four two bedroom homes aimed at those with a local connection and an area of car parking for the Church. Any planning permission granted will be subject to an agreement that both the housing and car parking is provided. The development of this site will provide for four two bedroom starter homes</p>
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	<p>infrastructure <i>respects</i> the rural <i>and historic</i> character and edge of village location (See Historic England guidance). See footnote ref; Historic England</p> <p>c) <i>All existing trees and hedgerows on the site should be retained wherever possible. Only those necessary to achieve safe access for the housing and car park development should be removed. Any trees or hedgerows totally or partially removed should be appropriately replaced.</i></p> <p>d) The area of proposed new car parking for the church will be to the north of the site closest to the <i>churchyard</i></p> <p>e) <i>Any lighting scheme proposed for the for the car park and the dwellings on the site shall minimise light pollution to avoid harm to the setting of the church and priory.</i>”</p> <p>§ Include Site G22.1 in the development boundary line [it is no longer necessary to note the change; just show the new boundary]</p> <p>§ Change Map HD.1 to show a new separate development boundary that is the existing red line on the Map and the whole of the site allocation</p>			<p><del>with priority given to residents and those with families living nearby.</del></p> <p>b) Access to the site will be from South Acre Road or Chimney Street; access arrangements should be designed to ensure that any proposed junction infrastructure respects the rural <b>and historic</b> character and edge of village location (See Historic England guidance). See footnote ref; Historic England</p> <p>c) <b>All existing trees and hedgerows on the site should be retained wherever possible. Only those necessary to achieve safe access for the housing and car park development should be removed. Any trees or hedgerows totally or partially removed should be appropriately replaced.</b> Existing trees and hedgerows on the site will be a priority for maximum retention.</p> <p>d) The area of proposed new car parking for the church will be to the north of the site closest to the churchyard <del>and accessed off South Acre Road.</del></p> <p>e) <b>Any lighting scheme proposed for the car park and the dwellings on the site shall minimise light pollution to avoid harm to the setting of the church and priory.</b> Overall the site and adjacent Heritage Assets will be protected by the ‘NE.4 Dark Skies Policy’, page 48. <del>Any lighting scheme proposed for the for the car park and the dwellings on the site shall maximise the use of low lux/non sodium lighting in</del></p>
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	<p>currently shown in blocked green and striped green; make sure that the whole of the development boundaries are shown [at present Map HD.1 cuts off the settlement to the east]</p> <p>§ Show the site allocation for the new housing and car park on Map HD.1 as one site allocation; it is useful to retain the shadings to show the housing and car parking elements</p>			<p>order to minimise light pollution and avoid harm to the setting of the church and priory.</p>
<p><b>Policy HD.2 Housing Size, Type and Tenure</b></p>	<p>Add the words “<i>or the most up to date housing needs assessment available</i>” after “...Housing Needs Assessment 2019” in the second paragraph of the policy</p>	<p>Yes</p>	<p>QB made textual changes</p>	<p><b>Policy HD.2 – Housing Size, Type and Tenure</b></p> <p>Encouragement will be given to a wide range of types of housing that meet local needs to enable a mixed and inclusive community.</p> <p>New developments will be expected to provide housing commensurate with the housing needs of Castle Acre in accordance with the mix outlined in the Housing Needs Assessment 2019 <b>or the most up to date housing needs assessment available</b>, unless compelling justification for an exception can be provided. Developments should provide:</p> <ul style="list-style-type: none"> <li>i). 2 bedroom dwellings as starter homes/first time buyers,</li> <li>ii). Adaptable, ‘lifetime’8 homes,</li> </ul>

				<p>iii). Affordable housing, specifically social and affordable rented,</p> <p>iv). Housing for older people (e.g. Retirement living housing/supported/sheltered housing, bungalows and retirement complexes),</p> <p>v). Eco-friendly homes</p> <p>Support is given for maximising the delivery of affordable housing on all qualifying sites in Castle Acre.</p>
<p><b>Policy HD.3 Design</b></p>	<p><b>Change the first sentence of the policy to read: “All new development should be of a <i>high</i> quality, <i>be</i> well designed, <i>respect and, wherever possible</i>, enhance the form and character of Castle Acre.”</b></p> <p><b>§ Change the third sentence of the policy to read: “Development within or adjacent to the settlement boundary should <i>respect</i> the rural character <i>and setting</i> of the village and avoid creating hard urban fringes <i>and edges to ensure that development is assimilated</i> into the surrounding countryside.”</b></p> <p><b>§ Change the fourth sentence of the policy to read: “Small sites (up to 5 properties), dependent on <i>local housing</i> need, <i>are encouraged</i>.”</b></p>	Yes	QB has made textual changes	<p><b><u>HD.3 Design</u></b></p> <p>All new development should be of a high quality, be well designed, respect and, wherever possible, enhance the form and character of Castle Acre. Careful consideration should be given to the form, character and setting of new development to reduce the risk of over dominance by new development. Development within or adjacent to the settlement boundary should respect retain the rural character and setting of the village and avoid creating hard urban fringes and edges to ensure that development is assimilated into the surrounding countryside.</p> <p>Small sites (up to 5 properties), dependent on local housing need, will be encouraged to reduce the massing and</p>

	<p>§ Add a sentence before criterion a) that reads: “<i>All new development is expected to accord with the following criteria.</i>”</p> <p>§ Change the word “uncrowded” in criterion a) to “<i>rural</i>”</p> <p>§ Change “...Policy H.E3” in criterion c) to “Policy <i>HE.3</i>”</p> <p>§ Delete criterion e) point ii) that reads “resident access to the rear garden without going through the house”</p>			<p>over dominance of new development are encouraged.</p> <p>All new development is expected to accord with the following criteria:</p> <p><b>a) Building Character</b>  New development should respect the compact and rural uncrowded character of Castle Acre. Use of repetitive building uniformity and layout features should be avoided and careful consideration should be given to orientation, roof heights and shapes in order to create an interesting and aesthetically pleasing development which enhances the overall village scape of Castle Acre. New development should have careful regard to height, layout, building line, massing and scale of existing development in the immediate area. Designs should draw upon detail from existing vernacular architecture and take account of the Character Appraisal within the plan.  <b>(Appendix 3)</b></p> <p><b>b) Building Materials</b>  The use of traditional materials common in the parish (as identified in the Character Appraisal, <b>Appendix 3</b> and <b>Policy HE.3</b>), especially those sourced locally and of low ecological/ environmental impact, will</p>
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				<p>be encouraged. Proposals that promote the positive application of S.U.D.S measures will be supported thus minimising the use of hard non-porous surfaces.</p> <p><b>c) Building Detail</b>  Architectural details should reflect and or complement those traditionally used within the village, (see also <b>Policy HE.3</b>). Reference at the design stage should be made to the Character Appraisal work within this plan.</p> <p><b><u>d) Landscaping.</u></b>  The landscaping of new development is crucial to how the development impacts upon both the surroundings and the Conservation Area and should be an integral part of any design proposal and should developed at an early stage alongside/within the scheme. Native species will be encouraged together with measures designed to attract and benefit wildlife including the provision of new habitats. Where appropriate, trees and hedgerows used as structural landscaping and boundary treatments should be subject to a preservation order</p>
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				<p>and/or a replanting condition in the first five years.</p> <p><b><u>e) Dwelling Amenity.</u></b></p> <p>Development proposals for new dwellings should provide;</p> <ul style="list-style-type: none"> <li>i) sufficient private amenity space to meet the needs of new residents, such as garden space which should be at least equal to the cubic footprint of the dwelling,</li> <li>ii) <del>resident access to the rear garden without going through the house</del></li> <li>ii) off street vehicular parking for residents and visitors,</li> <li>iii) ancillary storage for refuse and recycling.</li> </ul> <p>New development should not be harmful to the living conditions of the residents of adjacent properties.</p> <p>The provision of high-speed internet connections is encouraged.</p> <p><b><u>f) Building Style</u></b></p> <p>The design of new development should be of a high quality that will be valued now and in the future. There is no presumption in favour of either traditional or contemporary design. A range of high quality traditional and more innovative</p>
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				<p>contemporary designs will be encouraged.</p> <p><b>g) New Technologies and Eco living</b> Where appropriate, support will be given to the use of new efficient and environmentally low impact technologies such as ground and air source heating, solar panels, water recycling, etc.</p>
<p><b>Policy TT.1 Visitor Car Parking</b></p>	<p><b>Add the words “<i>otherwise acceptable</i>” after “Support will be given to...” in the first sentence of the policy</b></p> <p><b>§ Delete the policy wording from “Particular support is given...” to end and move, if desired, to become a new Community Action project bullet point</b></p>	<p>Yes partially. The LPA and QB discussed the second point regarding deleting the policy wording from “particular support”.</p> <p>On pages 34/35 Paragraph 4 of the examiner’s report, the examiner wrote “<i>Via a representation made of behalf of the landowner, the landowner has indicated that whilst the land has on occasion been made available for parking, there is no intention to develop a formal car park. This allocation is therefore not deliverable and should be removed from the policy. This could however be included as a Community Action Project if desired. A modification is made to address this.</i>”</p>	<p>QB have made textual amendments</p>	<p><b>TT.1 Visitor Car Parking</b></p> <p>Support will be given to <b>otherwise acceptable</b> proposals that help to relieve traffic congestion in the village centre (Bailey Street, High Street, Priory Road, Pales Green, Stocks Green, etc) and/or provide solutions to existing problems caused by ‘on street’ parking especially during peak periods. Particular support is given for the creation of new designated visitor parking off Priory Road (see Map TT.1, page 68). This facility would help free up parking space in the village centre and also help reduce the visual dominance of car parking in the heart of the village and Conservation Area which is identified as a ‘detractor’ in the Conservation Area Character Statement.</p>

		<p>The modification proposed was to “Delete the policy wording from “<i>Particular support is given...</i>” to end and move, if desired, to become a new <i>Community Action project bullet point</i>”.</p> <p>However, in further discussion with the parish council and seeing evidence of discussion with the landowner it has been made clear that progress and formal agreement has been made on making this land available as additional village parking, meaning at the time the examiner wrote the policy as being undeliverable, it has now in fact changed.</p> <p><b>The Borough Council propose that it is appropriate to reinstate the whole policy as previously drafted and not agree with the modification proposed.</b></p> <p>In line with the Planning Policy Guidance for Neighbourhood Planning Para 092 &amp; 093 we set a 6-week consultation up from</p>		
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		<p>Tuesday 17<sup>TH</sup> August to Tuesday 28<sup>th</sup> September 5pm.</p> <p>The consultation informed people via email on the 17<sup>th</sup> August 2021 with the modification proposed. This email has been attached as Appendix 1 to the decision statement for information purposes.</p> <p>This was sent to any individual who made a representation at Regulation 16 or are a consultation body who was previously consulted. No objections or comments came back referring to the proposal to not take forward the examiners suggested modification of removing part of the policy wording in TT.1.</p> <p>Therefore, the LPA agree to still take forward the proposal to keep the policy wording as it stands with exception of adding the words "<i>otherwise acceptable</i>" after "Support will be given to..." in the first sentence of the policy as suggested by the examiner.</p>		
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<p><b>Policy TO.1 Protecting Existing Tourism and Community Facilities</b></p>	<p><b>No change</b></p>	<p>Yes</p>	<p><b>No change</b></p>	<p><b>TO.1 – Protecting Existing Tourism and Community Facilities</b></p> <p>Proposals for change of use involving a potential loss of an existing tourism or community facility or business, will only be supported where it can be demonstrated that:</p> <ul style="list-style-type: none"> <li>a) Adequate other facilities offering the same service exist within a reasonable walking distance of the majority of residents, to meet visitor and local needs, or</li> <li>b) There is no reasonable prospect of continued viable use and this can be demonstrated through: <ul style="list-style-type: none"> <li>i) Twelve months of marketing in appropriate publications, for the permitted and similar uses, using an appropriate agent; and</li> <li>ii) Confirmation that it has been offered on a range of terms (including price) agreed to be reasonable on the advice of a qualified independent assessor/agent.</li> </ul> </li> </ul> <p><b><u>Tourism and Community Facilities</u></b> Proposals to improve existing tourism and community facilities will be supported.</p>
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				Upgraded facilities should help retain the character of Castle Acre and not adversely affect Historic and Natural Environments or the Conservation Area. Proposals should not detract from the amenity of local residents or result in an overall unacceptable increase in traffic generation or lead to an increase in 'on street' parking.
<b>Policy BU.1 Business Development</b>	<b>No change</b>	Yes	<b>No change</b>	<p><b>Policy BU.1 Business Development</b></p> <p>Support will be given to proposals that address local employment needs through the provision of ;</p> <ul style="list-style-type: none"> <li>i) Home based and live work units</li> <li>ii) Small start-up or incubator units</li> <li>iii) Accommodation for office facilities or training facilities</li> </ul> <p>Proposals that would result in the conversion of an existing building are particularly supported.</p>
<b>Appendices</b>	In relation to the glossary, there are three revisions in the interests of accuracy or clarity to make. § <b>Change the reference to “...NPPF 2018...” to “NPPF 2019” in the definition of “Local Green Space”</b>	Yes	QB have made necessary textual changes throughout	<p><b>Glossary:</b></p> <ul style="list-style-type: none"> <li>• Local Green Space- An area of green space that is demonstrably special to a local community by way of its beauty,</li> </ul>

	<p>§ Change the reference to “...Department of Communities and Local Government” to “<i>Ministry of Housing, Communities and Local Government</i>” in the definition of “National Planning Policy Framework (NPPF)”</p> <p>§ Change the reference to “...paragraph 7...” in the definition of “sustainable development” to “paragraph 8”</p>		<p>the neighbourhood plan to ensure accuracy or clarity has been made.</p>	<p>historic significance, recreational value, tranquillity or richness of its wildlife (see NPPF 2019 paragraph 100)</p> <ul style="list-style-type: none"> <li>• National Planning Policy Framework (NPPF)- The NPPF forms the national planning policies that Local Planning Authorities and Qualifying Bodies need to take into account when drawing up their Local Plan and other documents and making decisions on planning policies. The NPPF is published by the Department of Communities and Local Government. Ministry of Housing, Communities and Local Government</li> <li>• Sustainable Development- Meeting peoples’ needs now, socially, environmentally and economically, without jeopardising the needs of future generations. There are three dimensions to sustainable development as seen in paragraph 8 of the NPPF: - economic contributing to a strong, competitive economy; - social-supporting strong, vibrant and healthy communities and – environmental contributing to protecting and enhancing the natural, built and historic environment.</li> </ul>
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Further amendments have also been made in the Neighbourhood Plan since Regulation 16 outside of the examiners suggestions to improve the structure, appearance, and clarity of the plan with changes to the Appendices numbers, updating factual changes/dates etc.

- **Headers and dates changed/updated**
- **Remove Appendix 8 AND RENUMBER 8 TO 12 + Change to ALLOCATED SITE ASSESSMENT (new Appendix 8). New page nos**
- Recolour changes + 'further consultation' added page 4
- **+ added (Confirmation of support for Car Park received from Holkham Estate July 14th 2021) page 17**
- **+ change Barnfields to Wittles + Albert Victor amendment (now a residential dwelling). Removed 's from St James on page 24**
- **+ Change 'normal' to standard para 5.30**
- **Added detail 6.25-** The results of the Neighbourhood Plan consultation exercises indicate a strong desire that Castle Acre must continue to sustain a harmonious relationship with the surrounding environment. Villagers and visitors alike value greatly the recreational, artistic and leisure opportunities that the countryside around Castle Acre offers. Observing wildlife, fishing and walking are just a few of the activities that are essential to the lifestyle of the villagers and its visitors. The river and its SSSI status,

		<p>footpaths, commons and open landscape contribute greatly to the wellbeing of the population and is captured in the following policy.</p> <p>Additionally the Plan strongly supports a Community Action project (page 49) using a Traffic Restriction Order which will restrict vehicular access to South Acre Ford with the objective of protecting the habitats within the River Nar SSSI.</p> <ul style="list-style-type: none"> <li>• <b>Removed from community action project</b> “Encourage and support CAPFA<sup>4</sup> in seeking funding for new/upgraded play equipment.” On page 49</li> <li>• <b>Remove paras 7.10 &amp; 7.11 Rework end of para 7.11 Paragraph numbers should change ongoing in the chapter – page 53</b></li> <li>• <b>+ amend Traffic survey appendix number to 9 from 10 in para 8.9- page 66</b></li> <li>• <b>para 8.17 change page references due to removals from appendix- page 67</b></li> <li>• <b>removed two bullet points from the community action projects:</b> <del>articular support is given for the creation of new designated visitor parking for up to 40 cars off Priory Road. This facility would help free up parking space in the</del></li> </ul>
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		<p><del>village centre and also help reduce the visual dominance of car parking in the heart of the village and Conservation Area which is identified as a 'detractor' in the Conservation Area Character Statement. (See Map CP.1 page 70).</del></p> <p>And</p> <p><del>Seek funding for a pedestrian Trod along the south side of Newton Road from East Green to Sandy Lane.</del></p> <ul style="list-style-type: none"><li>• <b>Appendix 8 Call for sites assessments removed. Recolour revised Appendices numbers and pages- page 77</b></li><li>• <b>+ added 'Examples of to heading. – page 78</b></li><li>• <b>Added 'examples of' as not complete set of images referencing p.26 – page 80</b></li></ul>
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# Appendix 1: Consultation email sent out for Castle Acre NP on the proposed modifications of the examiners report

Castle Acre Neighbourhood Plan Consultation on the Proposed Modifications of the Examiners Report (2021)

pp Planning Policy email  
To: Planning Policy  
Bcc: [Redacted] + 129 others  
Tue 17/08/2021 12:16

← Reply   ← Reply All   → Forward   ⋮

ⓘ If there are problems with how this message is displayed, click here to view it in a web browser.

Examiner\_Report\_CastleAcre\_BCKLWN\_Final.pdf .pdf File  
Castle Acre Important views copy.jpg .jpg File

Dear Sir/Madam,

The Castle Acre Neighbourhood Plan recently has gone through its examination stage. Currently the neighbourhood plan has been at the decision stage with the Local Planning Authority deciding on what action to take in response to each of the report's recommendations. Whilst in discussion with the parish council, there are two modifications which the Local Planning Authority wish to propose a different way forward.

1. **The first one is under Chapter 5: The Historic Environment, Historic Landscape and Vernacular Architecture Policy HE.4 and Map HE.4** (page 34/35 of the neighbourhood plan attached). The examiner stated on page 21 of their report, *"This policy identifies a number of views which are shown on Map HE.4 on page 35 of the Plan. I am satisfied from what I saw on my site visit, the views selected are appropriate with the exception of View g which seems to be in the middle of a field and therefore lacks the precision needed for development management purposes."*

The modification proposed was to **"Remove View g from the policy, from Map HE.4 and the key on page 35 of the Plan"**. However, on investigation and in discussion with the qualifying body the picture taken associated to the map and "View G- Views into the village from the north across Further Pond Close", was taken from West Acre Road and not the middle of the field. Nevertheless, we accept that Map HE.4 brought confusion to the examiner for the comments made.

**The Borough Council propose that the map is changed** to reflect the arrow G on Map HE.4 to be moved back to West Acre Road as stated by the qualifying body to avoid confusion and to keep view G in the policy, map, and key on page 35 of the neighbourhood plan. **The new map has been attached to this email.**

2. **The second modification refers to Chapter 8: Traffic and Transport, Policy TT.1 Visitor Car Parking (page 67/68 of the neighbourhood plan)** – On pages 34/35 of the examiner's report within Para 4 of this section the examiner wrote *"Via a representation made of behalf of the landowner, the landowner has indicated that whilst the land has on occasion been made available for parking, there is no intention to develop a formal car park. This allocation is therefore not deliverable and should be removed from the policy. This could however be included as a Community Action Project if desired. A modification is made to address this."*
- 3.

The modification proposed was to **"Delete the policy wording from "Particular support is given..." to end and move, if desired, to become a new Community Action project bullet point"**.

**If this modification was taken forward the Policy would read:** TT.1 Visitor Car Parking. Support will be given to proposals that help to relieve traffic congestion in the village centre (Bailey Street, High Street, Priory Road, Pales Green, Stocks Green, etc) and/or provide solutions to existing problems caused by 'on street' parking especially during peak periods. ~~Particular support is given for the creation of new designated visitor parking off Priory Road. This facility would help free-up parking space in the village centre and also help reduce the visual dominance of car parking in the heart of the village and Conservation Area which is identified as a 'detractor' in the Conservation Area Character Statement. (See Map TT.1 page~~

### **3.0 Decision**

- 3.1 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.
- 3.2 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 most of the modifications to the draft plan, with the exception of the “Proposed Modifications of the Examiner’s Report”, which were subject to further focused consultation (17 August – 28 September 2021). The latter consultation (details at Appendix 1, above) did not give rise to any material objections.
- 3.3 Following the modifications made, the Castle Acre 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.
- 3.4 It is recommended that the Castle Acre Neighbourhood Plan progresses to referendum. Consideration has been given as to whether the area should be extended beyond that of the neighbourhood area. The Borough Council concurs with Examiner's conclusion that nothing has been suggested which would require an extension of the area beyond that originally designated (8 December 2017).

#### **Decision made by:**

Cllr Richard Blunt  
Cabinet Member for Development and Regeneration      20 October 2021

Geoff Hall  
Executive Director Environment and Planning      20 October 2021